

1-1-2018

Freedom of Speech on College Campuses

Martin Hooper

Follow this and additional works at: <https://scholarlycommons.susqu.edu/supr>

 Part of the [American Politics Commons](#)

Recommended Citation

Hooper, Martin (2018) "Freedom of Speech on College Campuses," *Susquehanna University Political Review*: Vol. 9 , Article 1.
Available at: <https://scholarlycommons.susqu.edu/supr/vol9/iss1/1>

This Article is brought to you for free and open access by Scholarly Commons. It has been accepted for inclusion in Susquehanna University Political Review by an authorized editor of Scholarly Commons. For more information, please contact sieczkiewicz@susqu.edu.

SUPeR Article

Freedom of Speech on College Campuses

By: Martin Hooper

Abstract

This study is an attempt to understand why people, specifically college students, do or do not tolerate different forms of speech and expression. Political tolerance is the classic dependent variable used to measure opinion on civil liberties. Existing literature on political tolerance suggests that it is affected by political leanings, education, perception of opposing ideologies, and gender, among other things. Prior research is lacking that targets college students and that differentiates opinions of free speech relating to public life from opinions relating to life on a private campus. A survey of 522 Susquehanna University students delivered results that were used to analyze the relationship between an array of independent variables and several dependent variables relating to opinions on the regulation of speech. The results indicate that a student's political affiliation, interest in politics, political sophistication, perception of racism, status as a victim of derogatory speech, year in school, and gender all have a significant effect on opinions relating to the regulation of speech both in public life and on a private campus.

Introduction

Multiple issues involving freedom of speech are at the forefront of American political debate today. Specifically, on college campuses in America, conversations about political correctness, hate speech, safe spaces, and “trigger-words” have reignited a centuries-old debate about political expression and censorship. Many private universities have taken steps to ban hate speech on their campuses, and a new debate has arisen as to what Americans ought to value more: the right to free speech or the right of people to be free from threatening or offensive speech. Students protesting unpopular lecturers on college campuses have made headlines across the country. On the federal level, President Donald Trump ran parts of his campaign targeting “political correctness”, and he has addressed the issue of freedom of speech frequently as president. In August of 2017, the U.S. Congresses’ House Committee on Government Oversight and Reform held a hearing on the threat to free speech on college campuses (Friedersdorf 2017).

This study is an attempt to develop an understanding of public opinion on many of these different issues by asking this question: What factors explain public opinion on free speech among college students? This paper attempts to analyze the relationship between an array of variables and opinion on free speech. To accomplish this, the results of a survey of students at Susquehanna University is used to identify the factors that have a significant influence on shaping a person’s conception of free speech. Ultimately, the goal of this paper is to discover why American college students feel certain ways about issues of freedom of speech as a means of helping to better understand a fundamental American principle and its role in the twenty-first century.

History/Background

America's founders included free speech and free expression as an amendment to the U.S. Constitution for a reason. Free speech and free expression, specifically the protection of dissenting opinions against a regime in power, is paramount to a functioning democracy. Many important scholars and philosophers note the importance of free speech. Thomas Emerson identifies four important purposes served by the First Amendment, including that it allows for individual self-fulfillment, promotes the advancement of knowledge, ensures a platform for full participation in the political decision-making process, and promotes a more adaptable and stable community (Emerson 1971). Still, free speech is not and has hardly ever been considered an absolute right. The First Amendment has seen its fair share of debate throughout American history.

A right protected by law in the First Amendment of the U.S. constitution, many consider freedom of speech to be a cornerstone of American Democracy. While the First Amendment clearly states that the right to exercise free speech shall not be abridged, there are certain exceptions that do and ought to exist. The classic example of a restriction on speech in America is the opinion written by Supreme Court Justice Oliver Wendell Holmes in 1919 in which he argues that it is not okay for someone to incite panic by "shouting fire in a crowded theater" (*Schenck v. U.S.*, 1919). Other forms of abusive speech, such as harassment and slander, are prohibited by U.S. law. The point in giving these examples is to note that the legal right to free speech is not absolute. There are, albeit to a small degree, some limitations on speech that exist under U.S. law.

The wording of the U.S. Constitution would suggest that in 1789 free speech existed in its purest form in American history. This idea is far from true considering the select amount of people the Bill of Rights applied to at the time; African-Americans and women were not fully protected by the law. Even amongst white males, freedom of speech has historically faced challenges in

America. In 1798, President John Adams and the Federalist Congress enacted the Alien and Sedition Acts, prohibiting false speech and dissent against the U.S. government. During the Civil War and Reconstruction, both in the South and in the North, laws were enacted limiting speech against government policies. During World War I, the Espionage Act and Sedition Act made it illegal to voice opinion against military conscription and the U.S. government.

The U.S. Courts tackled many different cases involving free speech throughout the twentieth century. Among these include *Abrams v. U.S.* (1919), in which there was a ban placed against anti-war propaganda during World War I. In *Chaplinsky v. New Hampshire* (1942), “fighting words” or direct threats were deemed not to be protected under the First Amendment. In *U.S. v. O’Brien* (1968), it was ruled that burning draft cards as a form of protest was not protected by the First Amendment. In *Tinker v. Des Moines* (1969), the Court held that First Amendment rights extended to students in public schools. In *Brandenburg v. Ohio* (1969), the Court ruled that inflammatory speech was legal unless it incited direct violence. These are only a handful of decisions relating to the First Amendment that were issued by the U.S. Supreme Court throughout the twentieth century. Altogether, First Amendment rights have continuously been a contentious issue in America.

Given the current political climate in the United States, many have begun to reconsider the forms of speech that should be limited. Particularly on college campuses in America, there have been demands for limits on different forms of "hate speech" (Shapiro 2017; Oehmke 2017). Indeed, one of America’s largest challenges regarding the First Amendment involves balancing a tradition of free speech with a desire to protect the dignity of individuals and groups from inflammatory speech. Should a society that values both the right to free expression and safety outlaw racist or

bigoted speech because it offends or threatens certain groups of people?

While the term hate speech is often used to define offensive speech directed towards particular groups, other terms that have been associated with hate speech include group defamation and libel. In *Chaplinsky v. New Hampshire* (1942) the Court ruled that certain forms of speech have less value than others when it comes to First Amendment protections. The majority opinion named “fighting words” as one of the forms of speech that has particularly low value. Speech that incites others to fight or that directly threatens has relatively little constitutional value. This ruling was significant because it effectively formed the standard for judging whether certain forms of speech are constitutional: the government can only prohibit speech that constitutes immediate danger.

