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State of the First Amendment 2002



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On the Cover: Firefighters unfurl an American flag from the roof of the Pentagon on Sept. 12, 2001.

Congress shall make no law
respecting an establishment of religion,
or prohibiting the free exercise thereof;
or abridging the freedom of speech,
or of the press; or the right of the people
peaceably to assemble, and
to petition the Government for a
redress of grievances.

— THE FIRST AMENDMENT TO THE U.S. CONSTITUTION

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Foreword

We lose sight of our rights when freedom and fear collide

By Kenneth A. Paulson

Senior Vice President/Freedom Forum and Executive Director/First Amendment Center

Fear can short-circuit freedom.

From Abraham Lincoln's suspension of civil liberties during the Civil War to the internment of Japanese-Americans in World War II to the McCarthyism of the 1950s, our nation sometimes has lost sight of its commitment to freedom. Fear does that.

Little wonder, then, that security concerns and civil liberties have been both discussed and debated since the terrorist attacks of Sept. 11. We've all had to ask ourselves some tough questions.

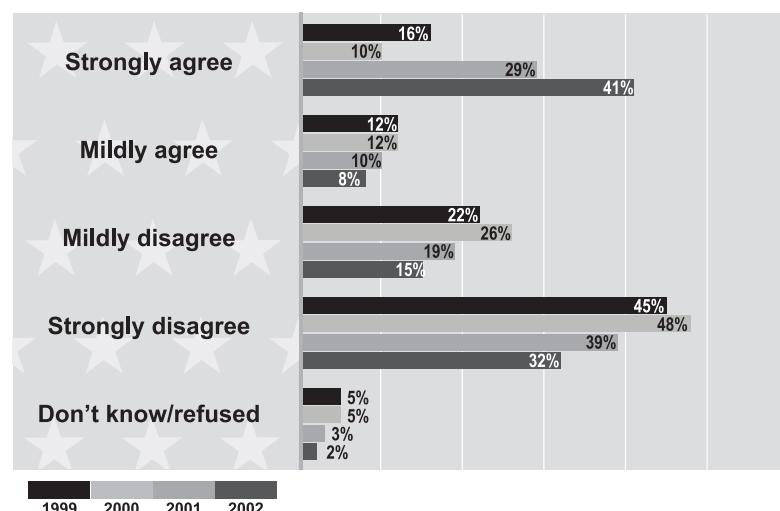
Is our society too free for its own good? Can we be free and safe? Are we willing to trade some personal freedoms for greater personal security? And how do we feel about the extensive freedoms contained in the First Amendment? How should

they be applied more than 210 years after ratification?

At the First Amendment Center, we conduct an annual survey of Americans' attitudes toward the First Amendment. This year, we collaborated with *American Journalism Review* to take a closer look at how the nation sees the First Amendment after Sept. 11, particularly when it comes to the role of a free press and access to public information.

In the past, the results have been fairly consistent, if a bit disquieting. Each year, a majority of Americans have said they would restrict public remarks that might offend people of other faiths or races. About half of those surveyed have said they would restrict the public display of potentially offensive art. Almost four people in 10 have told us they would limit the public

The First Amendment became part of the U.S. Constitution more than 200 years ago. This is what it says: ‘Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.’ Based on your own feelings about the First Amendment, please tell me whether you agree or disagree with the following statement: The First Amendment goes too far in the rights it guarantees. (Probe: Do you agree/disagree strongly or mildly?)



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performance of music that might offend others.

During the five years in which we've conducted the survey with the Center for Survey Research & Analysis at the University of Connecticut, we've seen willingness by many to exchange a little liberty for less interpersonal conflict. There's been growing support to limit expression when it upsets or insults others — the codification of political correctness. It sometimes appears that the land of the free has become the home of the easily offended.

But now the stakes have risen. In the wake of Sept. 11, Americans are afraid of

more than just being offended. The results of the 2002 survey suggest that many Americans view these fundamental freedoms as possible obstacles to the war on terrorism.

That's not to suggest a monolithic response to these core First Amendment values. In truth, Americans are of multiple minds about the 45 words drafted by James Madison. While a majority indicate that they respect the First Amendment, a significant percentage seem inclined to rewrite it.

Among the key findings:

- For the first time in our polling, almost half of those surveyed said that the First

Amendment goes too far in the rights it guarantees. About 49% said the First Amendment gives us too much freedom, up from 39% last year and 22% in 2000.

- The least popular First Amendment right is freedom of the press. Forty-two percent of respondents said the press in America has too much freedom to do what it wants, roughly the same level as last year.
- More than 40% said newspapers should not be allowed to freely criticize the U.S. military about its strategy and performance.

- Roughly half of those surveyed said the American press has been too aggressive in asking government officials for information about the war on terrorism.
- More than four in 10 said they would limit the academic freedom of professors and bar criticism of military policy.
- About half of those surveyed said government should be able to monitor religious groups in the interest of national security, even if that means infringing upon religious freedom.
- More than four in 10 said the government should have greater power to monitor the

activities of Muslims living in the United States than it does other religious groups.

Clearly, the terrorist attacks have taken a toll. Principles that sound good in the abstract are a little less appealing when your greatest fear is getting on an airplane.

It's not entirely surprising that many Americans have had second thoughts about the First Amendment, particularly during a time of crisis. After all, the First Amendment was designed to protect minority viewpoints and faiths. That can be difficult to remember when there's an overwhelming public call for unity. Some have little patience with dissent.

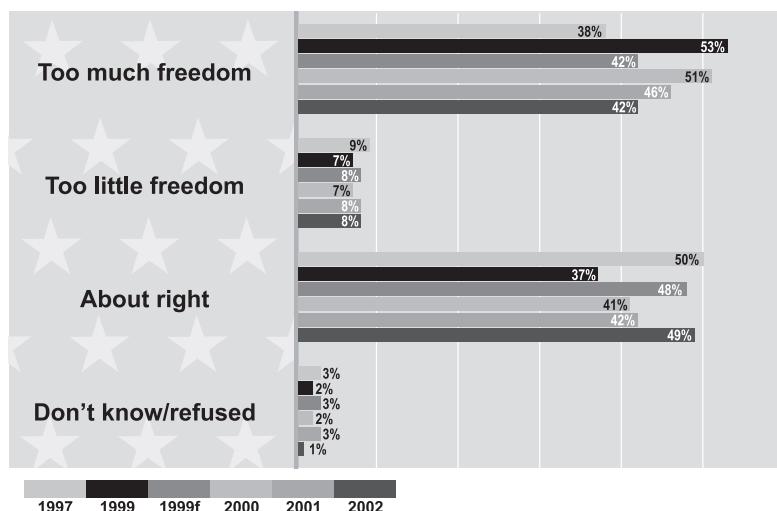
Still, there are signs that Americans do appreciate the fruits of First Amendment freedoms, particularly access to information. At a time of great national unease, we all want to know more about the challenges we face. Information is the best antidote for anxiety.

About 40% of those surveyed said they have too little access to information about the war on terrorism, compared to 16% who said there's too much. Forty-eight percent of those surveyed said there's too little access to government records, compared to 8% who said there's too much.

