



March 1, 2006

**Americans' Awareness of First Amendment Freedoms**

## Americans' Awareness of First Amendment Freedoms

### Introduction

The First Amendment to the U.S. Constitution is the cornerstone of American freedoms. It is critical that Americans have a firm and greater understanding of our nation's hard-earned freedoms in order to preserve and protect them. The less Americans know about freedoms, the more they are likely to erode without our notice. The McCormick Tribune Freedom Museum is committed to helping Americans increase their knowledge and understanding of our freedoms, especially those fundamental rights guaranteed by the First Amendment.

The five essential freedoms contained in the First Amendment are freedom of religion, speech, the press, assembly, and to petition the government for redress of grievances. As the basis for our many freedoms, the five freedoms guaranteed by the First Amendment are something every American needs to take to heart, and should know "by heart." The McCormick Tribune Freedom Museum recently conducted a survey of a random national sample of 1,000 American adults to explore whether Americans know the contents of the First Amendment. In addition, the survey included a few questions about contemporary American culture to provide some perspective.

### Highlights of Findings

Although a majority (70%) of Americans recall without prompting that freedom of speech is one of the rights contained in the First Amendment, recall of the other freedoms drops off very quickly from there.

- Only one-fourth mentioned freedom of religion, and one in ten mentioned freedom of the press or freedom of assembly. Freedom to petition the government over grievances was mentioned by just 1 percent.
- Although 72% were able to name at least one of these rights correctly, this fell to only 28% who could name two or more, only 8% who could name three or more, only 2 percent who could name four or five. Remarkably, only one person of the 1,000 interviewed was able to correctly name all five freedoms.
- Given a list of freedoms Americans enjoy, most were able to recognize freedom of religion and freedom to criticize the government as First Amendment rights.
- About one in ten incorrectly mentioned the right to bear arms as a First Amendment Freedom. In actuality, this right is protected by the Second Amendment.

- A majority also incorrectly said the right to vote and the right to trial by jury were guaranteed by the First Amendment.
- Other rights that more than one-third believes come from the First Amendment include right to own a gun, the right to an attorney, the right against self incrimination, the right of women to vote and the right to a public education.
- About one in five say the right to own and raise pets and the right to drive a car are First Amendment rights as well.
- Although unaided recall of the five First Amendment freedoms drops off quickly after freedom of speech, this is not the case for some aspects of popular culture. The TV cartoon show “The Simpsons” has five main characters that Americans remember much more readily. While only one in a thousand were able to name all five freedoms contained in the First Amendment, one out of five Americans can name all five of the Simpson characters.
- More than half (52%) of Americans can name at least two characters from “The Simpsons,” while only about half that number (28%) can think of two or more First Amendment freedoms.
- Americans are also more likely to remember which ad slogan belongs to which brand. When read five popular ad slogans, three-fourths (74%) of Americans were able to correctly recall the brands connected with at least two of these, compared to 28% who could name two or more freedoms. One-fourth of Americans could identify the brand of four or more of these slogans, compared to only 1% who could name at least four of the five freedoms.
- Americans are also much more likely to be able to name the three judges on the popular TV program “American Idol” than First Amendment freedoms. Although almost half could name none, a majority (54%) could name at least one, 41% could name two, and one-fourth could name all three.

Obviously, First Amendment rights are not entertainment, and they are not as highly visible as some elements of popular culture. Americans often come face-to-face with First Amendment freedoms in one form or another every day - even though we may not recognize them as such. While the objectives of the McCormick Tribune Freedom Museum are to encourage Americans to understand these freedoms, debate their application and recognize their cost and value, knowing what they are is a prerequisite for this discussion.