Under U.S. law, a person could legally say “I hate all people with blue eyes”, but they could not legally say “I have devised a plan to kill all people with blue eyes and I am going to act on it tomorrow”. Nonetheless, *Chaplinsky v. New Hampshire* would serve as precedent for *Beauharnais v. Illinois* (1952), effectively the first Supreme Court case dealing with hate speech specifically. Beauharnais was the president of a radical white supremacist group called the “White Circle League”. He distributed leaflets encouraging white people in the Chicago Area to halt the invasion of white neighborhoods by “the Negro”. The leaflets further described alleged grievances committed by black people and called for whites to unite against black people so as to avoid becoming “mongrelized”. Beauharnais was convicted by an Illinois law that prohibited the distribution of publications portraying “depravity, criminality, unchastity, or lack of virtue” of any group of citizens. The U.S. Supreme Court upheld this conviction, arguing that libelous statements are not protected by the First Amendment; and so it became irrelevant that his speech did not create

a clear and present danger. This decision that seems to outlaw hate speech did not last long. In *New York Times v. Sullivan* (1964), the Court ruled that libelous statements that were not based on fact would have to show malice. The Court argued that even false statements must be protected if free expression is to survive (Volokh 2015).

In 1992, the Court again addressed the issue of hate speech in *R.A.V. v. City of St. Paul*. A man was punished under a statute in St. Paul which prohibited “fighting words” aimed against religions, races, creeds, or genders for burning a cross on the lawn of a black family. The Court found this statute to be unconstitutional based on the argument that the government could outlaw fighting words, but only insofar as they apply generally and not to any specific groups. In other words, the specific protection that the law provided for words used against certain races/religions/genders is what was deemed unconstitutional. Libel can exist as a general statute, but it cannot favor any groups. In this decision, the Court effectively reaffirmed that hate speech is protected by the First Amendment. In summary,

just as the government cannot constitutionally restrict advocacy of communism, agitation against an on-going war, burning of the American flag, or the expression of ideas that deeply offend others, so too is it foreclosed from restricting speech that insults or degrades particular racial, religious, ethnic or gender groups (Stone 1994).

Today, public opinion is certainly evolving regarding the legality of hate speech. Beyond calls for limits on hate speech, other debates regarding free speech have been especially prevalent in America. One of these debates involves limits placed on freedom of speech by private universities. Another debate has centered on disrespect towards the American flag. Even the

decades-old debate about flag-burning is somewhat of a hot topic in America right now, with then president-elect Donald Trump tweeting on November 29, 2016 "Nobody should be allowed to burn the American flag - if they do, there must be consequences - perhaps loss of citizenship or year in jail!". Free speech is and always has been a topic of the American conversation, and it is no doubt useful to attempt to understand public opinion on such an important topic.

Defining Freedom of Speech

It is particularly difficult to define “freedom of speech”. Free speech is an abstract idea that exists in many forms. Moreover, any definition of freedom of speech is subject to the realm of human affairs in question. In other words, free speech has a different context in different realms of life. It can be said to have a philosophical definition, a legal definition, an institutional definition, and even a personal definition.

The philosophical definition of free speech can be said to include the entirety of human thought. Freedom of speech in its purest philosophical form encompasses everything that humans can possibly say or express. This is not to say that people ought to be permitted to whatever they want in any given situation, but rather that the idea of free speech is defined as someone being able to do just that. People can say anything they would like at any time, whether or not they will face ramifications for those words is where debate starts.

The legal definition of free speech is very different from its philosophical definition. Additionally, this legal definition varies among different jurisdictions. Many countries that prosecute political dissent claim that its citizens have freedom of speech. This makes the legal conception of free speech particularly hard to define. If a universal legal definition for free speech could be agreed upon, there would hardly be any need to debate the subject. Even the U.S. Supreme

Court has failed to develop a coherent theory of free speech in two hundred plus years (Redish 1982). Nonetheless, it is still useful to attempt to define the basis for free speech laws. Why do countries protect free speech? Why do they claim to protect free speech even when they do not? The answer to both questions is rooted in philosophy.

Institutional free speech relates to private entities. While certain forms of speech are protected by or prohibited by law, many private businesses, organizations, and universities might apply their own standards of speech for members. For example, a private university reserves the right to discipline its members for expressing certain forms of speech. The distinction between public and private institutions is particularly relevant to this study. Public institutions, including public universities, are subject to uphold First Amendment protections for its members. Private institutions are not required to do so. Many express their desire to promote free speech and expression, and many others are committed to maintaining a safe environment for members by prohibiting certain forms of hateful speech and expression. Nonetheless, the differentiation between free speech as it is understood both legally and institutionally likely affects the way people feel about what types of speech should be allowed under law as opposed to what should be allowed by private institutions.

Literature Review

It is commonly stated that freedom of speech in America is “under threat” today. Many well-known outspoken critics on the right, such as Ben Shapiro and others, have made this claim (Shapiro 2017). Do Americans today lack a respect for free speech that they once held in the past? To understand this question, it is important to examine public opinion on freedom of speech in America prior to the “PC era”. In 1970, Hazel Erksine analyzed a collection of public opinion polls

on free speech from 1936 through 1970. Erksine found that belief in free speech rights for any kind of radicals or extremists declined considerably from before 1950 until 1970 (Erksine 1970). Before 1950, nearly half of Americans polled believed in free speech for extremists. From 1950 to 1960, that statistic dropped to twenty-nine percent. From 1960-1970, only twenty one percent believed in free speech for extremists. Erksine notes that the political events of the time that put a spotlight on free speech, including World War II, the Cold War and McCarthyism, and the Vietnam War. It can be argued that it is misleading to make the assertion that free speech is somehow “under threat” today as opposed to any other time in American history

Political Tolerance

The classic variable used to quantify opinions on the extensions of civil liberties to others is political tolerance. Political tolerance can be defined as the willingness to extend democratic rights to disliked ideological groups (Rohrschneider 1999). People who are politically tolerant are more likely to be accepting of ideologies that contradict their own belief system.

There does seem to be a sort of paradox that exists between a person’s belief in freedom of speech and the degree to which he is willing to apply those beliefs to opposing viewpoints (Pujol 2016; Teresa 2012). A poll conducted by the Pew Research Center across thirty-eight different countries in 2015 demonstrates this paradox. When asked if they believe in the principle of free speech, an overwhelming majority of respondents in the United States and in the rest of the world answered yes. However, when more specific examples were given to respondents, such as instances of anti-governmental rhetoric or offensive hate speech, the percentage of people who said these forms of speech should be protected was substantially lower (Wike and Simmons 2015).