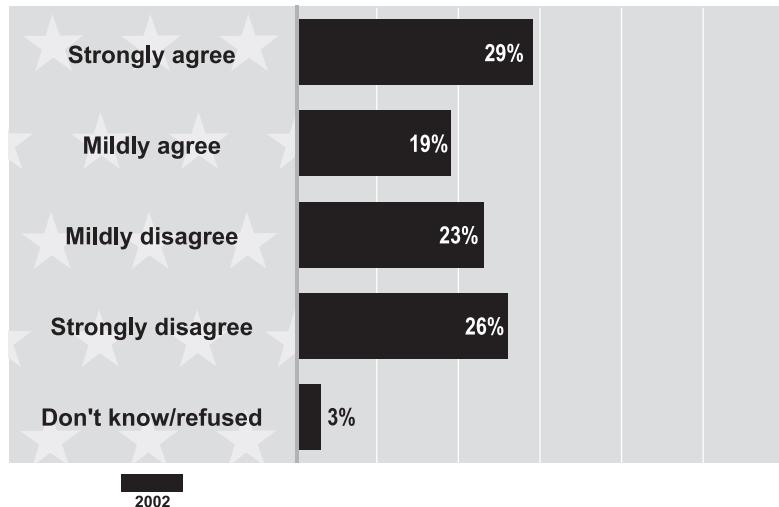
While many Americans said that we have too much freedom under the First

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Overall, do you think the press in America has too much freedom to do what it wants, too little freedom to do what it wants, or is the amount of freedom the press has about right?



**Please also tell me whether you agree or disagree with the following statement:
“In covering the war on terrorism, the American press has been too aggressive in asking government officials for information.”**



Amendment and that the nation's news media have too many privileges, they understand and appreciate the value of news and information.

The goal for all who support First Amendment freedoms — particularly those who work for a free press — should be to demonstrate how the free flow of ideas enriches our lives and in fact bolsters our collective security. Information gives us insight and the power to make reasoned decisions at a difficult time.

It's ironic that many Americans have doubts about these fundamental

freedoms in the wake of the terrorist attacks.

When President Bush addressed the nation last Sept. 20, he cautioned us that “freedom and fear are at war.” He noted that the terrorists targeted the United States because we embrace liberty.

“The terrorists hate our freedoms: our freedom of religion, our freedom of speech, our freedom to vote and assemble and disagree with each other,” the president said.

In other words, the terrorists view our personal liberties with contempt and see them as a weakness.

The challenge for all Americans — today more than ever — is to truly embrace the freedoms of the First Amendment and show just how strong we really are.

Analysis

American attitudes about the First Amendment

*A project sponsored by the First Amendment Center and American Journalism Review
Survey conducted by the Center for Survey Research & Analysis at the University of Connecticut*

Overview

The First Amendment to the U.S. Constitution has long been considered a guiding influence in American life. Political scientists, legal scholars and politicians alike hail its majestic guarantees of protection for the individual from certain government excesses. Yet perhaps the truest test of our nation's commitment to the First Amendment occurs during times of national crisis, when the amendment's provisions may come into conflict with heightened governmental interests in national security and order. The tragic terrorist attacks on the World Trade Center and Pentagon last year served as a catalyst for various government initiatives to fight a war on terrorism abroad and at home. Certainly some of the initiatives offered to improve homeland security have had direct

implications on the state of the First Amendment in the United States.

How cherished are these First Amendment guarantees? Are they able to withstand the new pressures being placed on them at the start of the 21st century? In truth, the First Amendment's status in the collective public mind remains somewhat unclear. To date, only a few detailed surveys on issues pertaining to the First Amendment have ever been conducted. While some civil libertarians contend that First Amendment freedoms are in serious trouble, others believe the First Amendment is not only sufficiently intact but is enjoying unprecedented strength in the American political system, even amid the tense and uncertain challenges we face today.

Since 1997, the First Amendment Center has sought to discover

Americans' attitudes toward the First Amendment by asking a series of questions designed to evaluate both general and specific First Amendment issues. This year, the First Amendment Center, joined by *American Journalism Review*, commissioned the Center for Survey Research & Analysis at the University of Connecticut to conduct a follow-up survey designed to compare potential changes from previous surveys, as well as to ask additional questions that were not addressed in those earlier surveys.

This report presents the findings from the 2002 First Amendment Center survey and includes noteworthy comparisons from five earlier polls (one from 1997, two from 1999, one from 2000 and one from 2002). Although the First Amendment itself encompasses numerous specific rights (including the right of people to peaceably assemble, and to petition the government), we targeted for intensive study the freedoms of speech and of the press, as well as the freedom of religion. The study paid extra attention to the tensions placed on these rights by government initiatives in the ongoing war on terrorism.

Information continues to be a key source of power, and even local governments maintain within their control unprecedented volumes of information. How those entities manage this information, and the degree to which they make such information available to others, bears directly on many citizens' freedoms. Without free access to information about public matters, free speech and press rights cannot be most effectively exercised. Thus in the 2002 survey we paid special attention as well to issues raised by the government's refusal to allow citizens and media outlets free access to government records.

Specifically, the 2002 survey addressed the following issues:

Do Americans know the freedoms guaranteed to them by the First Amendment? Does the American educational system do a good enough job teaching students about these freedoms?

Are Americans generally satisfied with the current levels of First Amendment freedoms afforded to individuals in society, or is there a sense that there is too much or too little of these freedoms in America?

Which freedoms are considered essential? Which freedoms are considered less important?

- Should people be allowed to freely express themselves in certain scenarios?**
- Should newspapers and college professors be allowed to freely criticize military officials about their strategy and performance?** Should the media enjoy free access to information about the war on terrorism?
- How important is it for the government to be able to monitor religious groups such as Muslims?** Should Muslims be able to hold rallies on controversial issues?
- Are Americans generally satisfied with the amount of access they have to government records?** Should citizens enjoy increased access to local government records about matters of public interest?
- What role should religion play in public schools?** Should government officials be allowed to post the Ten Commandments inside government buildings?

The First Amendment Center/American Journalism Review poll on the First Amendment was conducted by the Center for Survey Research & Analysis at the University of Connecticut. A random sample of 1,000 national adults ages 18 and over were interviewed between June 12 and July 5, 2002. Sampling error is ± 3% at the 95% confidence level. For smaller groups the sampling error is slightly higher. Weights were assigned to reflect the characteristics of the U.S. population. A more detailed description of the methodology is located in Section IV of this report.

Summary of findings

As a general matter, Americans appear to hold mixed views about the exercise of First Amendment freedoms under the Constitution. Far more than in past surveys, the people surveyed in 2002 expressed many reservations about the exercise of certain First Amendment rights, especially when those rights come into conflict with government initiatives in fighting the war on terrorism.

Certainly the public

continues to lend strong support — in the abstract — to two freedoms set forth by the First Amendment: the freedom of speech and the free exercise of religion. A clear majority of Americans indicated that the First Amendment gives about the right amount of freedom of speech and freedom of religion in our society. Additionally, large majorities of those surveyed said that the right to speak freely and the right to practice some or no religion are “essential” rights.

