Assessing constitutional functionality often brings forward questions that go to the heart of the constitutional project, and this is certainly the case with constitutional literacy. After all, constitutions serve as national symbols (Baas 1979) and in a related vein, some have even likened them to a country’s autobiography (Sachs et al. 2009). As Mounk points out, constitutional values and civic cultures have at times defined democracies, and many states have used their founding documents as key symbols to produce a shared identity or civic patriotism (Mounk 2022, 131). At the same time, constitutions will also set out the legal and political structures of, and constraints on, institutions, and as such, they are akin to operating manuals. Many would expect these documents to seamlessly traverse the boundaries between the symbolic and the operational,¹ as if the barrier between these two potentially diverging functions is pliable and easily negotiated. Exploring the themes of constitutional idolatry and constitutional literacy demonstrates that this fluid nature of various forms of constitutional functionality may not actually be so seamless. Indeed, addressing these themes raises difficult questions about how we think about constitutions, what we should expect of them, and also gives rise to implications for how citizens use and interact with these texts. Those themes of literacy and idolatry

¹. Cf. Walter Bagehot’s distinction between the “dignified” and the “efficient” dimensions of the British Constitution that “excite and preserve the reverence of the population” in order to “employ that homage in the work of government.”
are the frame of this special issue, and their interplay is explored in the various contributions that make up the collection, including in this rejoinder.

The ability to unpack the interaction between literacy and idolatry is one important contribution of the special issue to the wider discourse on constitutions, and so too is its comparative perspective. After all, constitutional literacy is often written about from a particular jurisdictional perspective. This is sensible in light of the national character of the constitution and the fact that it is addressed to the inhabitants of a given territory, who are accordingly expected to engage with and heed its prescriptions, principles, and policies. Indeed, much of this special issue is focused on how literacy plays out within a set of carefully crafted country-specific contributions. However, this rejoinder gives us an opportunity to analyze constitutional literacy from a wider comparative perspective, which we believe is useful in bringing forward some of the insights located in the special issue and thereby provides both an impetus as well as a possible agenda for other scholars seeking to write on constitutional literacy going forward.

The special issue is focused on five jurisdictions that all present varying experiences with and challenges related to literacy and idolatry: the United States, the Netherlands, Taiwan, India, and Turkey. This selection offers a deliberate mix of usual suspects and countries that are often underrepresented in the comparative constitutional discourse and that are located in three (four if Turkey is seen as part of the Middle East) different regions of the world. The comparator jurisdictions offer an interesting spread in terms of the genesis and nature of their democratic credentials, featuring a long-standing democracy (the Netherlands), long-standing but backsliding democracies (the United States and India), a young democracy (Taiwan), and a hybrid regime (Turkey). Finally, their constitutional texts (as amended) are of different vintages, ranging from the very old (the Netherlands and the United States) to the post-colonial (India) to the post-authoritarian (Taiwan). We had even more jurisdictions lined up, but some authors had to pull out of the project, which is how these things go. This rejoinder, far from being merely a summary of what was said in the special issue articles, will explore some of the cross-cutting themes and unique insights that the country-focused contributions offer.

We begin by exploring the idea of constitutional literacy: in the literature, from the various perspectives of the authors, and in some of our own work on the topic. We then dig deeper into constitutional literacy and some of its challenges identified throughout the articles, including asking whether an increase in constitutional literacy is always beneficial, or if it can sometimes entail unforeseen or problematic consequences for constitutional democracy and popular attitudes toward this model. In doing so, we examine how constitutional idolatry and constitutional
literacy can coincide at times, producing difficult questions for the expansion of constitutional literacy. Our final section suggests a future research agenda in relation to constitutional literacy and also provides an action plan in relation to some aspects of literacy.