One of the earliest scholars in the field of political tolerance, Samuel A. Stouffer, found a

strong relationship between a variety of variables and tolerance (Stouffer 1955). Bobo and Licari (1989) summarize Stouffer's findings: "Stouffer (1955) found that tolerance was higher among...those perceiving little threat from the target group...men as opposed to women...and the highly educated more than those with less education" (Bobo and Licari 1989). While political tolerance typically is meant to include more than just a willingness to extend speech protections to disliked groups, it is likely that many of these same variables similarly affect opinions on the regulation of speech. Since Stouffer's early research, many of his initial findings have continued to be supported. Additionally, an individual's perception of the threat posed by certain groups has consistently been found to relate to tolerance (Davis & Silver 2004; Gibson 1987). In fact, Davis & Silver argue that "if any single factor is likely to drive people to cede civil liberties for security it is threat" (2004, 30).

Political Sophistication, Political Interest, and Support for Free Speech

Factors that have been said to influence political tolerance are education and cognition. Many have found that the effects of education on political tolerance are profound (Stouffer, 1955; Bobo and Licari, 1989; Davis & Silver, 2004).

A common measure of cognition, more specifically political knowledge, is political sophistication. Understanding the psychology of political thought is no doubt crucial to understanding the way in which people conceptualize free speech. Even more so, a person's political perceptions are likely to influence their opinion of free speech. A person's collective political cognitions are commonly known as his Political Belief System (PBS) (Luskin 1987). A person's PBS is composed of various dimensions. Three can be used to define political sophistication. First is size, or the pure amount of information a PBS is exposed to. Second is

range, or the variety and scope of information a PBS is exposed to (narrow vs. wide-ranging). Third is organization, or the extent to which cognitions are interconnected (Luskin 1987). This third aspect determines not just how politically aware a person is, but also the way in which they cognitively process political information. Is a particular ideology consistently applied when interpreting political information? Or are opinions formed based on groupthink and an influence from outside sources?

Altogether, these dimensions of a PBS determine the degree to which a person is politically sophisticated. That is to say that a person with a wide-ranging but organized PBS is more politically sophisticated. It is important to note that a person can be politically sophisticated without labeling themselves as part of a larger political group (Republican/Democrat) and can still be unsophisticated if they do use labels to define their political beliefs (Luskin 1987). People within the mass-public conceptualize politics in different ways, and all have different degrees of political sophistication. Some people are satisfied with receiving their news only from major media outlets and are quick to make political judgments based on group-based political thinking. Others expose themselves to significantly more political information and tend to think about things from an ideological perspective. There are different factors that explain why this is this case. One of these variables is education and political knowledge, which is said to have a profound effect on the way that individuals conceptualize candidates and parties in an election (Lewis-Beck 2008). There is a general consensus among scholars that the best way to measure political sophistication is by testing an individual's factual knowledge of American politics (Lewis-Beck 2008). To measure this, questions relating to political facts can be used in which respondents are quizzed on their political knowledge to determine their degree of political sophistication.

Political Affiliation

Notably, many studies have found that liberals are more likely to tolerate disliked speech than conservatives (McClosky & Brill 1983; Davis & Silver 2004; Linder and Nosek, 2009). There is no widely-agreed upon method of measuring political affiliation or party preference in political science (Kroh 2007). There are several different methods of this measurement commonly used. Typically, some type of scale is used to measure an individual's political affiliation. For example, two-point scales where subjects label themselves as either liberal/conservative or Republican/Democrat are often used. To achieve more a more accurate representation of an individual's political affiliation, larger scales can be employed. Examples include five-point scales (ranging from liberal, lean more towards liberal, neutral, lean more towards conservative, conservative), and eleven-point scales. It is important to note that different scales produce different results (Kroh 2007). Research specific to political tolerance sometimes measures political affiliation on a seven-point scale (Linder and Nosek, 2009).

Free Speech on College Campuses

There have been a few notable studies undertaken on public opinion of free speech on college campuses. The most notable research in recent years conducted in this field was completed by the John S. and James L. Knight Foundation along with the Newseum Institute. The organizations partnered to complete a representative survey of college students in America and their opinions on free speech. A survey of adults in the U.S. not in college served as a comparison. The findings of this research were somewhat surprising. Of U.S. college students, freedom of the press (81% of students), freedom to petition the government (76% of students) and freedom of speech (73% of students) are all rights perceived as secure. The majority of U.S. adults do believe

these rights are secure, but not to the same degree that college students do. For freedom of speech, only 56% of U.S. adults believe it is secure; for freedom of the press, 64% of adults believe it is secure; and for freedom to petition the government, 58% believe it is secure. The researchers found that race is significantly related to perceptions concerning freedom of assembly, “Non-Hispanic black college students are much less likely than non-Hispanic white college students to believe the right of people to assemble peacefully is secure, at 39% vs. 70%, respectively”. Additionally, the poll found that “Adults are far more likely to perceive a decline in free speech rights, with 40% saying the ability to exercise free speech is weaker today than 20 years ago, compared with 22% of college students saying the same” (“Free Expression on Campus” 2015).

A poll conducted by Rasmussen in 2017 found 85 percent of Americans agreeing that ensuring freedom of speech is more important than ensuring no one is offended by what others say. Seventy-three percent of Americans said they would be willing to die for their right to free speech. However, only 28 percent of respondents believe that they have true freedom of speech today. Contrary to most other findings in the field of political tolerance, it is noted that free speech is rarely a partisan or racial issue. That is to say that regardless of political affiliation or race, Americans are likely to support free speech. However, in the Rasmussen poll it is noted that men were more likely to support free speech than woman (“73% Say Freedom” 2017).

In attempting to understand current public opinion of freedom of speech on college campuses, few scholars have attributed any explanatory variables. Some note the degree to which intellectual diversity is welcomed by a particular campus as having an effect on the opinions of students (Epstein 2017). Others note demographic factors such as race (“Free Expression on Campus” 2016). Most research that has been conducted has been comparative, whether that be

comparing opinion on free speech across countries or across universities or across a range of ages. There has been little research explaining why it is that students in particular think certain ways about free speech.