Still, the events surrounding the 2000 presidential election, combined with the terrorist attacks of Sept. 11, 2001, may have begun to take their toll on public support both for freedom of the press as well as for the First Amendment as a whole. This year nearly half of the respondents indicated that the First Amendment goes too far in the rights it guarantees, continuing a trend of increased negativity towards the First Amendment in general. Indeed, this level of general negativity has more than doubled during the past two years alone. More than four in 10 respondents also said the press in America has too much freedom to do what it wants — more than five times the number

who said it has too little freedom. (More than two-thirds said the right to be informed by a free press is essential.)

Although overall support for freedom of speech remained generally high, the survey respondents drew some crucial distinctions among the levels of freedom accorded to different types of speech. A majority said both that people should be able to say things in public that might be offensive to religious groups, and that musicians should be allowed to sing songs with offensive lyrics. By contrast, a majority disagreed with the premise that people should be allowed to say things that might be offensive to racial groups, or that they should be allowed to publicly display art that might be offensive to others. And close to half favored amending the Constitution to prohibit flag burning.

The public also continued to support a broad and far-reaching exercise of religious freedom in our society. More than half of those surveyed said that students in public schools have too little religious freedom — more than 17 times the number who said there is

too much religious freedom in the schools. Additionally, a clear majority said that government officials should be allowed to post the Ten Commandments inside government buildings.

Apparently the federal government's war on terrorism provided many with the justification they needed to accept greater qualifications of their First Amendment rights. More than four in 10 rejected the right of newspapers to criticize the U.S. military about its strategy and performance, and nearly half faulted the press for being too aggressive in asking government officials for information about the war. Additionally, four in 10 favored restrictions on criticism of the military by college professors, as well as government monitoring of religious groups, such as Muslims.

Finally, the respondents appeared to want increased access to various types of government records. An overwhelming majority of those surveyed agreed that citizens should have access to police crime reports, the names of sex offenders, transcripts of city council meetings and health inspection records for local restaurants. Additionally, more than seven in 10

wanted access to the names of arrestees, employment data about local school officials and local real estate records. And even in the context of the war on terrorism, Americans still wanted more access to information: a plurality of those surveyed said there is too little access to such information.

Clearly the First Amendment continues to generate a mix of emotions. The war on terrorism may have exacerbated these tensions during the past year, intensifying conflicts that already were simmering below the surface. And while Americans continued to lend strong abstract support for the constitutional right of freedom of speech as well as for the free exercise of religion, record numbers said the First Amendment goes too far in the rights it guarantees. As in past years, the findings of this study should be regarded as a tool to conceive new methods of raising awareness of First Amendment issues and fostering a better appreciation for the freedoms it represents.

Here are some specific findings from the 2002 study:

Nearly half of those surveyed said the First Amendment goes too far in the rights it guarantees, by far the largest showing of negativity towards the First Amendment that has been recorded in the history of this particular survey. The events of Sept. 11 may partially explain this rise in negativity. Of those who indicated that the First Amendment goes too far, 55% said the government should be able to monitor religious groups in violation of their religious rights, and 47% said the government should have more power to monitor Muslims than it does to monitor other groups.

Public support for freedom of the press continued to lag behind its support for the other First Amendment rights.

Barely half said that the amount of press freedom in this country is about right, as compared to 70% who expressed satisfaction with current levels of religious freedom, and 67% who were satisfied with current levels of free speech.

Although 75% considered the right to speak freely as "essential," and 94% agreed that people should be allowed to express unpopular

opinions, public support for more specific rights of free speech dropped precipitously. Forty-six percent said that people should be allowed to display potentially offensive art, and a third of those surveyed agreed that people should be able to say things in public that might be offensive to racial groups. Moreover, nearly half (46%) would support amending the Constitution to prohibit flag burning.

■ **A majority of respondents (83%) rated the right to practice the religion of one's choice as "essential."** Apparently support for this right does not diminish even in public institutions themselves. More than half of those surveyed said that students in public schools today have too little religious freedom, as compared to 3% who said they have too much religious freedom. And 70% favored allowing government officials to post the Ten Commandments inside government buildings.

■ **The public apparently was willing to accept significant qualifications of its First Amendment liberties during wartime.** More than four in 10 rejected the right of newspapers to freely criticize the U.S. military, and nearly half

of all Americans (48%) said the U.S. press has been too aggressive in asking government officials for information about the war on terrorism. Another 41% favored restrictions on the academic freedom of professors to criticize government military policy during wartime.

- **Public tolerance for certain religious freedoms also suffered a blow.** Americans are split on whether government should be able to monitor religious groups at the expense of infringing on their rights, and four in 10 would give the government more power to monitor Muslims than it has to monitor other religious groups. Almost two-thirds of those surveyed would allow Muslims to hold rallies for potentially offensive causes, nearly the same percentage that would support the rights of any groups to hold such rallies.
- **Nearly half of those surveyed said Americans have too little access to government records.** Accordingly, respondents wanted increased access to various types of local government records that concern important public matters. Ninety-six percent said citizens should have access to the records of health inspections conducted at local restaurants, and 94% wanted access to

the names of sex offenders that are registered with the local sheriff's office. Even when it comes to the war on terrorism, many Americans wanted more access: four in 10 said we have too little access to information about the war, as compared to 16% who said we have too much of such access.

General orientations toward the First Amendment

HIGHLIGHTS

- **In 2002 nearly half of those surveyed (49%) indicated that the First Amendment goes too far in the rights it guarantees, compared to 39% in 2001 and 22% in 2000.**
- **The events of Sept. 11 and the subsequent war on terrorism may have had some impact on Americans' general orientations toward the First Amendment.** Of those who said this year that the First Amendment goes too far, 55% favored monitoring religious groups (even if it interferes with religious rights) and a plurality (47%) supported the monitoring of Muslims to an even greater degree.
- **Support for freedom of**

the press may also be diminishing. In this year's survey less than seven in 10 respondents agreed that newspapers should be allowed to publish freely without government approval of a story, and just 43% felt strongly about that right. (Last year, three in four supported the right, with over half strongly supporting the right of newspapers to publish freely).

- **A third of all respondents said they have too much press freedom. By comparison, 10% said they have too much freedom of speech, and 6% said they have too much religious freedom.**
- **More than two-thirds of those surveyed said the amount of freedom of speech and religious freedom in this country is "about right."**
- **Sixty-three percent rated the job that the American educational system does in teaching students about First Amendment freedoms as either "fair" or "poor," as compared to 5% who rate the job as "excellent."**

The First Amendment sits at the cornerstone of American democracy. It was ratified in 1791 out of fears that the new central government in the United

States might enjoy too much power to interfere in the lives of individuals. Thus at the outset of our survey, we asked respondents if they could name any of the specific rights that are guaranteed by the First Amendment.

For the third year in a row, freedom of speech was named as a First Amendment right by approximately six in 10. And for the fourth year in a row, no other right was named by even one in five of those surveyed. (The freedom of religion had the second highest level of recognition this year, with 18% of those surveyed recognizing it as a First Amendment right).