GOING BEYOND TRADITIONAL NOTIONS OF LITERACY

Constitutional literacy is often associated with knowledge about the text of a single foundational document: a formal text known as the constitution (Driesbach 2016). This is readily understandable, and we could say that the very terminology of the concept suggests as much. At the same time, such a notion of literacy is unnecessarily limiting, especially for ordinary individuals who should be conceived as the principal beneficiaries. Historically, levels of illiteracy among the general population were far too high for citizens to have a good command of the supreme law of the land (NCES 2023). Even the United States, with its reverence of the 1789 Constitution widespread almost from the beginning of its existence, could not have had a general public that possessed a good understanding of its provisions. This has endured in modern times: in places or situations where literacy levels are comparatively low, detailed knowledge of the constitution is often lacking (Jones 2020, 42–44). As Sethi notes, the same is probably true in India today, given the current levels of illiteracy, exacerbated by the length of its Constitution—close to 145,000 words (Sethi 2024, 65–70). Text-centric understandings may, moreover, be underinclusive in that values, principles, and rules pertinent to the functioning of the constitutional order are not always explicitly set out in the large-C Constitution.

Although much of its origin focused on textual understandings, the idea of constitutional literacy has expanded—and rightly so—to include legal, political, and civic knowledge (De Visser and Jones 2023). Such a broader view is now used by jurisdictions that possess both written and unwritten constitutions. Elsewhere, we have suggested that constitutional history and the actions and behavior of state actors should also be included in its scope (De Visser and Jones 2023). These elements could help citizens to understand and contextualize what particular constitutional provisions mean or how a certain structure or arrangement is supposed to operate. They also help flesh out a country’s constitutional culture, which includes the cultures of such various sectoral communities as the political classes and other public institutions, including the civil service and independent authorities (Saunders 2023). This expanded notion of constitutional literacy is present in several of the special issue articles. Chien-Chih Lin, for instance, notes that the powers of Taiwan’s president are actually much more encompassing than Taiwan’s Constitution.
states and that the label semi-presidential accordingly does not accurately describe the functionality of the Constitution (Lin 2024). Eva Y. van Vugt also highlights a mismatch between text and practice, noting that the role of the monarch is significantly overemphasized in the 1814 Constitution compared with contemporary constitutional practice (Van Vugt 2024). Similarly, the constitutional history dimension features prominently in Sanford Levinson’s critique of constitutional literacy in the United States (Levinson 2024).

An expanded view of constitutional literacy is of theoretical and conceptual interest in that it broadens the range of disciplines that can be leveraged in developing our collective thinking about this notion, suggesting the need to engage with history as well as with political science and its study of institutional behavior. It has practical implications too. For one, it means that individuals can exhibit constitutional literacy in a variety of ways that clearly go beyond their (in)ability to accurately recall portions of the large-C Constitution. In turn, for providers of such literacy it means that their work cannot be confined to disseminating knowledge of that written text, such as through brochures or pocket constitutions. This is both a challenge and an opportunity to think creatively about how best to share information about constitutional matters, including through role-modeling meaningful constitutional guardianship that individuals can emulate.

CONSTITUTIONAL LITERACY AND ITS CHALLENGES

The idea that an enhanced form of constitutional literacy—be it through legal, civic, or political knowledge—can take hold within a society and bring out its best qualities is something that many theorists have touched on over the years (Pateman 1970; Delli Carpini and Keeter 1996; MacPherson 1977). This idea seems to have become even more popular as many countries face crises, such as those related to coronavirus, populism, or democratic decay (Daly 2020). Indeed, at times constitutional literacy is talked about as if it is an unqualified common good. But the question needs to be asked whether an increase in literacy among lay individuals—and especially in knowledge of the constitutional text—may lead to complications, potentially even serious ones. There are several aspects to this question that deserve to be unpacked, which is what this section seeks to do. We should note that the challenges identified may not all materialize, or they may not occur to the same extent, in every jurisdiction, while we also accept that different individuals within a single country may respond in different ways to improved constitutional literacy levels.
First, and perhaps most important, is whether an increase in constitutional literacy is always a healthy development for societies or whether it may impair critical engagement with existing constitutional designs and practices? Although the US general public may not display a detailed understanding of the content of the US Constitution, the document itself is highly visible and widely recognized, even revered. However, the Constitution’s high symbolic presence seems to have impaired some of its other features, such as amendability. Levinson argues that literacy on its own is not enough to sustain a healthy democracy (Levinson 2024). Having a critical approach to literacy, where people openly discuss and question governing arrangements and constitutional fundamentals is also needed. Mere adherence to governmental structures, especially those that are undemocratic or unjust, only perpetuates the status quo. Devotion to the status quo and a lack of critical engagement is what Levinson believes has taken hold in the United States, and which it is struggling to break away from.