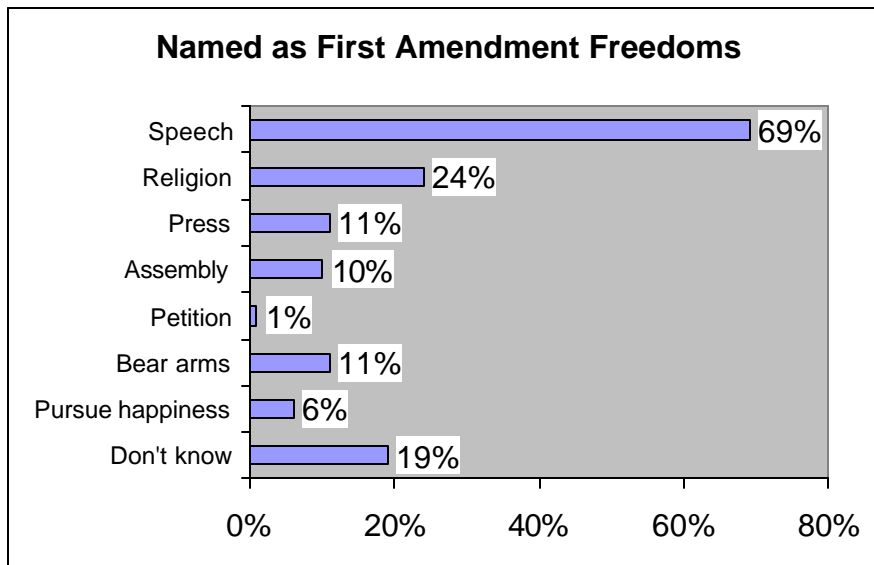
### Ability to Recall First Amendment Freedoms

A large majority (70%) of Americans are able to name “freedom of speech” as one of the freedoms guaranteed by the First Amendment to the U.S. Constitution. Unfortunately, very few Americans can name all five First Amendment freedoms without prompting.

Less than one-fourth (23%) recall (unaided) that freedom of religion is among the rights guaranteed by the First Amendment, only 10% mentioned freedom of the press, and 9% mentioned freedom of assembly. Only 1 percent mentioned freedom to petition the government, the fifth freedom included in the First Amendment.

Because Americans do not readily recall several of these freedoms, most are able to name only one, or at most two. Only one-tenth of one percent, that is, one person in a thousand, is able to name all five freedoms, only 2% are able to name four of the five, and only 7% were able to name three of the five. One in five (20%) is able to name two First Amendment freedoms, and 44% were able to name only one. More than one-fourth (27%) were unable to name any of the five freedoms correctly without prompting. In general, younger people, people with lower incomes and less education were more likely to be unable to recall any First Amendment rights.

On the other hand, about one-fourth (27%) of Americans incorrectly named something other than the five freedoms actually contained in the First Amendment. These included 11% who mentioned the right to bear arms, a Second Amendment right, and about 6% mentioned the idea of freedom to pursue happiness, or life, liberty and the pursuit of happiness, which appears in the Declaration of Independence.



Q. *What are the freedoms that are guaranteed to U.S. citizens by the First Amendment to the U.S. Constitution? (Open end with pre-codes) Anything else?*

Correct

Freedom of speech	69%
Freedom of religion	24%
Freedom of the press	11%
Freedom of assembly/to assemble	10%
Freedom to petition for redress of grievances	1%

Incorrect

Right to bear arms	11%
Life, liberty pursuit of happiness	6%
Right to vote	3%
Other	5%
Don't know	19%

Percentage able to name First Amendment freedoms correctly

<u>Number of Freedoms Correct</u>	<u>Percent</u>
5 out of 5	0.1
4 out of 5	2%
3 out of 5	7%
2 out of 5	20%
1 out of 5	44%
0 out of 5	27%

**Sources of Other Freedoms**

When asked about a number of other specific freedoms Americans enjoy, and whether the First Amendment is the source of these, we found a wide array of responses. With additional prompting, Americans do score somewhat better on recognizing some First Amendment rights. Almost four out of five (78%) correctly identify the right to worship as one of the First Amendment rights, and three-fourths correctly identify the right to criticize the government as one of these rights. (People 55 and older were most likely to correctly identify the latter as a First Amendment right.)

