

# The Seventeenth Annual Constitution Day Poll from ConstitutionFacts.com

## Oak Hill Publishing (Constitution Day 2023):

ConstitutionFacts.com has been conducting surveys since 2007. Last year, more than 100,000 people took the ConstitutionFacts.com online poll. The 10-question quiz tests knowledge about the Constitution and Constitution history. Upon completion of the quiz and before receiving their scores, participants were asked to provide demographic details about themselves. Quiz takers then had the opportunity to share their scores via Facebook or email and to take a more extensive 50-question quiz. More than 35% of quiz takers tested their knowledge with the longer quiz.

## Results by State & Region

Chart 1 shows the ten states with the highest percentage of perfect scores over the past year. Virginia tops the list with 15.05% of test takers achieving perfect scores. Rounding out the top five — New York 15.04%, California 15.03%, Illinois 14.80% and Texas 14.67%. California and Texas have been among the top scoring states every year since the annual poll began.

Chart 2 shows the states with the highest average score. California is the highest with an average score of 6.81. Texas, New York and Illinois are frequently in the top ten, while Connecticut, New Hampshire, Virginia and Washington D.C. have been in-and-out of the top ten, but in the aggregate have had strong showings throughout the decade.

Results are also reported by region over the past decade using the regions defined by the U.S. Census Bureau (see chart 3). The highest scoring region

Chart 1: Most Perfect Scores

Virginia	15.05%
New York	15.04%
California	15.03%
Illinois	14.80%
Texas	14.67%
Connecticut	14.04%
Washington, D.C.	13.72%
Massachusetts	13.51%
Indiana	13.48%
Nebraska	13.46%

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Chart 2: Highest Average Score (out of 10)

California	6.81
Texas	6.63
Connecticut	6.41
Nebraska	6.40
New York	6.33
Illinois	6.18
Virginia	6.16
Montana	6.10
Washington, D.C.	6.09
New Hampshire	6.03

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was the South Atlantic region (DC, DE, GA, FL, MD, NC, SC, VA, WV). It excludes three of the highest scoring states — Texas (West South Central Region), California (Pacific Region), and New York (Middle Atlantic Region).

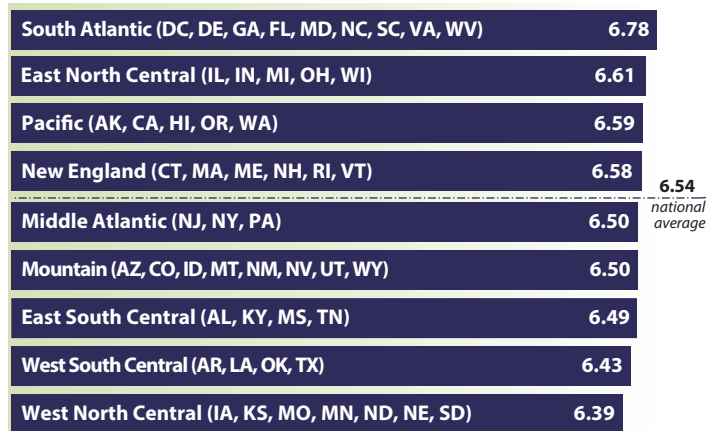
In past years the South Atlantic region (DC, DE, GA, FL, MD, NC, SC, VA, WV) has been in the middle of the pack, but recent increases in annual performance have provided a first place finish over the past decade. The Pacific region (AK, CA, HI, OR, WA) has been a perennial best performer due to California. The Middle Atlantic region (NY, NJ, PA) has remained in the middle of the pack due to New York’s consistently high results. The New England region (CT, VT, NH, ME, MA, RI) — a high scorer in most years — moved from fifth to fourth place over the past decade.

### Surprising Trends

Knowledge about the Bill of Rights — the first 10 Amendments to the Constitution — remains one of the highest scoring areas of knowledge about the Constitution. The two highest scoring questions on the 10-question quiz (questions #3 and #5) are both about the Bill of Rights (see chart 4). And the five questions about the Bill of Rights in the 50-question quiz also were among the highest scoring questions (four out of five were answered correctly more than 70% of the time and all were answered correctly over 65% of the time).