Methodology/theory

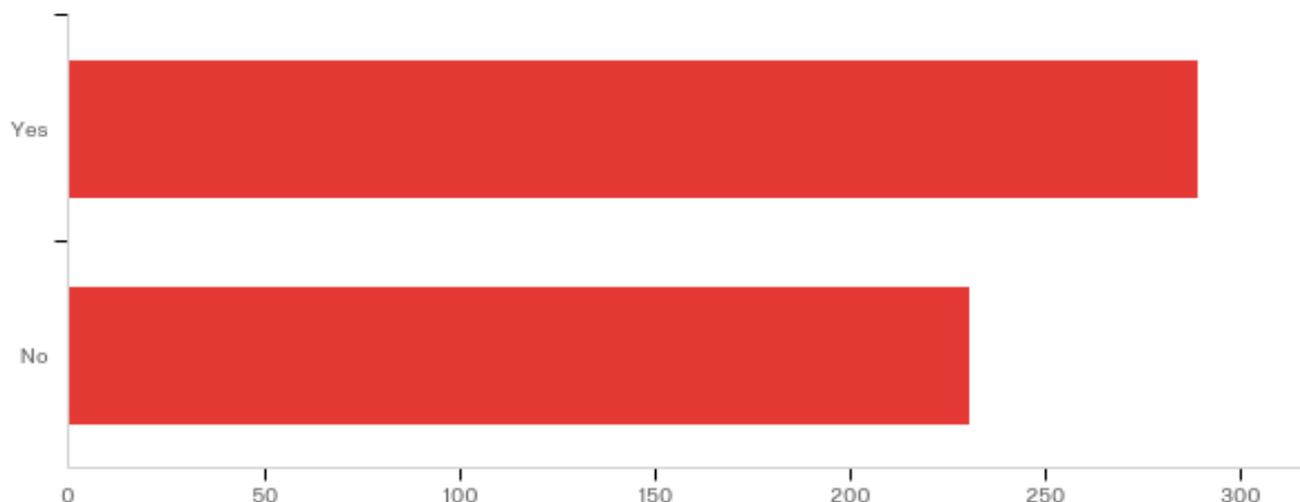
The goal of this study is to answer this question: What factors explain public opinion on free speech among college students? To test the relationship between a variety of variables and opinion on freedom of speech, I created a survey and distributed it to students currently attending Susquehanna University. The survey was distributed to all students currently listed in the Susquehanna University student directory via email. Respondents were given two weeks to complete the survey. There were 522 respondents that fully completed the survey out of 2404 students (22%). Responses were coded in preparation for statistical analysis. I used the results from the survey to produce independent variables, control variables, and dependent variables.

Dependent Variable

The dependent variable of this study is opinion on free speech, which is more specifically defined as the degree to which a person wishes to regulate speech. As previously mentioned, there are legal limits on speech that exist in the United States. Given, there is not so much a question of “if legal limits should be placed on speech?” Rather, debate focuses on the question “what legal limits should be placed on speech?” It would not make much sense to define the dependent variable of this study as “support for free speech” because hardly anyone supports absolute speech in its purest form, and because hardly ever has free speech existed in its purest form under law. When this topic is studied, the opinions that are sought are best described as opinions on the regulation of speech.

To measure opinions on the regulation of speech, I created multiple indexes using data from the survey. A range of questions were asked in a yes/no format. Respondents were presented with multiple scenarios in which their answer would reflect an indication of support for more regulation of speech or support for less regulation of speech. In total, fifteen questions from the survey contributed to the data for my dependent variables. All fifteen of these questions were asked in a yes/no format. When coding the responses to these questions, answers that signified support for less regulation of speech in the given scenario were assigned a 1. Answers that signified support for more regulation of speech were assigned a 0. To test the different ways that students conceptualize speech in public life as opposed to speech on campus, I created three primary indexes. The first index (index 1) combined results from questions relating to legal regulations on speech. Table 1 includes the results from a question used to create index 1.

Table 1: Q29 - Should it be legal for a U.S. citizen to burn an American flag on his/her own property?

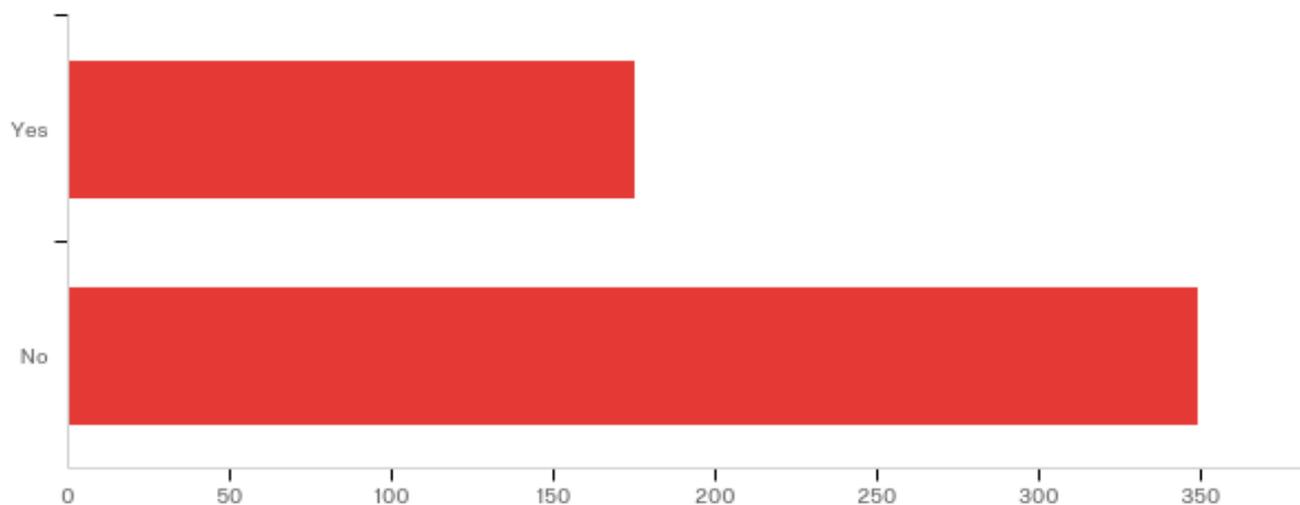


#	Answer	%	Count
1	Yes	55.58%	289
0	No	44.42%	231
	Total	100%	520

For example, if a person answered “Yes, flag burning should be legal”, then his response would be coded as a 1. If he answered “No, flag burning should be illegal”, then his response would be coded as a 0. It is important to note that in not all questions was the answer “yes” synonymous with support for less regulation of speech. Each question was unique in its phrasing, but all coded responses of 1 indicate support for less regulation of speech while responses of 0 indicate support for more regulation of speech. Note that this question asks students whether a certain form of political expression ought to be legal or not. Index 1 is composed of nine questions: Q29, Q31, Q34, Q35, Q37, Q38, Q40, Q42, and Q48 (see appendix). Contrastingly, table 2 includes the results

from a question used to create the second index (index 2).

Table 2: Q30 - Assuming that he/she is not breaking any rules in regards to starting a fire, should a Susquehanna student be allowed to burn an American flag on campus?



#	Answer	%	Count
1	Yes	33.40%	175
0	No	66.60%	349
	Total	100%	524

Whereas Q29 asks about whether or not flag burning ought to be legal, Q30 asks whether or not flag burning ought to be allowed on campus. This distinction is what separates index 1 from index 2. All questions used to compose index 2 relate to the regulation of speech on campus. This index is composed of six questions: Q25, Q30, Q32, Q33, Q36, Q45 (see appendix).