However, Americans also incorrectly attributed a number of other rights to the first amendment. A majority (55%) said the right to a trial by jury, which is covered by the Seventh Amendment, is a First Amendment right, and most (53%) said the right to vote also comes from the First Amendment. The right to vote is discussed in the Constitution

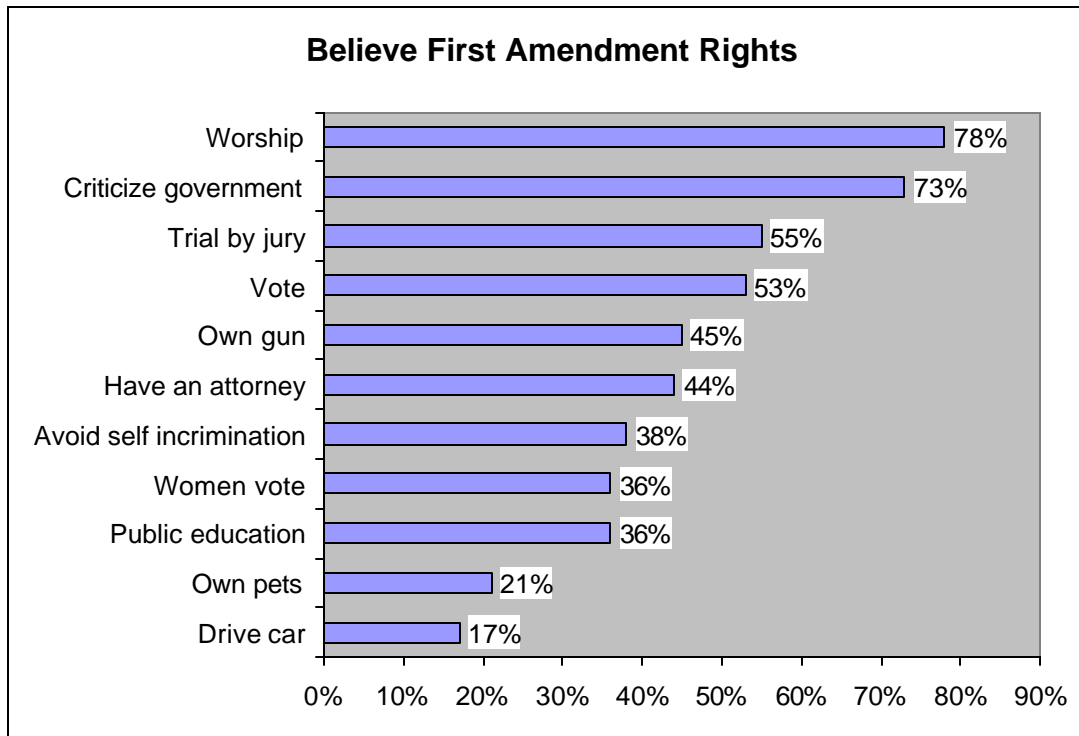
itself, and also expanded by the 15<sup>th</sup> Amendment to include all races, by the 19<sup>th</sup> Amendment to include women, and by the 26<sup>th</sup> Amendment to include those ages 18-20.

In addition, almost half (45%) believe the right to own a gun, a Second Amendment right, is included in the First Amendment, and almost as many (44%) believe the right to an attorney, guaranteed by the 6<sup>th</sup> Amendment and often repeated on television as one of the “Miranda” rights, stems from the First Amendment.

More than one-third (38%) believe that the right against self-incrimination at trial – generally known as “taking the 5<sup>th</sup> Amendment” because it is guaranteed by that Amendment – is a First Amendment right. Slightly fewer (36%) believe the First Amendment, ratified in 1791, grants women the right to vote, a right not granted until the 19<sup>th</sup> Amendment was ratified in 1920. Similarly, more than one-third (36%) believe the right to a public education is guaranteed by the First Amendment. Although numerous Supreme Court decisions and federal laws have helped shape the right to a public education, this area is primarily the responsibility of the states, and education is not guaranteed by the U.S. Constitution, the Bill of Rights, or other Amendments.