This year's survey once again marked a pronounced increase in negative attitudes toward the First Amendment in general. For a fourth consecutive year, we asked members of the public if they thought the rights guaranteed by the First Amendment go too far. This year nearly half of those surveyed (49%) agreed that those rights go too far, a full 10-percentage-point jump from last year's poll and a 27 percentage-point-jump in negative perceptions from the 2000 poll. Even more telling, 41% strongly agreed that the First

Amendment goes too far in the rights it guarantees. And for the first time in this survey's history, less than a third (32%) strongly disagreed with the notion that the First Amendment goes too far in the rights it guarantees. This upward surge in negativity toward the First Amendment represents perhaps the most significant finding in this year's survey.

What explains this significant increase in negativity toward the First Amendment in general? In last year's survey we discovered that the public's uncertain feelings about press coverage of the 2000 presidential election (incorrect early projections, etc.) may have increased public frustration with First Amendment rights on the whole. Since then the events of Sept. 11 and the subsequent war on terrorism may have had some additional impact on public attitudes. During the last year support for the right of newspapers to publish freely diminished: In 2002, 43% felt strongly that such a right exists, as compared to 53% who felt strongly about that right in last year's survey. Even more telling, of those who felt that the First Amendment goes too far in the rights it guarantees, 34% would reject the right of newspapers to publish

freely without government approval. (By contrast, 27% of all respondents felt that way).

Nor do the substantial numbers of individuals who think that the First Amendment goes too far in the rights it guarantees show much propensity for religious tolerance. Fifty-five percent of this group said the government should be able to monitor religious groups even if it infringes on their religious liberty (48% of the whole sample felt that way), and 47% of this group felt that government should have more power to monitor Muslims than it has to monitor other groups. (By contrast, 50% of all the respondents felt that treating Muslims differently would violate their religious rights, with 42% endorsing differential treatment of Muslims.)

Concerning attitudes toward more specific constitutional rights, First Amendment liberties tended to fare quite well. At least three in four respondents said that the right to speak freely about whatever you want (75%) and the right to practice the religion of your choice (83%) were "essential" rights. And nearly seven in 10 deemed the right to practice no religion (69%) and the right to be

informed by a free press (68%) as essential as well. (The "right to privacy" was considered essential by 81% of those surveyed, although that specific right is never mentioned by name in the Constitution.) By contrast, the right to "assemble, march, protest or petition the government" (61%) and the right to own firearms (48%) were considered "essential" by a smaller percentage of respondents.

Americans appeared to be increasingly satisfied with the amount of freedom they receive from some of these more specific guarantees. Overall, 67% of those surveyed said the amount of freedom of speech in this country is about right, the highest level of satisfaction registered for this right since 1997. Similarly, 70% said that there is the right amount of religious freedom in this country, as compared to 6% who said there is too much freedom (20% said there is too little freedom). Interestingly, freedom of the press has also enjoyed its own upsurge of support; although (consistent with past surveys) it still fared less well than the other freedoms. In 2002, 51% said they felt the amount of press freedom in this country was about right, an increase of eight percentage points from two years ago.

Finally, Americans continued to give exceedingly low marks to the U.S. educational system's ability to teach students about First Amendment freedoms. For the second straight year, 63% of those surveyed ranked the job the system was performing in this regard as either "fair" or "poor." Meanwhile one in 20 respondents said the American educational system is doing an excellent job in teaching students about First Amendment freedoms.

Freedom of speech

HIGHLIGHTS

- **Ninety-four percent said people should be allowed to express unpopular opinions, with 67% strongly supporting that right.** (Of those with a college degree, 78% said they strongly support the right to express unpopular opinions.)
- **Less than six in 10 agreed that people should be allowed to say things in public that might be offensive to religious groups.** And barely a third of those surveyed said people should be able to say things that might be offensive to racial groups.

■ Fifty-seven percent agreed that musicians should be allowed to sing songs with potentially offensive lyrics. Women are less enthusiastic about that right — less than half would support such a right for musicians.

■ Nearly half (46%) said they would support a constitutional amendment to specifically prohibit flag burning, a gain of seven percentage points in support from the 2001 survey.

At least in the abstract, overall support for freedom of speech remained as robust as ever. Three in four Americans ranked the right to speak freely as essential, a slightly higher percentage than five years ago. Meanwhile, 94% said that people should be allowed to express unpopular opinions. If the war on terrorism has had any impact on such abstract support, it comes in the intensity of support demonstrated: While overall support for the right to express unpopular opinions remained extremely high, two in three said they strongly agree with that right, down 7% from the previous year's study.

As was the case in past surveys, education seemed to be a principal

determinant of attitudes about free speech. In all, 78% of those who graduated college strongly agreed with the right of people to express unpopular opinions, as compared to 57% strong agreement from those with no more than a high school degree.

What are the public's attitudes towards more specific forms of free speech? Even as free speech in the abstract continued to draw an overwhelming show of support, public acceptance of free speech as it may be applied to specific circumstances was more tepid. For example, 57% of those surveyed said that people should be allowed to say things in public that might be offensive to religious groups; the exact same percentage agreed that musicians should be allowed to sing songs with lyrics that others might find offensive. With regard to the latter right, differences in support between the sexes were particularly acute: 64% of men agreed with the right of musicians to sing offensive lyrics, as compared to 49% of the women surveyed.

Support dried up even more for other specific exercises of free speech. Sixty-four percent disagreed

that people should be allowed to say things in public that might be offensive to racial groups, and 52% rejected the right to display in a public place art that might be offensive to others.

Flag burning also remained a hotly disputed topic, notwithstanding the public's claim that it supports the right to express unpopular opinions. For the fourth time in the last five surveys, at least 46% of Americans expressed support for amending the U.S. Constitution to prohibit burning or desecrating the American flag. (The exception to this trend occurred last year, when 39% supported such an amendment). Obviously, the patriotism in evidence since Sept. 11 can only partially explain this reaction — support for an amendment to prohibit flag burning has now merely returned to the same 46% level it achieved two years ago, and it is still not back to the levels first reached in 1997 (49% support) and 1999 (51%).

Moreover, of those who expressed such support for a flag burning amendment, eight in 10 continued to favor doing so even after being informed that it would be the first time any

freedoms in the First Amendment had been amended in more than 200 years. Clearly free speech rights continue to be cherished in the abstract, but they don't fare nearly as well when individuals must apply these rights to controversial exercises of free speech.

Freedom of religion

HIGHLIGHTS

- **Eighty-three percent indicated the right to practice the religion of one's choice was essential.** Sixty-nine percent said that the right to practice no religion also was essential.
- **More than half (53%) said students in public schools have too little religious freedom.** Fundamentalist/evangelicals were especially likely to feel this way, as 67% of this religious group expressed the sentiment that students have too little religious freedom.
- **Seven in 10 said government officials should be allowed to post the Ten Commandments inside government buildings, with 52% strongly supporting such authority.**
- **Nearly two-thirds said that Muslims should be**

allowed to hold a rally for causes that may be offensive to others. This represent a slight drop in intensity of support — although not in overall levels of support — from that expressed for the right of any group to engage in these same activities.