The third primary index created is simply a combination of index 1 and index 2. All of the

responses used to create index 1 and index 2 are put together in a third index (index 3). In mathematical terms: index 1 + index 2 = index 3. Likewise, index 3 is composed of the results from fifteen questions: Q29, Q31, Q34, Q35, Q37, Q38, Q40, Q42, Q25, Q30, Q32, Q33, Q36, Q45, and Q48 (see appendix).

In addition to these three primary indexes, I also created several other secondary indexes to test the way respondents feel about regulating specific forms of speech. Indexes 1 and 2 included questions on a variety of topics relating to the regulation of speech. Contrarily, these secondary indexes combine results from questions all similar in nature. There is a flag burning index, a Confederate flag display index, a Nazi speech index, and a political regulation index. Most of the indexes are self-explanatory. The flag burning index consists of all questions in the survey relating to flag burning: the results from Q29 and Q30. The Confederate flag display index consists of results from questions relating to the display of confederate flags: Q31 and Q32. The Nazi Speech index is composed of results from questions relating to the regulation of speech that supports Nazism: Q33, Q34, and Q35. Lastly, the political regulation index includes results from questions relating to the regulation of opposition to a government regime in power: Q40, Q42, Q43, and Q44.

Independent Variables/Hypotheses

Given the existing literature on political tolerance and the various polls that have been distributed in the United States in recent years, there were several variables initially hypothesized to have a significant impact on opinions relating to the regulation of speech. These variables are political affiliation, gender, education/political sophistication, interest in politics, and the perceived threat of radical ideologies. Each variable was coded in such a way that it could be used

for statistical analysis.

Hypothesis 1: Democrats are more likely to support less regulation of speech than Republicans.

Literature on political affiliation suggests that either Democrats are more politically tolerant than Republicans. Political affiliation was coded so that each respondent was assigned a value on a scale of 1 to 7 that reflected each individual's political affiliation. Respondents were first asked whether they identify as a Republican, Democrat, or Independent (Q1). Depending on their response, they were directed to another question. For example, respondents who said they were a Republican were directed to a question that asked if they consider themselves a strong Republican or a not strong Republican (Q2). Respondents who answered Democrat were prompted to answer whether they consider themselves strong or not strong Democrats (Q3). Respondents who answered Independent were directed to a question that asked if they lean more to the right, lean more to the left, or are neutral (Q4). Combining data from these four questions, respondents who answered that they were a strong Republican were assigned a value of 1, weak Republicans a value of 2, Independents that lean more to the right a value of 3, Independents that are neutral a value of 4, Independents that lean more to left a value of 5, weak Democrats a value of 6, and strong Democrats a value of 7.

Hypothesis 2: Men are more likely to support less regulation of speech than women.

Most literature suggests that men support less regulation of speech than women. Likewise, it was hypothesized that the results of this survey would suggest the same. Gender is measured in the form of a dummy variable, females were assigned a value of 0 and males a value of 1 (Q15).

Hypothesis 3: Those with more education are likely to support less regulation of speech

than those with less education.

Literature suggests that the highly educated support less regulation of speech than those less educated. To measure an individual's level of education, two variables are used. The first is structural, measuring the amount of time spent in college. College freshmen are assigned a value of 1, sophomores a value of 2, juniors a value of 3, and seniors a value of 4 (Q16). It was hypothesized that students who have been in college longer would support less regulation of speech than those who had not been in college as long. The second variable used to measure education was political sophistication.

Hypothesis 4: People with higher levels of political sophistication are more likely to support less regulation of speech than those with lower levels of political sophistication.

To quantify this variable, three questions were given to respondents in a quiz-like format (Q11, Q12, Q13). Each question is factual and has right and wrong answers. For each question answered correctly, respondents were awarded "1 point" towards their political sophistication value. Combining the results from these three questions, each respondent's political sophistication value varied from 0 to 3. A value of 3 indicating high political sophistication, a value of 0 indicating low political sophistication.

Hypothesis 5: People who are more politically interested are more likely to support less regulation of speech than those who are less politically interested.

Literature on education's relationship with political tolerance also suggests that those who have a high interest in politics might be more politically tolerant. Political interest was measured on a scale of 1-10, with 10 indicating a respondent has high interest in politics, and 1 indicating a

low interest in politics (Q5). The survey question used to measure this variable was open-ended, so respondents identified their own political interest.

Hypothesis 6: People who perceive extreme ideologies to be less of a threat are more likely to support less regulation of speech than those who perceive extremist ideologies to be more of a threat.

To measure the effect that an individual's perception of radical ideologies has on his opinion on the regulation of speech, two different variables were created. The second variable used to quantify perception was an individual's perception of the threat of racist ideologies. Respondents were asked to grade the degree to which they view racism as a threat (Q27). This perception was quantified on a 1-5 scale. Responses of 1 indicate that the respondent perceives racism as a severe threat, 2 a major threat, 3 a moderate threat, 4 a minor threat, and 5 not much of a threat. That is to say that respondents who received a value of 1 believe that racism is a more severe threat than respondents with a value of 5. The third variable used to quantify perception was an individual's perception of radical ideologies. Respondents were asked how much of a threat they perceive radical political ideologies to be (Q26). The responses to this question were quantified in the same manner as Q27, on a 1-5 scale with a value of 1 indicating the belief that radical ideologies are a severe threat and a value of 0 indicating the belief that radical ideologies are not much of a threat.

Hypothesis 7: People who have not been a victim of derogatory speech are more likely to support less regulation of speech than those have been a victim of derogatory speech.

Respondent were asked to indicate their status as a victim: whether they had or had not

been victims of derogatory speech in the past (Q41). Respondents who indicated they had been a victim in the past were assigned a value of 0, those who had not been a victim in the past were assigned a score of 1.

Results/Analysis

To test each hypothesis, a variety of statistical models were used to analyze data. Multiple linear regressions were run on index 1 and index 3. Index 2 had a smaller collection of questions, so an ordered logit was instead used to analyze it. Table 3 is meant to serve as the primary model of this study: it measures the relationship between all independent variables and overall opinions regarding the regulation of speech.