One out of five (21%) Americans also agree that the First Amendment grants citizens the right to own and raise pets, something that isn’t mentioned specifically in the U.S. Constitution or Bill of Rights. The 5<sup>th</sup> and 14<sup>th</sup> Amendments are relevant in that they prohibit depriving people of their property without “due process.”

Finally, almost one out of five (17%) Americans believe the right to drive a car is guaranteed by the First Amendment, although the automobile wasn’t invented until 100 years after the First Amendment was ratified. The “right” to drive is not a fundamental right – perhaps not a right at all – and drivers’ licenses are regulated by the individual states. In general, people with more education and higher incomes are less likely to incorrectly attribute various rights to the First Amendment.



*Q. Please tell me which of the following rights are guaranteed by the First Amendment of the U.S. Constitution. (Read list)*

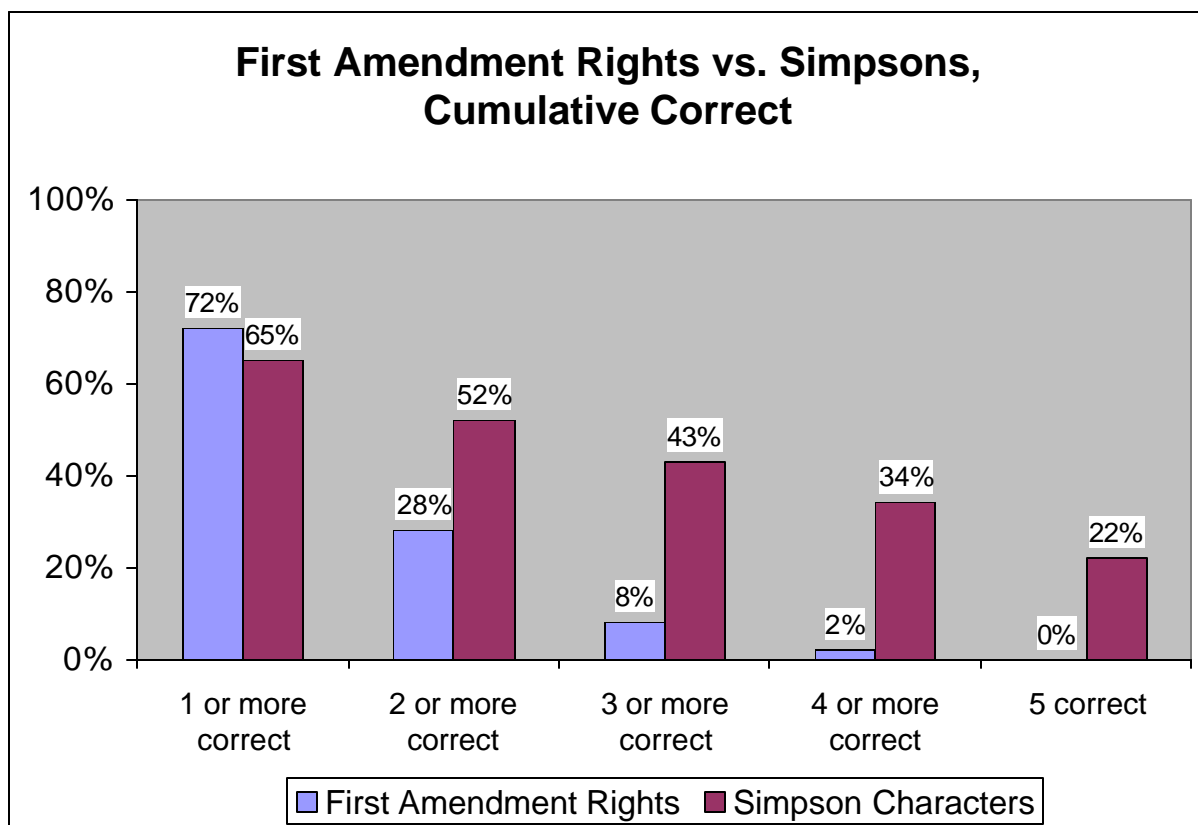
The right to worship as you please	78%
The right to criticize the government	73%
The right to a trial by a jury	55%
The right to vote	53%
The right to own a gun	45%
The right to an attorney	44%
The right against self incrimination	38%
The right of women to vote	36%
The right to a public education	36%
The right to own and raise pets	21%
The right to drive a car	17%