The freedom to practice the religion of one's choice takes its place among Americans' most cherished constitutional rights. This past year's survey reaffirmed Americans' strong support for broad religious freedom, at least in the abstract.

At the outset we asked people whether they viewed the right to practice religion as essential, important or not important. The right to practice the religion of one's choice actually ranked higher than any other right in this respect: 83% ranked it as essential, a higher percentage even than that which ranked as essential either the right to speak freely (75%) or the right to be informed by a free press (68%). Even a right implicit within the right to practice religion — the right to practice no religion — fared well, with 69% rating that related right as essential in and of itself.

What role should religion play in society? Apparently many Ameri-

cans want religion to play an active role, including even in public places such as schools and government buildings. For the second year, those surveyed expressed the sentiment that there may be too little religious freedom for students in public schools. Specifically, 53% indicated students had too little freedom, as compared to 40% who said the religious freedom in public schools is about right, and 3% said there was too much religious freedom in public schools. This sentiment was especially pronounced among certain religious groups: two in three of those who described themselves as either fundamentalist or evangelical said there was too little such freedom in public schools today.

Nor do most Americans want to build an especially high wall of separation between church and state. Seventy percent of those surveyed said that government officials should be allowed to post the Ten Commandments inside government buildings, with 52% strongly supporting that right. Although consistent with earlier shows of support for religious freedom in general, this finding throws into question the nature of public support for a broad reading of the estab-

lishment clause as well.

Finally, the war on terrorism has raised important questions about the respect Americans are willing to show for the religious practices of Muslims in the United States. Before asking specifically about the sacrifices that may be called for in the war on terrorism, we asked a set of questions designed to test the extent to which Muslims may be entitled to the same First Amendment rights as others, at least when considered in the abstract. We tested public support for the right to hold a rally for causes or issues that may be considered offensive to others in the community, a right derivative of the explicit First Amendment guarantees of free speech and assembly.

Overall, support for the right of people in general to hold a rally for a cause or issue that may prove offensive has diminished somewhat in intensity during the past year. While 67% said they agreed with the right (nearly the same level of support it garnered in past years), only a third said they strongly supported this right, down significantly from the 2002 survey, when 40% expressed strong agreement with the right to hold a rally for offensive causes.

(This drop in intensity marks a return to the level of public support in 1999 and 2000.)

Does this level of support hold up when Muslims are the beneficiaries of these rights? Yes, though with somewhat less intensity. When asked whether Muslims should be allowed to hold a rally for a cause or issue that may be considered offensive to others, just about the same percentage (66%) agreed with this right. Yet this time 30% strongly agreed with that right to hold a rally, while 36% mildly agreed that Muslims should have that right.

Clearly, when considering the exercise of First Amendment rights in the abstract, Americans appear generally unwilling to deny Muslims their basic First Amendment rights. The impact of a more specific crisis, such as the war on terrorism, on these attitudes will be addressed later in this report.

Civil liberties during wartime

HIGHLIGHTS

- Despite overwhelming support for freedom of speech in the abstract, 41% said they favored

restrictions on the academic freedom of professors to criticize government military policy during war, and 22% strongly supported such restrictions.

- **Fifty-seven percent would allow newspapers to freely criticize the U.S. military about its strategy and performance, a significant dip from the 69% who said that as a general matter, newspapers should be allowed to publish freely. Westerners in particular favored the right of newspapers to criticize the military by greater than a 2-1 margin.**

- **Forty-eight percent said that newspapers have been too aggressive in asking officials for information about the war on terrorism.**

- **Forty-eight percent agreed that government should be able to monitor religious groups in the interest of national security, even if that means infringing upon the religious freedom of the group's members. Thirty-eight percent of those aged 18-30 agreed that government should be able to take such actions.**

- **In light of the federal government's war on**

terrorism, 42% of those surveyed said government should have more power to monitor Muslims in particular than it has to monitor the activities of other religious groups.

The terrorist attacks of Sept. 11 clearly have had an impact on the lives of many citizens. Whether it is enhanced airport security or increased limits on international travel, U.S. citizens have confronted new obstacles during the last year. Many citizens treat the current state of affairs as the equivalent of a full-scale war against an enemy whose reach extends within our nation's borders. Throughout the 20th century, states of war often have been accompanied by restrictions to First Amendment rights.

This year's survey was designed in part to test the public's willingness to tolerate restrictions on their First Amendment liberties during what they perceive to be wartime. In the abstract, 94% said that people should be allowed to express unpopular opinions. But what if those opinions include excessive criticism of the war effort? On another front, 69% said newspapers should have the right to publish freely. But does that support extend to the publication of

complaints about military strategy as well?

The survey results in this respect are sobering. With regard to free speech, despite overwhelming support for the right in the abstract, more than four in 10 of those surveyed favored the imposition of government restrictions on the academic freedom of professors to criticize government military policy during war. Moreover, 22% strongly favored such restrictions on professors taking controversial stands on military policy. Those who never went to college were least sympathetic: Barely half of those with a high school degree or less would oppose such restrictions.

Already considered a less-cherished First Amendment right by many, freedom of the press is apparently more quickly jettisoned during wartime as well. Whereas roughly seven in 10 normally support the right of newspapers to publish freely, 57% of those surveyed would allow newspapers to freely criticize the U.S. military about its strategy and performance. Of the various subgroups surveyed, older Americans were split on the question of whether newspapers should have the right to criticize the military, while those who

never went to college (47%), Republicans (48%), and fundamentalist/evangelicals (47%) were less likely to support such a right. Geography appears to be a factor as well: While Westerners favored such a right by a more than 2-1 margin (69% agreed with the right, while 31% disagreed), barely more than half of the respondents from the Midwest (50%) and the South (52%) favored this right.

Apparently, there is a "disconnect" between public support for a free press and the actions it expects the press to take in furtherance of this privilege. While nearly seven in 10 deemed the right to be informed by a free press as essential, nearly half (48%) of those surveyed said that in covering the war on terrorism, the U.S. press has been too aggressive in asking government officials for information. Republicans are especially likely to feel this way: 58% of the Republicans surveyed said that newspapers were too aggressive in this respect, as compared to 42% of Democrats and 43% of independents.

Despite the aversion of so many to aggressive newspaper tactics, public support for increased access

to information does, for the most part, extend to access to government records on the war. Nearly half of those surveyed (48%) said there is too little access to government records in general, and 40% said there is too little access to information about the war on terrorism in particular. (Sixteen percent said there was too much information, while 38% thought the current level of access to records on the war was just about the right amount.)

The survey also found that 48% agreed that in the interest of national security, government should be able to monitor religious groups, even if that means infringing upon the religious freedom of the groups' members. Forty-seven percent were unwilling to have religious groups pay a price in terms of religious freedom, and 28% strongly disagreed with government taking such actions. Americans aged 18-30 were less willing to accept such sacrifices of others' liberties — 38% of that subgroup agreed that government should have the power to monitor religious groups in that way, while 59% disagreed.

Finally, we focused on disparate government treatment of one religious group in particular: Muslims. Forty-two percent

of those surveyed said the government should have more power to monitor the activities of Muslims legally living in the United States than it has to monitor other religious groups. Half of those surveyed said that such differential treatment violated the right of Muslims to freely exercise their religion.

expense accounts of officials (86%) and the names of people arrested (80%).