Van Vugt’s contribution seems to push back on this slightly, suggesting that maintaining a constitutional status quo and a collective lack of constitutional critique—even a lack of constitutional interest—is not necessarily problematic. As she notes, the Constitution of the Netherlands has been classified as “invisible,” “relatively unimportant,” and as a mere wallflower (Van Vugt 2024, 29)—it essentially hides in plain sight. The Dutch Constitution is one of the oldest in the world, enacted in 1814, but it has never enjoyed the exalted status of the US Constitution among the public or even among political and legal elites. And yet, the country has thrived for many years under these circumstances, producing consistently high marks on various democracy and human rights indicators (Freedom House 2023; Economist Intelligence Unit 2023). That does not mean that individuals are disengaged from politics or that public participation is lacking, but it does mean that they are less concerned with the constitutional text and related values, behaviors, and principles. At the same time, when the “invisible” Constitution has come to the fore, such as during the coronavirus pandemic, complications have arisen regarding misconceptions over rights and whether the constitution itself was being used as a truncheon. A heightened profile for and awareness of the constitution, then, may not always be beneficial for the quality of societal or even political discourse. In this regard, we should remember that it is misconceived to think of constitutional literacy in black-or-white terms. While some individuals may be entirely ignorant as to

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2. E.g., in a 2015 survey 81% of respondents had heard of the document (Magna Carta Trust 2015).

3. In a related vein, it has been argued that administrative law inherently includes prerogative elements that can be suppressive in nature (cf. Schotel 2021).
the existence of a constitution and, by implication, its content, it is more common to observe what we could call partial constitutional literacy. But an improvement in an individual’s preexisting level of literacy can also bring forward challenges: as Alexander Pope observed, “[A] little learning is a dangerous thing.”

Another possible complication with growing constitutional literacy could be feelings of increased constitutional futility—a sense that the constitution is not as relevant to or reflective of the interests of ordinary individuals. This may happen for several reasons. Perhaps citizens did not realize how difficult it was to amend the constitution to reflect updated preferences or sociopolitical needs. After encountering the daunting nature of amendment provisions or perhaps even going many years without constitutional amendment, they may consider constitutional amendment unlikely or nearly impossible. Anecdotal evidence of this seems to be playing out in the United States (Wegman 2021; Posner 2014). The impossibility of amendment could be exacerbated by elements such as eternity clauses, which can virtually eliminate items from the public realm (e.g., presidential term limits; a commitment to human rights and to democracy; the form of the state or its territorial integrity; territorial divisions of power; and aspects connected to religiosity, such as secularism or an official religion; Suteu 2017, 2021).

Feelings of futility may also arise if citizens believe that constitutions are instruments of the courts, rather than the general public and the political realm that they can shape through voting in elections or through the exercise of other civil and political participation rights. After all, if citizens read their constitution, they will likely have to confront or attempt to reconcile the promise of “We the People” popular sovereignty with the reality of judicial power. While the language of many preambles is citizen focused, often touting the power of the people as the ultimate authority, the constitutional text itself rarely bears this out. In particular, citizens may be surprised to find out that courts—rather than the people—are typically positioned as the ultimate decision-makers regarding all things constitutional. Lay citizens who are not legally trained may accordingly come away with the impression

4. This also tends to (further) undermine the kinds of arguments that present courts as public educators, which would assume that courts are visible in individuals’ everyday lives and that the latter actually understand how the former work. Of course, the marked decline in the quality of court reporting in many states does not help this situation.