### **First Amendment Freedoms vs. “The Simpsons”**

While Americans may have difficulty naming more than one of the five freedoms guaranteed by the First Amendment, they do not have the same problem when it comes to some popular culture icons. More than half are able to recall that main characters from “The Simpsons” TV show include Bart (61%) and Homer (51%), while slightly fewer recall Marge (43%). About one-third remember the names of the other children, Lisa (34%) and Maggie (29%), while one-third (34%) are unable to name any of these

characters. Collectively, more than one in five (22%) Americans can name all five Simpsons, compared to only one in a thousand who can name all five First Amendment freedoms. One-third (34%) of Americans can name four of the five Simpsons, but only 2% can name four of the five freedoms covered by the First Amendment.

Not surprisingly, knowledge of the Simpson characters is closely related to age. Americans 18-44 are very likely to be able to name Homer, Bart and Marge, and those 18-34 are very likely to be able to name Lisa and Maggie as well. More than half (53%) of those age 18-34 can name all five Simpson characters, while none this age could name the five First Amendment freedoms.



Q. What are the names of the members of the Simpson family on the TV show “The Simpsons?” (Open end)

Bart	61%
Homer	51%
Marge	43%
Lisa	34%
Maggie	29%
Other	4%
Don't know	34%

<u>Number of characters correctly Identified</u>	<u>Percentage</u>
5 of 5	22%
4 of 5	12%
3 of 5	9%
2 of 5	9%
1 of 5	13%
0 of 5	35%

### **First Amendment Freedoms vs. American Idol**

For another pop culture comparison, we asked Americans to provide the first names of the judges on the popular TV show “American Idol.” While near half (44%) were unable to name any, almost half were able to name Paula (Abdul), and only slightly fewer (45%) mentioned Simon (Cowell). Randy (Jackson) is mentioned somewhat less often (26%).

One-fourth (24%) of Americans are able to correctly name all three of these judges, and four out of ten (41%) can name at least two of the three. People ages 25-44, and those with children in the household and minority members are most likely to be able to name each of these people.

