

Americans Learn More About Civics the Hard Way

After a turbulent year, substantially more people can name government branches and rights protected by the First Amendment, survey finds

Jo Craven McGinty
Wall Street Journal
September 26, 2020

There oughta be an easier way to teach Americans about civics.

In the past year, a fire hose of news—detailing the impeachment of the president, crackdowns on civil protests, attacks on journalists and a host of high-profile court cases—might have had the unexpected benefit of increasing Americans’ knowledge of the U.S. Constitution.

Following the deluge, a new report has found, substantially more people can name the three branches of the federal government and the five rights protected by the First Amendment.

The findings, published last week, are from the annual Constitution Day Civics Knowledge Survey conducted by the Annenberg Public Policy Center at the University of Pennsylvania. The survey was administered to a representative random sample of 1,009 U.S. adults from Aug. 4 through Aug. 9, before the political conventions. The margin of error is ± 3.6 percentage points.

Just over half of those surveyed could accurately name all three branches of the federal government, up from 39% in the previous year.

Knowledge of the different rights guaranteed by the First Amendment varied, but in each case, more people responded accurately than they did in 2017, when the question was last asked.

“People misunderstand the First Amendment,” Kathleen Hall Jamieson, who runs the Annenberg Public Policy Center, said. “It’s not about whether you can say something to your neighbor. It’s to protect you from the government. The government can take away your liberties otherwise.”

Nearly three-quarters, or 73%, of the survey respondents correctly named freedom of speech as a First Amendment right; 42% accurately identified freedom of the press, up from 14%; and 34% correctly listed the right to peaceably assemble, up from 10%.

Percentage who correctly named each First Amendment Right

	2017	2020
Freedom of speech	48	73
Freedom of religion	15	47
Freedom of the press	14	42
Right of assembly	10	34
Right to petition	3	14
Don't know	37	19

Annenberg Public Policy Center

Those who accurately identified freedom of religion as a First Amendment right increased to 47% from 15%, and those who named the right to petition the government rose to 14% from 3%.

Only 19% of those surveyed could not name any right guaranteed by the First Amendment.

In 2017, the number was 37%.

When asked about the fairness and impartiality of the Supreme Court, 56% of respondents said that the justices set aside personal and political views and make rulings based on the Constitution, the law and the facts of the case. Last year, only 49% believed that was true.

The reason for the shift, Dr. Jamieson surmised, could be related to recent rulings such as one decision that upheld the Obama administration's Deferred Action for Childhood Arrivals program and another that concluded that the 1964 Civil Rights Act protects gay, lesbian and transgender employees from discrimination by employers because of sex.

Some might have expected the decisions in those cases to split the court along ideological lines. But Chief Justice John Roberts was the swing vote in the first case, and Justice Neil Gorsuch, supported by the chief justice, wrote the decision in the second case. Both are regarded as conservatives, although they joined with the court's liberal justices in these rulings.

Despite the overall improvement in the survey responses, there also was some backsliding in Americans' civics knowledge.

When the survey quizzed respondents on the balance of power between the branches of government, 51% correctly said that when the president and Supreme Court differ on whether an action taken by the president is constitutional, the court has the final say. That figure was noticeably lower than in 2019, when 61% of respondents got it right.

Fewer people also understood that when there is a 5-4 split in the Supreme Court, the majority rules, and the decision becomes law. This year, 54% of the respondents answered correctly, down from 59% last year.

Among those who got it wrong, 17% thought the case would be sent to Congress and 13% thought that it would be turned over to a federal court of appeals.

Only 47% of respondents, down from 53% last year, knew that it takes a two-thirds majority in the U.S. Senate and House to override a presidential veto, possibly because there have been no recent attempts to override a veto.

The danger of a lack of civics knowledge, according to the Annenberg Public Policy Center, is that citizens, at the risk of forfeiting their own rights, might stand idly by as the institutions of democracy are eroded.

"I don't care what year Paul Revere rode," Dr. Jamieson said. "I do care that people know about the three branches of government, the Constitution and the Bill of Rights. Some kinds of knowledge matter more."

Even if you have to learn that lesson the hard way.

Test your civics knowledge with games and lessons in Annenberg's online Constitution Day tool kit <https://www.civicsrenewalnetwork.org/constitutionday/preamble-challenge-toolkit/>