- **Sixty percent said the government has too much access to personal information about them, nearly twice the number (33%) who said government has just about the right amount of access to such personal information.**

Free access to information

HIGHLIGHTS

- **For the second consecutive year, nearly half of those surveyed (48%) said Americans have too little access to government records.** By contrast, 8% said they have too much access to such records. (Thirty-eight percent said they have just about the right amount of access.)
- **An overwhelming percentage of respondents said that citizens should have access to health inspection records of local restaurants (96%), the names of sex offenders (94%) and transcripts of city council meetings (93%).**
- **Americans also expressed clear support for the right of citizens to access police crime reports (88%), the**

Information is a key source of power in American society, and in recent years mandatory disclosure laws such as the Freedom of Information Act have enhanced the power of citizens by increasing their access to government records. Still, many types of government records — especially those maintained by local government bodies — continue to be made available only at the discretion of government officials. In this year's survey we asked a series of questions designed to test the level of desire citizens have for access to such information.

Generally speaking, the public appears to want increased access to government records in general, as well as increased access to specific records that were mentioned in our survey. For the second straight year, nearly half of those surveyed (48%)

indicated they think there is too little access to government records, 10 percentage points more than the number who said there was "just about the right amount" of access, and six times the percentage (8%) who said there was too much access.

As for more specific types of information maintained by local governments, Americans overwhelmingly expressed a preference for access. These preferences varied in degree. Americans were extremely likely to think citizens should have access to the records of health inspections conducted at local restaurants (96%), the names of sex offenders that are registered with the local sheriff's office or police departments (94%) and transcripts of city council meetings (93%). By

contrast, less than three in four of those surveyed indicated that citizens should have access to employment records (including salary and benefits) of local school officials (73%) and local real estate records (72%). Other types of records — such as police reports of crimes (88%) and local government officials' expense records (86%) — sit somewhere in between on the list of priorities. But make no mistake — those surveyed expressed a clear preference for access to all varieties of information held by government entities.

In fact, only when the privacy concerns of citizens themselves were implicated did respondents appear to pull back from their otherwise aggressive pursuit of government information. Although a vast majority of

citizens said current levels of access to government records are either too little or about right, a significant majority of those surveyed said the government has too much personal information about themselves. In all, 60% expressed fears about excessive government control of such information, while a third said the government has just about the right amount of personal information and 3% said the current amount is too little.



State of the First Amendment Survey 2002

Weighted Data N=1012

Due to rounding and/or open-ended questions, percentages may not always equal 100.

Hello, my name is _____, and I am calling from the University of Connecticut. We are conducting a survey on important issues facing the nation. To determine whom I need to speak with, could you please tell me which person in your household, age 18 or older, has had the most recent birthday? (If not respondent, ask to speak with him or her. If person not available, ask when is best to call back.)

21

1. As you may know, the First Amendment is part of the U.S. Constitution. Can you name any of the specific rights that are guaranteed by the First Amendment? (Probe: Are there any others you can name?)

	1997	1999	2000	2001	2002
Freedom of the press	11%	12%	12%	14%	14%
Freedom of speech	49%	44%	60%	59%	58%
Freedom of religion	21%	13%	16%	16%	18%
Right to petition	2%	2%	2%	1%	2%
Right of assembly/ association	10%	8%	9%	10%	10%
Other	7%	6%	12%	14%	19%
Don't know/refused	N/A	N/A	37%	36%	35%

-
2. The First Amendment became part of the U.S. Constitution more than 200 years ago. This is what it says: "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances." Based on your own feelings about the First Amendment, please tell me whether you agree or disagree with the following statement: The First Amendment goes too far in the rights it guarantees. (Probe: Do you agree/disagree strongly or mildly?)

	1999	2000	2001	2002
Strongly agree	16%	10%	29%	41%
Mildly agree	12%	12%	10%	8%
Mildly disagree	22%	26%	19%	15%
Strongly disagree	45%	48%	39%	32%
Don't know/refused	5%	5%	3%	3%

The U.S. Constitution protects certain rights, but not everyone considers each right important. I am going to read you some rights guaranteed by the U.S. Constitution. For each, please tell me how important it is that you have that right. First, how important is it that you have ...

22

(ROTATE QUESTIONS 3-9 BELOW) Is it essential that you have that right, important but not essential, or not important?

3. ... the right to assemble, march, protest or petition the government?

	1997	2002
Essential	56%	61%
Important	36%	31%
Not important	7%	8%
Don't know/refused	1%	0%

4. ... the right to speak freely about whatever you want?

	1997	2002
Essential	72%	75%
Important	27%	23%
Not important	1%	2%
Don't know/refused	*	1%

5. ... the right to practice the religion of your choice?

	1997	2002
Essential	81%	83%
Important	18%	15%
Not important	1%	2%
Don't know/refused	*	0%

6. ... the right to practice no religion?

	1997	2002
Essential	66%	69%
Important	24%	20%
Not important	9%	8%
Don't know/refused	1%	3%

23

7. ... the right to be informed by a free press?

	1997	2002
Essential	60%	68%
Important	33%	26%
Not important	6%	5%
Don't know/refused	1%	1%

8. ... the right to own firearms?

	1997	2002
Essential	33%	48%
Important	31%	31%
Not important	33%	20%
Don't know/refused	3%	2%

9. ... the right to privacy?

	1997	2002
Essential	78%	81%
Important	21%	18%
Not important	1%	1%
Don't know/refused	*	0%

Rotate questions 10 through 13.

10. Even though the U.S. Constitution guarantees freedom of the press, government has placed some restrictions on it. Overall, do you think Americans have too much press freedom, too little press freedom, or is the amount of press freedom in America about right?

	1999 [†]	2000	2001	2002
Too much freedom	31%	40%	36%	33%
Too little freedom	17%	14%	13%	13%
Right amount of freedom	49%	43%	47%	51%
Don't know/refused	4%	3%	4%	2%

[†]Follow-up survey conducted Sept. 3-13, 1999.

11. Overall, do you think the press in America has too much freedom to do what it wants, too little freedom to do what it wants, or is the amount of freedom the press has about right?

	1997	1999	1999 [†]	2000	2001	2002
Too much freedom	38%	53%	42%	51%	46%	42%
Too little freedom	9%	7%	8%	7%	8%	8%
About right	50%	37%	48%	41%	42%	49%
Don't know/refused	3%	2%	3%	2%	3%	1%

[†]Follow-up survey conducted Sept. 3-13, 1999.

-
12. Even though the U.S. Constitution guarantees freedom of speech, government has placed some restrictions on it. Overall, do you think Americans have too much freedom to speak freely, too little freedom to speak freely, or is the amount of freedom to speak freely about right?

	1997	1999	2000	2001	2002
Too much freedom	10%	12%	11%	12%	10%
Too little freedom	18%	26%	25%	26%	21%
About right	68%	59%	62%	61%	67%
Don't know/refused	4%	3%	2%	2%	1%

13. Even though the U.S. Constitution guarantees freedom of religion, government has placed some restrictions on it. Overall, do you think Americans have too much religious freedom, too little religious freedom, or is the amount of religious freedom about right?