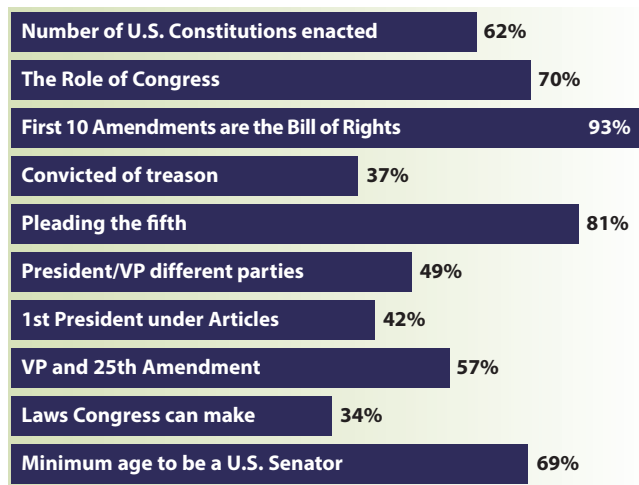
The average age of test-takers was twenty-three. 50% were male, 50% were female. In past years, participants over 51 and between ages 36 and 50 scored almost the same, with participants between ages 18 and 35 scoring slightly lower and participants 17 and under scoring lowest. This year participants between ages 36 and 50 have tied participants over age 51 (see chart 5).

**Chart 3: Average Regional Scores (out of 10)**



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**Chart 4: How Did Americans Fare?**



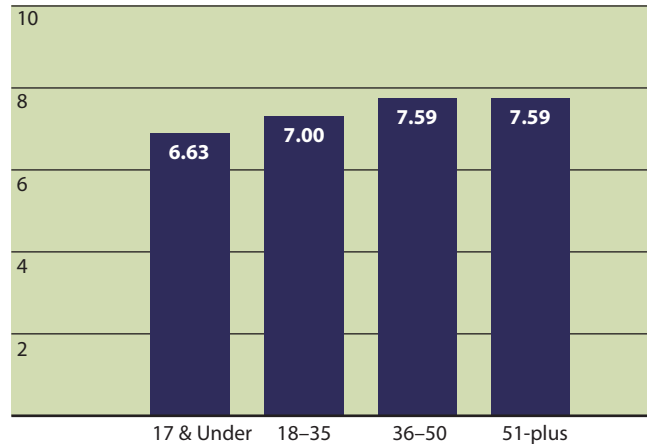
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### Common Misconceptions about the Constitution

While knowledge of the Bill of Rights remains high, other areas of Constitution knowledge are much less consistent. In particular, many of the questions that were answered correctly least often concerned the powers of the federal government. The fewest people were able to answer question #9 correctly, “What kind of laws can Congress make?” The correct answer is: “Any laws that are necessary and proper for executing the powers of the federal government.” This answer comes directly from Article I, Section 8 of the Constitution. The final clause of that section says that Congress has the power “to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.” This clause is sometimes called the “elastic clause” because it gives Congress the flexibility to make laws not described specifically in the Constitution.

Question #34 of the 50-question quiz “Which Article of the Constitution lists the primary powers of Congress?” was among the lowest scoring questions over the past decade (answered correctly only 32% of the time). The correct answer is A: “Article 1” which describes the Legislative Branch, including both houses of Congress and all of their powers. Other low-scoring questions regarding the current powers of the federal government as defined by the Constitution included question #50 about the number of votes required to pass a Constitutional Amendment (answered correctly only 36% of the time), question #39 asking the number of Supreme Court Justices required by the Constitution (answered correctly only 39% of the time), and question #32 about the so-called “supremacy clause” of the Constitution which establishes the supremacy of federal laws over conflicting state or local laws (answered correctly only 40% of the time over the