Table 3: Opinions on the Regulation of Speech

*Denotes significance at the .10 level, ** at the .05 level, and *** at the .01 level

	Model 1 (Regression on index 1)	Model 2 (Ordered Logit on index 2)	Model 3 (Regression on index 3)	Model 4 (Regression on index 3)
Political Affiliation	-.083* (.048)	-.115*** (.044)	-.192*** (.070)	-.223*** (.077)
Political Interest	.104*** (.039)	.084** (.035)	.172*** (.057)	.184*** (.058)

Political Sophistication	.710*** (.145)	.166 (.130)	.818*** (.213)	.740*** (.215)
Gender	.715*** (.200)	.575** (.183)	1.10*** (.293)	1.017*** (.297)
Victim	-.083 (.192)	-.799*** (.176)	-.625** (.281)	-.458 (.289)
Perceived Threat of Radical Ideologies	.067 (.095)	.099 (.086)	.118 (.139)	.081 (.143)
Perceived Threat of Racism	.408*** (.104)	.370*** (.096)	.645*** (.152)	.608*** (.155)
Class Year	.187** (.077)	.158** (.071)	.281** (.113)	.271** (.116)
Race				-.111 (.124)
Religion				.083 (.051)
Faculty Perception				.364 (.253)
Student Body Perception				.237 (.208)
Comfort in Class				.355

				(.301)
Constant	1.56*** (.584)		3.659*** (.853)	2.72*** (.996)
Observations	506	509	499	483
R-Squared	.2194	Prob > chi2 = 0.0000 Log likelihood = -828.57935 Pseudo R2= 0.0586 LR chi2(8) = 103.15	.2376	.2548

In table 3, model 1 is a linear regression run with the primary independent variables of this study on index 1. Model 2 is an ordered logit run on index 2. Model 3 is a regression run on index 3. Model 4 is a regression run on index 4 including the primary variables of this study when controlling for race, religion, the perceived political ideology of Susquehanna's faculty, the perceived political ideology of Susquehanna's student body, and respondents' comfort level when expressing their opinions in classes at Susquehanna University.

Political affiliation is significant and negative across all models. These findings are the

opposite of what was predicted in *hypothesis 1*. This suggests that respondents who had a higher value on the political affiliation scale (closer to Democrat) support more regulation on speech than those who had lower values on the political affiliation scale. The significance and direction of this variable across all models would suggest that this holds true for the regulation of speech legally (index 1), on campus (index 2), and in both combined (index 3).

Political interest is significant and positive across all models. This would suggest that respondents who reported a higher interest in politics support less regulation of speech than those who reported low interest in politics. Again, this holds true for index 1, index 2, and index 3. These findings support *Hypothesis 5*. It is not surprising that students who demonstrate a high interest in politics also support less regulation of speech.

Political sophistication is positive and significant in model 1, model 3, and model 4. It is not significant in model 2. This would suggest that students who are more politically sophisticated support less regulation of speech than those who are less politically sophisticated except for issues relating to speech on campus. These findings support *hypothesis 4*.

Gender is positive and significant across all models. This suggests that males support less regulation on speech than females do both in terms of speech that ought to be legal and speech on campus. These findings support existing research and *hypothesis 2*.

A respondent's status as a victim of derogatory speech is negative across all models and significant in models 2 and 3. This suggests that respondents who have not been victims of derogatory speech support more regulation on speech than those who have been victims of derogatory speech. These findings contradict *hypothesis 7*.

A respondent's perception of the threat posed by radical ideologies is insignificant across

all models. *This does not support hypothesis 6.* Contrastingly, a respondent's perception of the threat posed by racism is positive and significant across all models. This would suggest that respondents who perceive racism to be less of a threat support less regulation on speech than those who perceive racism to be more of a threat. These findings supports *hypothesis 6.*

A student's class year is significant and positive across all models. This supports *hypothesis 3.* In other words, seniors support less regulation of speech than underclassmen. This also supports the idea that those with more education support less regulation of speech than those who have less education.

Most of the independent variables show significance across all models. The only variable with no significance across any model is the perceived threat of radical ideologies.

Table 4 shows the results of an ordered logit run on the flag burning index. When it comes to the issue of flag burning, political affiliation is still significant. However, the direction of its coefficient is now positive. This suggests that respondents who are higher on the political affiliation scale (closer to Democrat) support less regulation of flag burning than those lower on the scale. Political interest, Political Sophistication, and gender are all positive and significant, these findings are similar to the findings in table 3. However, status as a victim, the perceived threat of racism, the perceived threat of radical ideologies, and class year are all insignificant in this model.

Table 4: Opinions on Flag Burning

*Denotes significance at the .10 level, ** at the .05 level, and *** at the .01 level

	Model 5: Ordered logit on Flag Burning
--	---

	Index
Political Affiliation	.217*** (.048)
Political Interest	.162*** (.038)
Political Sophistication	.472*** (.145)
Gender	.378* (.195)
Victim	.011 (.183)
Perceived Threat of Radical Ideologies	-.0003 (.094)
Perceived Threat of Racism	-.095 (.102)
Class Year	.068 (.074)
Observations	514
	LR chi2(8) = 79.42 Prob > chi2 = 0.0000 Pseudo R2 = 0.0717

Table 5: Opinions on the Regulation of the Display of Confederate Flags

*Denotes significance at the .10 level, ** at the .05 level, and *** at the .01 level

	Model 6: Ordered Logit on Confederate Flag Display Index
Political Affiliation	-.237*** (.049)
Political Interest	-.007 (.040)
Political Sophistication	.190 (.148)
Gender	.346* (.202)
Victim	-.450** (.197)
Perceived Threat of Radical Ideologies	.112 (.101)
Perceived Threat of Racism	.507*** (.112)
Class Year	.054 (.079)

Observations	516
	LR chi2(8) = 103.73
	Prob > chi2 = 0.0000
	Pseudo R2 = 0.1012

Table 5 uses the confederate flag index as a dependent variable. The findings in Table 5 are similar to the findings in table 3. The direction of all coefficients is the same as in table 3 with the exception of political interest. Political affiliation, gender, status as a victim, and the perceived threat of racism are all significant. Political interest, political sophistication, the perceived threat of radical ideologies, and class year are all insignificant.

Table 6 measures the relationship of the independent variables with opinions on the regulation of pro-Nazi speech, quantified by the Nazi speech index. Again, findings related to the Nazi speech index do not differ much from the findings in table 3. Political affiliation and status as a victim are both significant and negative, while political interest, political sophistication, gender, and the perceived threat of racism are all significant and positive. In this model, the perceived threat of radical ideologies and class year are insignificant.