	1997	1999	2000	2001	2002
Too much freedom	6%	8%	5%	4%	6%
Too little freedom	21%	26%	29%	32%	20%
About right	71%	63%	63%	62%	70%
Don't know/refused	2%	3%	3%	2%	4%

25

I am now going to read you some ways that people might exercise their First Amendment right of free speech. For each, please tell me if you agree or disagree that someone should be allowed to do it.

(Probe for each: strongly/mildly.)

14. People should be allowed to express unpopular opinions.

	1997	1999	2000	2001	2002
Strongly agree	68%	58%	69%	74%	67%
Mildly agree	22%	28%	26%	19%	27%
Mildly disagree	5%	8%	2%	3%	4%
Strongly disagree	4%	5%	3%	2%	2%
Don't know/refused	1%	1%	*	1%	0%

* = less than 1%

Rotate questions 15 through 18

15. People should be allowed to say things in public that might be offensive to religious groups.

	2000	2001	2002
Strongly agree	22%	25%	29%
Mildly agree	24%	22%	28%
Mildly disagree	15%	16%	14%
Strongly disagree	38%	35%	28%
Don't know/refused	1%	3%	2%

16. Musicians should be allowed to sing songs with lyrics that others might find offensive.

	1997	1999	2000	2001	2002
Strongly agree	23%	27%	32%	34%	31%
Mildly agree	28%	29%	27%	27%	26%
Mildly disagree	16%	15%	12%	9%	14%
Strongly disagree	31%	26%	28%	28%	27%
Don't know/refused	3%	4%	2%	2%	2%

26

17. People should be allowed to say things in public that might be offensive to racial groups.

	1997	1999	2000	2001	2002
Strongly agree	8%	8%	15%	16%	14%
Mildly agree	15%	13%	17%	18%	20%
Mildly disagree	14%	16%	15%	15%	16%
Strongly disagree	61%	62%	52%	49%	48%
Don't know/refused	2%	1%	1%	2%	1%

18. People should be allowed to display in a public place art that has content that might be offensive to others.

	1997	1999	2000	2001	2002
Strongly agree	20%	17%	22%	24%	22%
Mildly agree	24%	24%	24%	26%	24%
Mildly disagree	22%	24%	17%	16%	22%
Strongly disagree	31%	33%	34%	31%	30%
Don't know/refused	4%	2%	4%	3%	2%

-
19. Some people feel that the U.S. Constitution should be amended to make it illegal to burn or desecrate the American flag as a form of political dissent. Others say that the U.S. Constitution should not be amended to specifically prohibit flag burning or desecration. Do you think the U.S. Constitution should or should not be amended to prohibit burning or desecrating the American flag?

	1997	1999	2000	2001	2002
Should not	49%	48%	51%	59%	51%
> Go to question 21					
Should	49%	51%	46%	39%	46%
Don't know/refused	2%	1%	3%	2%	2%
> Go to question 21					

20. [If “should”:] If an amendment prohibiting burning or desecrating the flag were approved, it would be the first time any of the freedoms in the First Amendment have been amended in over 200 years. Knowing this, would you still support an amendment to prohibit burning or desecrating the flag?

	1997	1999	2000	2001	2002
Yes	88%	90%	87%	81%	83%
No	9%	8%	12%	15%	15%
Don't know/refused	3%	2%	1%	4%	2%

27

I'm now going to read you some ways that freedom of the press may be exercised. For each, please tell me if you agree or disagree that the press should be allowed to do it.

Rotate questions 21 through 23.
(Probe for each: Do you agree/disagree strongly or mildly?)

21. Newspapers should be allowed to publish freely without government approval of a story.

	1997	1999	2000	2001	2002
Strongly agree	56%	38%	54%	53%	43%
Mildly agree	24%	27%	22%	22%	26%
Mildly disagree	11%	14%	9%	10%	16%
Strongly disagree	6%	18%	11%	13%	11%
Don't know/refused	3%	3%	3%	2%	3%

-
22. Newspapers should be allowed to freely criticize the U.S. military about its strategy and performance.

2002

Strongly agree	33%
Mildly agree	24%
Mildly disagree	18%
Strongly disagree	24%
Don't know/refused	1%

23. Some people believe that the media has too much freedom to publish whatever it wants. Others believe there is too much government censorship. Which of these beliefs lies closest to your own?

2001 2002

Too much media freedom	41%	42%
Too much government censorship	36%	32%
Neither (volunteered)	12%	15%
Both (volunteered)	7%	8%
Don't know/refused	4%	4%

28

Overall, do you think Americans have too much, too little or just about the right amount of ...

24. ... access to government records?

2001 2002

Too much	7%	8%
Too little	48%	48%
Just about the right amount	30%	38%
Don't know/refused	15%	5%

25. ... access to information about the federal government's war on terrorism?

2002

Too much	16%
Too little	40%
Just about the right amount	38%
Don't know/refused	6%

-
26. Overall, do you think the government has too much, too little or just about the right amount of access to personal information about you?

2002

Too much	60%
Too little	3%
Just about the right amount	33%
Don't know/refused	3%

Rotate questions 27 through 34.

Now I'm going to read to you a list of specific types of local government records that some citizens may seek access to. For each, please tell me whether you agree or disagree that citizens should have access to such information. First ...

27. Police reports of crimes committed in the local community.

2002

Strongly agree	65%
Mildly agree	23%
Mildly disagree	5%
Strongly disagree	6%
Don't know	1%
Refused	0%

29

28. The names of sex offenders that are registered with the local sheriff's office or police department.

2002

Strongly agree	81%
Mildly agree	13%
Mildly disagree	3%
Strongly disagree	3%
Don't know	0%
Refused	0%

-
29. The names of persons arrested for committing crimes in the local community, and the crimes for which they are being charged.

2002	
Strongly agree	54%
Mildly agree	26%
Mildly disagree	10%
Strongly disagree	8%
Don't know	1%
Refused	0%

30. Transcripts of city council meetings.

2002	
Strongly agree	72%
Mildly agree	21%
Mildly disagree	3%
Strongly disagree	2%
Don't know	1%
Refused	0%

30

31. The records of health inspections conducted at local restaurants.

2002	
Strongly agree	83%
Mildly agree	13%
Mildly disagree	2%
Strongly disagree	1%
Don't know	0%
Refused	0%

32. Employment records, including salary and benefits, of local school officials

2002	
Strongly agree	43%
Mildly agree	30%
Mildly disagree	15%
Strongly disagree	11%
Don't know	1%
Refused	1%

33. Local real estate records, including the sale price, assessed value and taxes paid on all residential homes

2002	
Strongly agree	43%
Mildly agree	29%
Mildly disagree	16%
Strongly disagree	12%
Don't know	1%
Refused	0%

31

34. Records of local government officials' expense accounts.

2002	
Strongly agree	65%
Mildly agree	21%
Mildly disagree	8%
Strongly disagree	4%
Don't know	1%
Refused	0%

-
35. Please also tell me whether you agree or disagree with the following statement: "In covering the war on terrorism, the American press has been too aggressive in asking government officials for information."