Chart 5: Scores by Age Group



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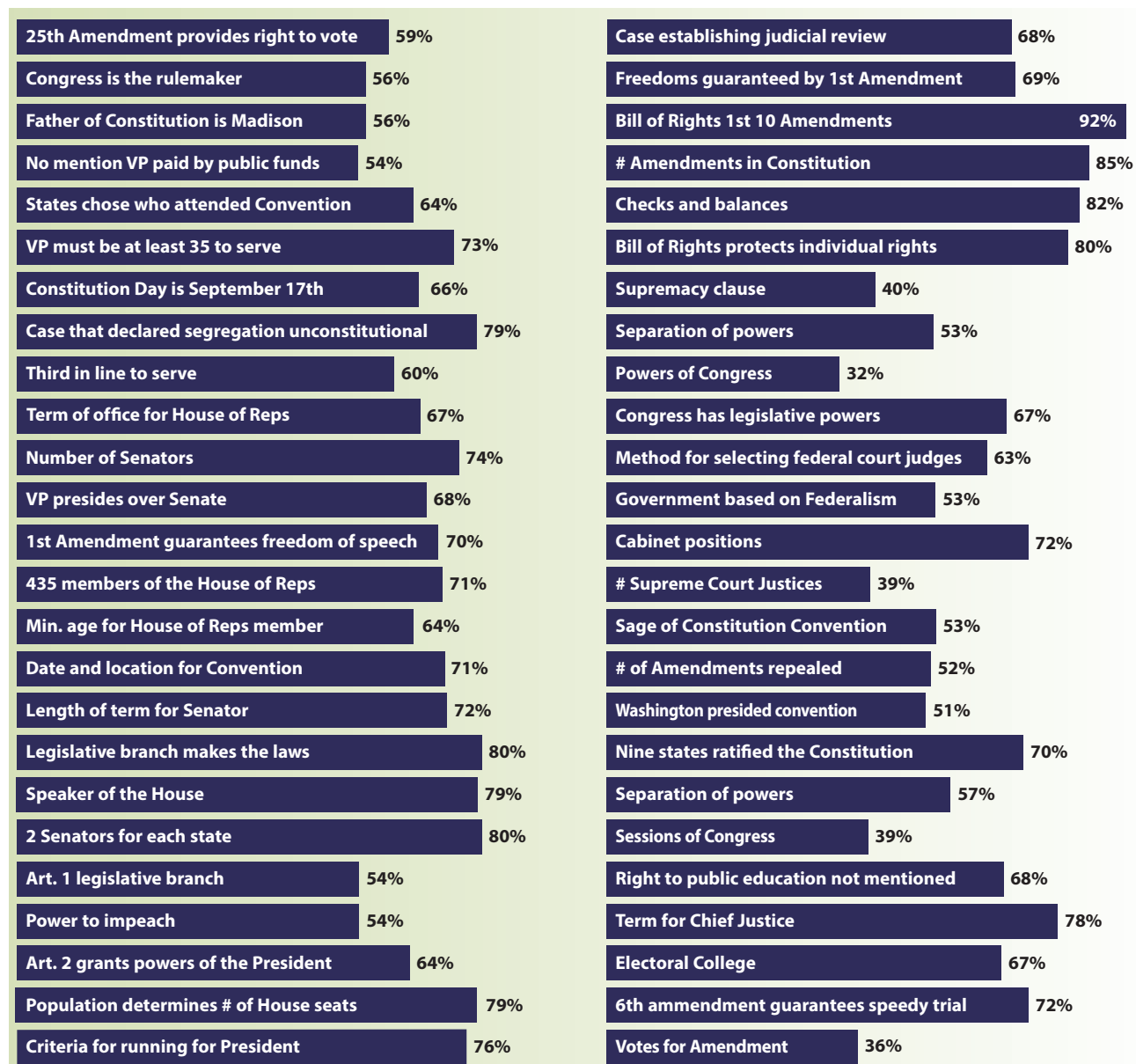
past decade). The correct answers to these three questions are:

- Three quarters of the states must approve a Constitutional Amendment. Three quarters of 50 states is 37.5, so 37 states cannot approve an Amendment but 38 can.
- The Constitution does not establish the number of Supreme Court justices. Instead, the Constitution gives Congress the power to determine the number of justices.
- The “Supremacy Clause” of the Constitution states that any state or local law that directly conflicts with a valid federal law is void.
- The Supremacy Clause is the common name given to Article VI, Section 2 of the U.S. Constitution. It declares that the “Constitution, and the Laws of the United States . . . shall be the supreme Law of the Land.”

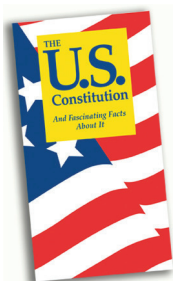
Chart 6 on the following page shows detailed results for the 50-question quiz.

**For more information about the Constitution, or to take the Constitution IQ quiz, visit [www.ConstitutionFacts.com](http://www.ConstitutionFacts.com).**

**Chart 6: 50-Question Expanded Quiz Scoring (Expert Quiz #2 — ConstitutionFacts.com)**



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