Table 6: Opinions on the Regulation of pro-Nazi Speech

*Denotes significance at the .10 level, ** at the .05 level, and *** at the .01 level

	Model 7: Ordered Logit on Nazi Speech Index
Political Affiliation	-.111** (.046)

Political Interest	.079** (.038)
Political Sophistication	.558*** (.148)
Gender	.685*** (.190)
Victim	-.339* (.187)
Perceived Threat of Radical Ideologies	.064 (.092)
Perceived Threat of Racism	.441*** (.101)
Class Year	.091 (.075)
Observations	514
	LR chi2(8) = 119.11 Prob > chi2 = 0.0000 Pseudo R2 = 0.0920

Table 7 shows the results of an ordered logit with the political regulation index as the dependent variable. Similar to the results of table three, findings show that political affiliation is

significant and negative, political sophistication is significant and positive, and gender is significant and positive. Political interest, status as a victim, the perceived threat of radical ideologies, the perceived threat of racism, and class year are all insignificant.

Table 7: Opinions on the Regulation of Political Opposition

*Denotes significance at the .10 level, ** at the .05 level, and *** at the .01 level

	Model 8: Ordered Logit on Political Regulation Index
Political Affiliation	-.098** (.050)
Political Interest	.063 (.039)
Political Sophistication	.542*** (.138)
Gender	.429** (.206)
Victim	-.114 (.197)
Perceived Threat of Radical Ideologies	-.040 (.098)
Perceived Threat of Racism	.117

	(.110)
Class Year	.125 (.079)
Observations	511
	LR chi2(8) = 52.75 Prob > chi2 = 0.0000 Pseudo R2 = 0.0513

Conclusions

The results of this study indicate that students who support less regulation on speech are those who identify lower on the political affiliation scale (closer to Republican), report higher interest in politics, have higher levels of political sophistication, who identify as male, have been victims of derogatory speech, view racism as less of a threat, and have been in school longer.

Political affiliation has a significant and negative relationship with opinions on the regulation of speech across almost all models. With the exception of the flag burning index, this result is the opposite of *Hypothesis 1* and the opposite of what is suggested by existing literature. An explanation for this might be that most of the relevant literature suggesting Democrats support less regulation of speech than Republicans is outdated. It can be argued that there has been somewhat of a shift in the ideology of both political parties in recent years when it comes to numerous social issues and the issue of political correctness. Perhaps the findings in this study can be somewhat explained by this supposed shift. Another explanation for these findings might be a difference within certain political affiliations dependent on age. Perhaps college-aged Democrats

and Republicans think differently about speech than older Democrats and Republicans. Further comparative research would certainly be useful to test the relationship between age, political affiliation, and opinions on speech. One more possible explanation for the findings is that this variable may be misrepresentative of true political affiliation. There are more political parties that exist than Republican, Democrat, and Independent. The method used to measure Political Affiliation in this study was used so that it could be quantified efficiently, but it is important to recognize the possible error that can occur as a result of the limited possible choices. It is also possible that questions used to generate the dependent variables were biased in a way that favored right-winged ideology. The findings in Model 5 using the flag burning index as the dependent variable support this idea. While questions were selected to limit this possible bias, it may still be present.

The significance and negative direction of the Victim variable across most models is surprising. It is hard to believe that those who have been victimized are more likely to support less regulation on speech than those who have not been victimized by derogatory speech. It is possible that the question used to quantify this variable was too broad. Respondents were asked whether they had ever been a victim of derogatory speech on the basis of race, religion, gender, or sexual orientation (Q41). A majority of respondents answered that they had been victims. It would be interesting to see how the results would change if this question was instead divided. For example, if the survey asked, “Have you ever been a victim of derogatory speech because of your race?” And then asked separately if the same had been true because of religion. Differentiating between different types of victims would likely have yielded very different results. Perhaps it is also possible that people who belong to minority groups might be more understanding of the need to

protect individual freedoms because they themselves fear a loss of freedoms (Gibson 1987). It might follow that being a member of a minority group correlates with having been a victim of derogatory speech. If that is the case, it is possible that victims of derogatory speech actually do support less regulation of speech than non-victims. Further research is needed to test this theory.

The findings related to *hypothesis 3* are particularly interesting. Students who are further along their college careers support less regulation of speech across half of the models. This supports the idea that people with more education are more politically tolerant than those with less education. In some capacity, it simultaneously rejects the notion that colleges and universities are responsible for corrupting their students and jeopardizing the American ideal of free speech. Given the limited data in this analysis, this cannot be said to be true for all universities in America, but it can be said to hold true at least somewhat for Susquehanna University. Consider the responses to Q20. A majority (59.08%) of Susquehanna students perceive Susquehanna's faculty to be generally liberal. Still, students who have spent more time at Susquehanna support less regulation of speech than those who have spent less time at the University. It would appear that the claim by many on the right that free speech is under threat and that colleges and universities are to blame is ill-founded when it comes to Susquehanna University. This analysis is purely theoretical. Further evidence is needed to test this theory, and it would be interesting to see if the findings in this study would also apply to institutions across the country.

There is no evidence that suggests an individual's perception of the threat that radical ideologies pose has any effect on opinion regarding the regulation of speech. Contrastingly, the strong significance associated with the perceived threat of racism suggests that perception does play a role in shaping a student's beliefs on speech. The difficulty lies in identifying the different

forms of perception that contribute to opinion. Perception of racism appears to be one of these forms. Further research differentiating between perception of different groups and ideologies would undoubtedly be useful.

The findings related to political sophistication's effect on student's opinion of speech supports *hypothesis 4* and existing literature. Those who are more politically sophisticated tend to support less regulation of speech than those who are less politically sophisticated. It is noted that this variable was not significant when running an ordered logit on index 2. Perhaps political sophistication plays a minimal role in determining how students feel about what forms of speech should be permitted on campus. This finding makes sense considering there are no scenarios in questions used to create index 2 involve no legal ramifications for different forms of speech. Students who are politically sophisticated may have a better understanding of the differentiation between free speech as it applies to public life versus life on campus.

The principle of Free speech is a crucial part of the American identity. Public opinion indicates the way in which citizens perceive this principle. It is no doubt important to understand what affects opinion on this part of America's identity. America's overall conception of free speech and understanding the factors that affect it is vital in developing the centuries old debate surrounding the First Amendment. Further research on this topic will be useful in contributing to an integral part of American politics.

Bibliography:

Adler, Mortimore Jerome. 1952. *Great Books of the Western World Synopticon*. Chicago: Encyclopedia Britannica.

