The Rasmussen Reports Poll:

Loading The Roll Of The Dice

By Bill Walker

A June 10, 2009 Rasmussen Reports poll of one thousand likely voters revealed some contradictory information regarding Constitution amendments. The poll stated 44% of those polled believe the Constitution does not restrict the government enough. However, the same poll reported, “Sixty-six percent (66%) say that no changes are needed in the document...”

Without wasting space for detail, mere reference to legislative balanced budget acts, excessive spending in government, ethics in government pronouncements always ignored by various administrations, and numerous Senate and House rules solemnly announced to the media later ignored at the first opportune political moment clearly illustrate the need to permanently curtail government excess. The only constitutional mechanism capable of doing this is constitutional amendment. Therefore, to achieve what Rasmussen Reports says is desired by 44% of those polled requires the 66% expression by these same people be ignored. Obviously, amendment changes the Constitution. How is this contradiction explained?

Restriction of the federal government more than the Constitution now imposes requires new amendments. Nearly half of those polled believe such restrictions (and therefore amendments), are needed. However these same people believe, by a nearly two thirds margin, “that no changes are needed in the document...” The actual text of the questions used in Rasmussen Reports poll explains this apparent contradiction presented in its story about its poll.

The actual text of the questions says, “Does the Constitution place too many restrictions on what government can do or not enough restriction on what government can do?” In answer to that question, 44% of those polled said the Constitution does not place enough restrictions on government.

Further, according to the poll, “by a 59% to 23% margin, voters say there is more danger today from a government that is too powerful rather than a government that is not powerful. Those with mainstream view overwhelmingly see a bigger threat from a too-powerful government. Among the Political Class, a plurality holds the opposite view.” This statement contradicts another report by Rasmussen Reports which states, “The mainstream, or populist, view sees big government and big business as political allies rather than political opponents.”

The public opinion company states, “The results [of mainstream view] change little whether Republicans or Democrats are in charge of the government.” Obviously, if, by nearly 20 percentage points the mainstream view sees more danger in a government that is too powerful rather than not powerful enough, they certainly do not view “big government as political allies rather than political opponents.” If both polls conducted by the same polling company are both correct, then it clear there has been a major shift in the opinion of mainstream America regarding its distrust of government as well as need for constitutional amendment to correct the matter. The only other possibility is the Rasmussen Reports story on its own poll is inaccurate.

There are several problems with this story by Rasmussen Reports. The story reports “Despite the desire for more restrictions on government, 93% of Americans say they would vote for the Constitution if it was on the ballot today.” However according to the actual text of the questions asked by Rasmussen Reports, the story grossly misstates its own question. The 93% favorable “vote” on the Constitution is based on the question of “whether or not we should continue using the Constitution as the fundamental law of the United States.” The story neglects to mention the key phrase of the question asked of those polled, whether those polled felt

America should “continue using the Constitution as the fundamental law of the United States.” The 93% vote of support was therefore for support of the Constitution remaining as the “fundamental law of the United States” rather than a popularity vote implied in the story’s statement.

As the real question polled was whether the Constitution should remain as “fundamental law” of the United States, with no other terms or conditions mentioned, it is a reasonable implication to state the 93% support for the Constitution as “fundamental law” includes all of the Constitution. Thus, this support includes the Article V amendment process, which is part of the “fundamental law” of the United States. The conclusion is obvious; 93% of those polled favor the use of the amendment process, as it is part of the “fundamental law” of the United States.

The poll asked five questions. Only one of the questions actually addresses the issue of “changes” to the Constitution. A simple reading of the text of the question reveals, rather than it being an objective question, it is clearly written to obtain a specific result; in short a loaded question. The actual question used in the poll reads, “Which best describes you [sic] view towards changing the Constitution? Should it be left alone? Does it require minor changes or major changes? Or, should we scrap it and start over again?”

The text of the question clearly shows the ignorance as well as bias of Rasmussen Reports. In the first place, there is no such thing as “minor” or “major” changes to the Constitution. The Constitution is amended, not changed. All amendments in the Constitution have equal legal effect. Hence, there is no such thing as a “minor” or “major” change to the Constitution. By use of improper constitutional terminology substituting the word “change” for the correct term of “amendment” of the Constitution, Rasmussen Reports clearly demonstrates a fundamental ignorance about the Constitution. Further, as “change” implies a much broader effect than the word “amendment,” it is clear Rasmussen Reports intended to inject bias in its question.

This is not the only example of bias in this question. The last sentence of the question clearly shows bias as well as ignorance. “Should we scrap it [the Constitution] and start over again?” Even Rasmussen Reports should know there is no provision in the Constitution whatsoever that permits the Constitution to be “scrapped.” Implying the Constitution can be “scrapped” reveals a political bias of Rasmussen Reports, as it believes the Constitution may be terminated or “scrapped” by some undescribed means.

Only groups from the extreme political right, such as the John Birch Society, have ever advocated the Constitution can be scrapped. In their opposition to an Article V Convention one of their major arguments is a convention may write a new constitution. To arrive at this conclusion means JBS accepts the premise the Constitution may be “scrapped” in the first place. Once this premise is accepted, only then can JBS assign blame as to who can “scrap” the Constitution. Clearly, by the use of its biased question, Rasmussen Reports shares this extreme, erroneous political view with the John Birch Society. No correct thinking person who examines the facts regarding the Constitution can truly believe the Constitution can be scrapped by anyone or group including a convention. There is no provision whatsoever in the Constitution that in any manner allows the Constitution is “scrapped.”

Given the errors and bias of this Rasmussen Reports poll in its questions, clearly Rasmussen Reports polls, in so far as providing accurate information regarding support of the Constitution or amending it, must be ignored as inaccurate, biased and contradictory. Further, as the questions asked by Rasmussen Reports clearly demonstrate an alignment with extreme political right groups that believe in scrapping the Constitution, the credibility and objectivity of Rasmussen Reports require careful scrutiny regarding opinions of amendment to the Constitution.