



Written by [Joe Wolverton, II, J.D.](#) on June 26, 2011

## Time Magazine Constitution Poll Reveals Mixed Results

The poll was conducted by telephone by Time/Abt SRBI on June 20-21 among a national random sample of 1,003 American respondents over 18. The margin of error was reported as plus or minus 3 percent. The [survey](#) consisted of six questions designed to gauge the opinions of Americans of the continuing relevancy and applicability of the Constitution.



The Constitution of the United States of America was drafted during a convention called for that purpose and held during the summer of 1787 in Philadelphia, Pennsylvania. With its ratification in 1789, we have witnessed a decreasing fidelity to its principles of separated powers, federalism, and a limited government of specifically enumerated powers.

*Time's* brief survey was intended to measure how "We, the People" viewed our founding document.

The first question asked of respondents was "How much do you know about the U.S. Constitution which was ratified more than 200 years ago?" Sixty-seven percent of those surveyed replied that they know "some" about the Constitution. Thirteen percent admitted that they knew "not much" about the document, while two percent said that knew "nothing at all" about the Constitution.

While the idea that 15 percent of Americans know little or nothing about the Constitution is depressing and is a frightening augur of the future of our Republic, it is encouraging on the other hand to read that 18 percent of respondents claimed to know "a great deal" about the Constitution that is meant to restrain our federal government.

It is, of course, an irrefutable principle of statistics that the answers to questions depend mostly on the phrasing of the questions themselves. This first question asked by *Time* reads a bit slanted toward reminding those polled just how old the Constitution is. This is consistent with *Time's* thesis set forth in the cover article that our founding document is out of date, irrelevant, and unfit for guiding the governance of a modern nation.

Fortunately, *Time's* own research reveals that 18 percent of our countrymen still know "a great deal" about the Constitution. Our Republic must rely on not only the knowledge of that group, but on their dedication to the cause of reattaching our government to the moorings built by our Founders and intended to restrain government from extinguishing the life-giving air of liberty.

The second question on the survey was, "Should the government follow exactly what's spelled out in the Constitution, or should it interpret it based on changes in society, technology and the U.S.'s role in the world?" That inquiry is nearly a textbook example of a leading question. *Time* seemed to be asking respondents if they were naive enough to expect a 224-year-old contract to still be binding on a people



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so far removed from the time of its ratification.

Again, the answers might have surprised the pollsters. While the majority (54 percent) of those surveyed recommended that the government “interpret [the Constitution] based on changes,” a significant percentage advocated following exactly “what’s spelled out in the Constitution.” How blessed would our nation be if these 41 percent of Americans would commit themselves to casting ballots only for those candidates for federal office who themselves will commit to being bound by the powers enumerated in the Constitution and to eliminating funding for all existing programs and agencies that are not authorized by the Constitution’s grant of authority?

The third question asked whether respondents agreed or disagreed with the following statement: “State and local governments are not allowed to ban handguns and concealed weapons, even in high-crime areas.”

Sixty percent of the 1,003 adults surveyed by *Time* magazine agreed with the previous statement. That is an impressive majority of Americans who recognize the Second Amendment’s protection of the right to keep and bear arms. Recently, the Supreme Court has held in a series of cases that the Constitution prohibits local governments from infringing on the people’s right to arm themselves, regardless of other considerations.

Next, the pollsters at *Time* asked whether respondents agreed or disagreed with this statement: “A woman should have the right to terminate a pregnancy in its first few months.”

The issue of abortion is perhaps the most divisive of all social questions in America, a matter laden with religious considerations that are most profoundly and inalienably held so dear by many in our nation.

Tragically, 64 percent of those answering the question stated that they agreed with a woman’s “right” to terminate a pregnancy during the first trimester. The timetable is representative of that set by the Supreme Court in *Roe v. Wade* and its progeny as to the legally permissible window during which a woman maintains an unrestricted and legally protected “right” to abort a baby.

The next question on the survey contains the poll’s most incorrect restatement of a constitutional provision. The question pertains to the 14th Amendment and attempts to measure the pulse of the people with regard to the controversial “anchor baby” issue and, indirectly, the larger issue of the attempts by several states to stem the tide of illegal immigration.

The question reads: “The 14th Amendment says that any person born in the U.S. automatically becomes a U.S. citizen. Some say that encourages foreigners to emigrate to the U.S. solely to enable their children to become citizens. Should the amendment be revised?”

Sixty-two percent responded that the 14th Amendment should not be revised, while 35 percent asserted that it should be changed.

It is difficult to interpret these results especially in light of the inelegant phrasing of the question and the obvious bias behind it. Given the tone of the article published in the July 4th issue, it is little doubted that *Time*’s editorial bent is that depriving “anchor babies” of that anchor is cruel. Curiously, they incorrectly write (and inform respondents) that the 14th Amendment grants automatic citizenship to babies born within the boundaries of the United States. This muddies the waters of interpretation as that statement is a grossly negligent paraphrase of the 14th Amendment.

Basically, the 14th Amendment grants citizenship to babies born to foreign-born parents who at the time of the child’s birth owe no allegiance to a foreign prince or power. If that qualification isn’t met,



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the location of the child's nativity is irrelevant to the question of citizenship.

Finally, the *Time* magazine poll asks, "Does the President have authority to involve the military in Libya without congressional approval, even if the troops are in a supporting role in a NATO mission?"

Exactly half of those surveyed stated that the "President does not have authority" to deploy armed forces into Libya, even under a NATO flag. Frighteningly, 44 percent believe that the President does have authority, the Constitution's grant of war-making power only to Congress notwithstanding.

Although the results are mixed, there is sufficient reason to hope that there are Americans with enough understanding of correct constitutional principles to justify a hope that one day our Republic may return to within the boundaries drawn by our founding charter.

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