5. One exception here is the Netherlands, whose constitution does not have a “We the People” preamble.

6. Except when a role is envisaged for their participation during processes of constitutional change, such as through voting in a referendum on the envisaged reforms.
that constitutions and constitutionalism are what happens inside the courtroom and are hence removed from their daily lives, inaccessible or otherwise outside their control. This corresponds to Amal Sethi’s article, which notes that constitutional litigation is not of much relevance to the average Indian (Sethi 2024, 82). While enhanced constitutional literacy regarding the precise role and influence of courts within the constitutional order may make some citizens resigned to this feature of many contemporary democracies, others could be motivated to object and seek a recalibration of the relationship between democracy and judge-led constitutional supremacy. Surveys from various jurisdictions have demonstrated that citizens are often unaware of court powers to strike down laws, or they may think that particularly close judicial decisions (e.g., 5–4 decisions) are passed back to the legislature (Jones 2020, 46). As Larry Alexander has written:

[T]he real question then is whether the people are actually aware of what is going on. Is their acceptance itself dependent on their belief that the courts are not amending the constitution from the bench but are interpreting it? If so, then a constitutional crisis perhaps awaits. (Alexander 2011, 23)

His observation suggests that improved literacy could culminate in dissatisfaction with the design or functioning of the existing “operating manual” aspects of the constitution. This could jeopardize the social legitimacy—and in turn harm the effectiveness—of some institutions, notably those with a counter-majoritarian character that may not as easily countenance expressions of the custodian democratic will. It may also exacerbate feelings of futility when discontented citizens realize that their desires for change cannot come to fruition, for instance, as a result of the amendment difficulties highlighted earlier.

Yet another reason that increased constitutional literacy may not be an unqualified good is that it could lead to increased constitutional idolatry, where people may drastically or persistently oversell the importance and effects of written constitutions (Levinson 1998; Jones 2020). This may happen, for instance, in relation to preambles. As explained in previous work,

some preambles contain elements that undeniably promote constitutional idolatry. This can happen through explications to a nation’s history, praise of the constitution’s genius, or even the claim that God’s guiding hand helped pen the document. While preambles possess the ability to inspire, they also possess the ability to mislead, and have the potential to foment nationalism. (Jones 2020, 7)
Greater knowledge of the content and meaning of preambles may result in self-referential thinking and lead to resistance to change. One element to consider here concerns deities being explicitly associated with a given constitutional text. For example, the 1975 Papua New Guinea Constitution says the following: “WE, THE PEOPLE, do now establish this sovereign nation and declare ourselves, under the guiding hand of God, to be the Independent State of Papua New Guinea.”

The 1987 Constitution of the Philippines proclaims, “We the sovereign Filipino people, imploring the aid of Almighty God . . . , do ordain and promulgate this Constitution.” And the 2014 Constitution of Tunisia exclaims, “We, in the name of the Tunisian people, with the help of God, draft this Constitution.”

If citizens increasingly consult these documents, the explicit association with deities could very well breed a sense of need to venerate their constitution, warts and all, and this could in turn even shape perceptions of the perceived (moral) permissibility or desirability of constitutional reform. Given that preambles are probably one of the most-read parts of a written constitution (Orgad 2010), these effects could be significant.