2002

Strongly agree	29%
Mildly agree	19%
Mildly disagree	23%
Strongly disagree	26%
Don't know/refused	3%

36. Many college and university professors currently have the academic freedom to take controversial stands in their classrooms and to publish controversial materials in books and journals. Would you favor or oppose restrictions on the academic freedom of professors to criticize government military policy during times of war?

2002

Favor strongly	22%
Favor mildly	19%
Oppose mildly	24%
Oppose strongly	32%
Don't know/refused	3%

32

Please tell me whether you agree or disagree with the following statement:

37. In the interest of national security, government should be able to monitor religious groups even if that means infringing upon the religious freedom of the group's members.

2002

Strongly agree	25%
Mildly agree	23%
Mildly disagree	19%
Strongly disagree	28%
Don't know/refused	5%

-
38. In light of the government's war on terrorism in response to the World Trade Center attacks, some people think that the government should have more power to monitor the activities of Muslims legally living in the United States than it has to monitor other religious groups. Others say that monitoring Muslims more closely than others would violate the Muslims' right to free exercise of their religion. Which of these comes closest to your own opinion?

2002

Government should have more power to monitor Muslims than others	42%
Treating Muslims differently violates their free-exercise rights	50%
Don't know/refused	8%

Please tell me whether you agree or disagree with the following statements.

39. Any group that wants to should be allowed to hold a rally for a cause or issue even if it may be offensive to others in the community.

33

	1997	1999	2000	2001	2002
Strongly agree	38%	30%	34%	40%	33%
Mildly agree	34%	32%	32%	25%	34%
Mildly disagree	10%	16%	12%	11%	13%
Strongly disagree	15%	20%	19%	22%	18%
Don't know/refused	3%	3%	4%	2%	2%

40. Muslims should be allowed to hold a rally for a cause or issue even if it may be offensive to others in the community.

2002

Strongly agree	30%
Mildly agree	36%
Mildly disagree	12%
Strongly disagree	19%
Don't know	2%
Refused	1%

Now, I'd like to read you some more questions about public schools.

41. Overall, how would you rate the job that the American educational system does in teaching students about First Amendment freedoms?

	2001	2002
Excellent	5%	5%
Good	25%	26%
Fair	39%	35%
Poor	24%	28%
Don't know/refused	7%	6%

42. Overall, do you think that students in public schools have too much religious freedom, too little religious freedom, or about the right amount of religious freedom while at school?

	2001	2002
Too much	3%	3%
Too little	53%	53%
Right amount	40%	40%
Don't know/refused	4%	4%

43. Do you agree or disagree with the following statement:
Government officials should be allowed to post the Ten Commandments inside government buildings.

	2002
Strongly agree	52%
Mildly agree	18%
Mildly disagree	12%
Strongly disagree	16%
Don't know/refused	2%

Now I'd just like to ask a few questions for classification purposes only.

44. In what year were you born (recoded into age)?

2002

18-30 years old	23%
31-44 years old	31%
45-61 years old	27%
62+ years old	19%

45. What was the last grade of school you completed? Grade school or less, some high school, high school, some college, college grad, postgraduate.

2002

High school or less	48%
Some college/trade school	28%
College graduate or more	23%
Don't know/refused	1%

35

46. Are you white, black, Hispanic, Asian or something else?

2002

White	80%
Non-white	18%
Don't know/refused	2%

-
47. For classification purposes only, is the total yearly income of all the members of your family now living at home \$40,000 or more, or would it be less than \$40,000?

2002	
Less than \$10,000	8%
\$10,000 to \$20,000	15%
\$20,000 to \$30,000	13%
\$30,000 to \$40,000	10%
\$40,000 to \$50,000	12%
\$50,000 to \$75,000	17%
\$75,000 to \$100,000	9%
\$100,000 or more	9%
Don't know/refused	7%

48. Are you Catholic, Protestant, Jewish or some other religion?

2002	
Catholic	24%
Protestant	27%
Jewish	2%
Other (specify)	34%
None (volunteered)	11%
Don't know/refused	3%

36

49. Would you describe yourself as either a fundamentalist or evangelical Christian, or would you not describe yourself that way?

2002	
Fundamentalist/evangelical	21%
Neither	65%
Not sure (volunteered)	11%
Don't know/refused	3%

50. In politics today, are you a Democrat, a Republican, an Independent or what?

2002	
Democrat	31%
Republican	30%
Independent	25%
No preference (volunteered)	9%
Other (volunteered)	3%
Don't know/refused	3%

51a. Do you have any children under the age of 18?

2002	
Yes	36%
No	63%

51b. [Follow-up if "Yes"] Do you have any children under the age of 12?

2002	
Yes	76%
No	24%

37

51c. [Follow-up if "Yes"] Do you have any children under the age of 6?

2002	
Yes	62%
No	38%

Respondent's sex:

2002	
Male	48%
Female	52%

Thank you very much for your time, you have been very helpful and we appreciate your cooperation.

Methodology

The First Amendment Center and *American Journalism Review* commissioned the Center for Survey Research & Analysis at the University of Connecticut to conduct a general public survey of attitudes about the First Amendment. The questionnaire was a national survey developed by the First Amendment Center and the University of Connecticut, in consultation with officials at *American Journalism Review*. At the University of Connecticut, Chris Barnes, Lauren Packman, April Brackett, Chase Harrison, Lori Kalinowski, Professor David Yalof and Professor Kenneth Dautrich directed the project. Ken Paulson and Gene Policinski of the First Amendment Center provided overall direction for the project and aided in developing the questionnaire. The survey was conducted by telephone between June 12 and July 5, 2002.

Interviews were conducted under the supervision of the Center

for Survey Research & Analysis in Storrs, Conn., using a Computer Assisted Telephone Interviewing (CATI) system. All CSRA surveys are conducted by professional survey interviewers who are trained in standard protocols for administering survey instruments.

Interviewers assigned to this survey participated in special training conducted by senior project staff. The draft survey questionnaire and field protocols received thorough testing prior to the start of the formal interviewing period.

Interviews were extensively monitored to insure CSRA standards for quality were continually met.

The national sample used for this research project included residential telephone numbers in the 48 contiguous states. The sample was stratified to insure that broad geographic regions were represented in proportion to their share of the total adult population in the United States. Within each of these regions, telephone

numbers were generated through a random-digit-dial telephone methodology to ensure that each possible residential telephone number had an equal probability of selection. Telephone banks that contain no known residential telephone numbers were removed from the sample selection process. Once selected, each telephone number was contacted a minimum of

four times to attempt to reach an eligible respondent. Households where a viable contact was made were called additional times. Within each household one adult was randomly selected to complete the interview.

The sampling error for 1,000 national interviews is $\pm 3\%$ at the 95% level of confidence. This means that there is less than one

chance in 20 that the results of a survey of these respective sizes would differ by more than 3% in either direction from the results which would be obtained if all adults in the appropriate area had been selected. The sample error is larger for sub-groups. CSRA also attempted to minimize other possible sources of error in this survey.