- Bobo, Lawrence and Frederick C. Licari. 1989. "Education and Political Tolerance: Testing the Effects of Cognitive Sophistication and Target Group Affect". *The Public Opinion Quarterly*, 3/ 285.
- Byron, Elizabeth Todd. 2017. "A Progressive Mind: Louis D. Brandeis And the Origins of Free Speech." *Touro Law Review* 33/1: 195-210. Accessed via EBSCOhost <<http://www.ebscohost.com>>
- Davis, D. W., and Brian D. Silver. 2004. "Civil Liberties vs. Security: Public Opinion in the Context of the Terrorist Attacks On America. *American Journal of Political Science* 48/1: 28-46. Accessed via <<http://www.jstor.org/>>
- Emerson, Thomas Irwin. 1971. "The First Amendment in Theory and Practice". *The Yale Law Journal* 80/5: 1070-1091. <[doi:10.2307/795231](https://doi.org/10.2307/795231)>
- Epstein, R. A. 2017. "The Power of the Thought: Contempt for Freedom of Speech Reflects Impoverished Minds. Colleges That Reject Intellectual Diversity Are Much to Blame." *Hoover Digest: Research & Opinion on Public Policy* 3: 120-124.
- Erskine, Hazel. 1970. "The Polls: Freedom of Speech." *Public Opinion Quarterly* 34/3: 483-496. Accessed via EBSCOhost <<http://www.ebscohost.com>>
- "Free Expression on Campus: A Survey of U.S. College Students and U.S. Adults". 2015. *Gallup, The Knight Foundation, and Newseum Institute*. Accessed via <https://www.knightfoundation.org/media/uploads/publication_pdfs/FreeSpeech_campus.pdf>
- Friedersdorf, Conor. 2017. "Congress Finds Consensus on Free Speech on Campus". *The Atlantic*. 1 August, < <https://www.theatlantic.com>>
- Gibson, James L. 1987. "Homosexuals and the Ku Klux Klan: A Contextual Analysis of Political Tolerance." *The Western Political Quarterly* 40/3: 427-48. Accessed via <[doi:10.2307/448384](https://doi.org/10.2307/448384)>.
- Gill, Ann M. 1991. "Renewed Concern for Free Speech on Campus." *Association for Communication Administration* 75: 24-31. Accessed via EBSCOhost <<http://www.ebscohost.com>>
- Hassan, Twana A. 2015. "A Historical Analysis of the Development of Free Speech Justifications." *Journal Jurisprudence* 28 (December): 487-506. Accessed via EBSCOhost <<http://www.ebscohost.com>>
- Jenkins, Krista. 2015. "Trump Taints America's Views on Political Correctness". *Farleigh*

Dickinson University Public Mind Poll. 30 October,
<<http://view2.fdu.edu/publicmind/2015/151030/>> Accessed 15 September, 2017.

Keefer, Michael. 2016. "Resisting McCarthyism: From the 'Pc Wars' to the 'New Antisemitism'". *Transcadiana* 8: 226-258. Accessed via EBSCOhost <<http://www.ebscohost.com>>

Kitrosser, Heidi. 2017. "Free Speech, Higher Education, and the PC Narrative." *Minnesota Law Review* 101/5: 1987-2064. Accessed via EBSCOhost <<http://www.ebscohost.com>>

Kroh, Martin. 2007. "Measuring Left-Right Political Orientation: The Choice of Response Format". *Public Opinion Quarterly* 71/2: 204-220. Accessed via <<https://academic.oup.com>>

Laponce, J. 1978. "Measuring Party Preference: The Problem of Ambivalence". *Canadian Journal of Political Science / Revue Canadienne De Science Politique* 11/1: 139-152. Accessed via <<http://www.jstor.org/stable/3230523>>

Lewis-Beck, M. S. 2008. *The American voter revisited*. Ann Arbor: University of Michigan Press.

Lindner, Nicole M. and Brian A. Nosek. 2009. "Alienable Speech: Ideological Variations in the Application of Free-Speech Principles." *Political Psychology* 30/1: 67-92. Accessed via EBSCOhost <<http://www.ebscohost.com>>

"Marriage." 2017. *Gallup*. <news.gallup.com/poll/117328/Marriage.aspx>

McClosky, Herbert and Alida Brill-Scheuer. 1983. *The Dimensions of Tolerance: What Americans Believe About Civil Liberties*. New York: Russell Sage Foundation. Accessed via EBSCOhost <<http://www.ebscohost.com>>

Oehmke, Philipp. 2017. "Has Political Correctness Gone off the Rails in America?" *Der Spiegel*. 5 January, <<http://www.spiegel.de>> Accessed September 6, 2017.

Pujol, Jordi. 2016. "The United States Safe Space Campus Controversy and the Paradox of Freedom of Speech". *Church, Communication, and Culture* 1: 240-254. Accessed via Taylor Francis Online.

Redish, Martin H. 1982. "The Value of Free Speech." *University of Pennsylvania Law Review* 130/3: 591-645. Accessed via EBSCOhost <<http://www.ebscohost.com>>

Scruton, Roger. 2017. "The Threat of Free Speech in the University: The University should be a Safe Space--For Rational Discourse." *Modern Age* 3/7. Accessed via EBSCOhost

<<http://www.ebscohost.com>>

Shapiro, Ben. 2017. "College Students vs. Free Speech" *National Review*. 20 September, <www.nationalreview.com>

Shapiro, Steve and Suzanne Sparks. 1995. "Political Correctness -- The New McCarthyism." *Public Relations Quarterly* 40/4: 25-29. Accessed via EBSCOhost <<http://www.ebscohost.com>>

Stone, Geoffrey R. 1994. "Hate Speech and the U.S. Constitution," *East European Constitutional Review* 3/78. Accessed via EBSCOhost <<http://www.ebscohost.com>>

Stouffer, Samuel. 1955. "Needed Research on the Tolerance of Nonconformity". *Proceedings of the American Philosophical Society*, 99/4, 239-243. Accessed via <<http://www.jstor.org/stable/3143702>>

Teresa K., N. 2012. "The Relevance of People's Attitudes Towards Freedom of Expression in a Changing Media Environment". *Essachess*, 5/9: 45-68.

Tumulty, Karren and Jenna Johnson. 2016. "Why Trump May be Winning the War on Political Correctness". *The Washington Post*. 4 January, <<http://www.washingtonpost.com>> Accessed September 6, 2017.

Uddin, Asma T. and Haris Tarin. "Rethinking the 'Red Line': The Intersection of Free Speech, Religious Freedom, and Social Change". *The Brookings Project on U.S. Relations with the Islamic World*: 1-33. Accessed via <https://www.brookings.edu/wpcontent/uploads/2016/06/Free-Speech_English_Web.pdf>

Volokh, Eugene. 2015. "No, There's No 'Hate Speech' Exception to the First Amendment". *The Washington Post*. 7 May, Accessed via <<https://www.washingtonpost.com>>

Wike, Richard and Katie Simmons. 2015. "Global Support for Principle of Free Expression, but Opposition to Some Forms of Speech". *Pew Research Center*.

"73% Say Freedom of Speech worth Dying For". 2017. *Rasmussen Reports*. 23 August, Accessed via <www.rasmussenreports.com>