*Q. What are the first names of the judges on the TV show American Idol?*

Paula	49%
Simon	45%
Randy	26%
Other	4%
Don't know	44%

Number of judges named correctly

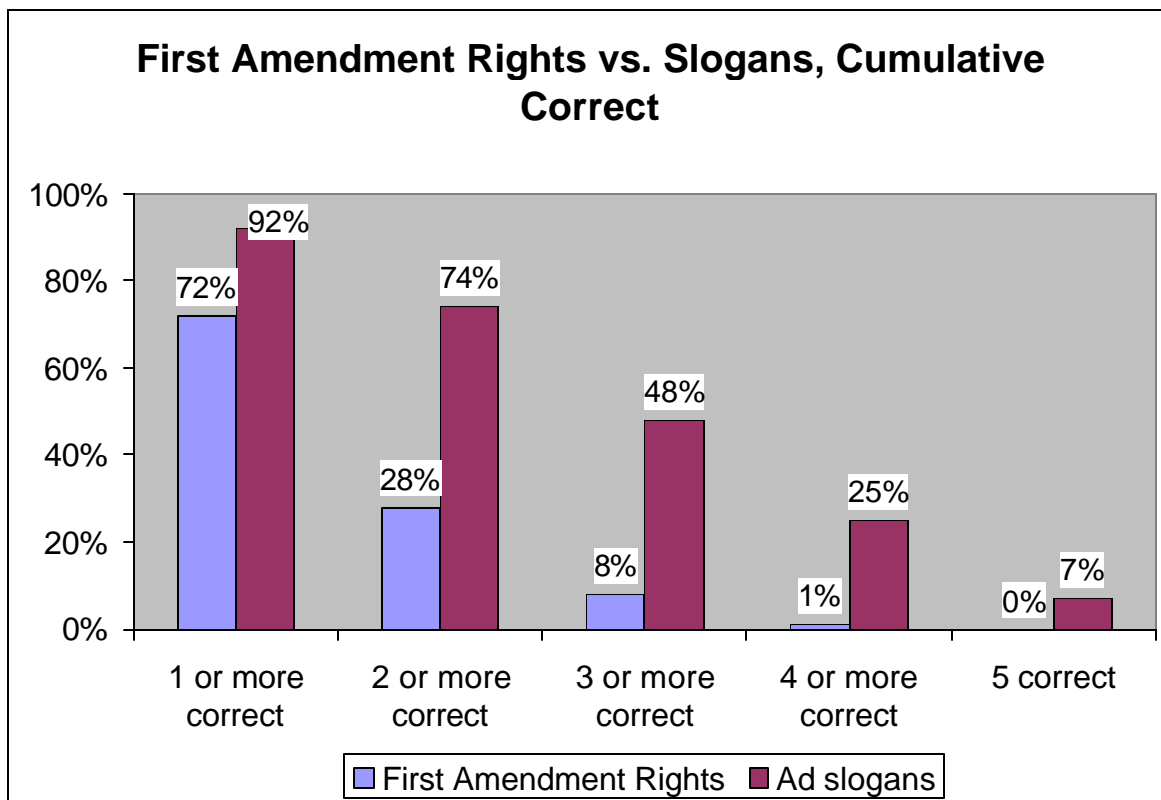
3 out of 3	24%
2 out of 3	17%
1 out of 3	13%
0 out of 3	46%

### **First Amendment Freedoms vs. Advertising Slogans**

Finally, looking at another aspect of popular culture, Americans were asked to identify the brand or product associated with a particular slogan. Two-thirds (65%) of Americans were able to correctly name Energizer as the brand using the slogan, “Keeps

going and going and going.” Slightly fewer (61%) were able to identify Federal Express as the company associated with the slogan, “When it absolutely, positively has to be there overnight.” In addition, more than half (54%) also were able to recognize that the slogan, “What happens here, stays here” belongs to Las Vegas. Identified correctly by fewer Americans were McDonalds (36%) slogan, “I’m lovin’ it,” and Southwest Airlines’ tagline, “Ding! You are now free to move about the country (28%).” Younger people were much more likely to recognize the slogans for McDonalds, Las Vegas and Energizer than older people.

Collectively, 7% of Americans were able to correctly identify the sponsors of all five taglines, and 25% were able to recognize at least four out of the five. This compares with 0.1% and 2% who could name all five or at least four out of five First Amendment freedoms, respectively. This comparison may be slightly unfair, however, since slogans were provided as memory prompts, whereas no prompts were offered regarding the five First Amendment freedoms.



Q. I'm going to read you a few advertising slogans. For each one, please tell me which company or product it is for:

"Keeps going and going and going." Energizer battery 65%

"When it absolutely, positively has to be there overnight."  
Federal Express 61%

"What happens here, stays here."

Las Vegas 54%

"I'm Lovin' It"

McDonalds 36%

"Ding! You are now free to move about the country."

Southwest Airlines 28%

Number of slogans correct

5 out of 5 7%

4 out of 5 18%

3 out of 5 23%

2 out of 5 26%

1 out of 5 18%

0 out of 5 9%

**Methodology:** The survey was conducted by Synovate, an independent market research firm, using its omnibus TeleNation survey. Telephone interviews were conducted with a random selection of 1,000 American adults from Jan. 20-22, 2006. The margin of error due to sampling for a sample of this size at the 95<sup>th</sup> percent confidence level is +/- 3 percentage points.