Constitutional idolatry could also coalesce around a single issue or (set of) provision(s) within a constitution. In this regard, it should be pointed out that constitutions can and often do contain undemocratic, unfair, or far from idealistic arrangements (Dahl 2003). This happens because they are compromise documents, the result of difficult or perhaps even rushed negotiations that may culminate in texts that contain substantial flaws, gaps, or questionable bargains. An increase in constitutional literacy might result in the endorsement or even promotion of such contentious designs, galvanizing citizen support around problematic arrangements and possibly making future change unlikely or much more difficult. Perhaps the most significant example of this is the Three-Fifths Compromise in America’s 1789 Constitution, or even the Second Amendment right to keep and bear arms. The latter has almost a cult following among supporters (Franks 2019, chap. 2) and is used by some as a textbook example of individual rights vis-à-vis the government,

10. E.g., Orgad notes that at least in the American context, the preamble is “the most well-known part of the Constitution.”
11. US Constitution, Art. I, sec. 2, cl. 3. This compromise stipulated that direct taxation and House representation would be determined by a total population count that included three-fifths of a state’s slave population. This was superseded by the Fourteenth Amendment (1868).
12. US Constitution, Second Amendment.
even though its contemporary usefulness is highly contested, while its cult following is, moreover, based on a questionable interpretation of what the provision actually means. Another example is how the One China principle and the prospects of unification with China were embedded in Taiwan’s 1947 Constitution, while these probably do not reflect the current beliefs and loyalties within the Taiwanese population (Lin 2021, 2024). Yet, supporters of the One China policy can easily point to the constitutional text in the context of debates about the issue, providing a robust official retort to any challengers. We thus see again that sometimes improved constitutional literacy may not benefit the overall quality or design of constitutional democracy in a jurisdiction, especially when deficiencies or compromises become the object of reverence for (part of) the population.

Finally, what if citizens knew more about the history of their constitutions? Some citizens may be disturbed to know that their constitution was written entirely or partially by outsiders (e.g., the Japanese Constitution),13 not ratified by the country’s citizens in a public vote (e.g., the German Basic Law),14 or written for an entirely different state (e.g., the Taiwanese Constitution).15 Or, perhaps citizens may be disturbed to know that their constitution was written by slaveholders or that their supposed founders held other views that would be considered unacceptable—even vile—by contemporary standards. Some of these realizations are undoubtedly playing out today,16 and they raise the prospect of damaging the regard in which the supreme law of the land is held and its ability to act as a powerful, and unifying, national symbol.

Although none of the challenges mentioned in this section are, in our view, fatal to the project of expanding constitutional literacy, they are aspects that should be taken into consideration when thinking about how and why to expand such literacy to minimize any potential negative effects of projects to achieve this objective.

**TAKING CONSTITUTIONAL LITERACY FORWARD**

Having provided a sense of the current thinking regarding the meaning and scope of constitutional literacy and the provocations that may arise in strengthening its presence within society, this section aims to identify ways to take the literacy project forward in both theory and practice.

13. Japan’s 1946 Constitution was largely written by two American military personnel.
14. Germany’s 1949 Basic Law was put for a vote by the representatives of the various states, but it was not put to a wider referendum by citizens (not even after the uniting of East and West Germany in 1990).
15. Taiwan’s 1947 Constitution was written for a democratic China, not for Taiwan.
A Future Research Agenda

At its most basic, the field is calling out for more detailed and duly contextualized studies of constitutional literacy to provide us with a better sense of how this important notion fares in practice. The contributions that make up this special issue provide extremely valuable insights into how a range of jurisdictions have handled challenges in relation to constitutional literacy, such as those put forward by a global pandemic (Van Vugt 2024), but also those in relation to the direction that constitutional democracy seems to be taking (Sethi 2024; Olcay 2024). Since a large amount of literature on constitutional literacy is focused on the United States including other jurisdictions becomes imperative to see how the notion is managed in other contexts, including those where the written constitution is of a more recent genesis, regulates a wider range of topics explicitly, or occupies a different position in the public eye. The studies in this special issue deserve to be complemented by similar inquiries focused on other jurisdictions across both the Global North and the Global South.17 Such inquiries can be descriptive as well as diagnostic, interrogating the quality of the efforts deployed by state and non-state actors in boosting constitutional literacy and examining the likely impact thereof for the challenges identified in the preceding section. At the same time, and following on from a call for a multiplication of deep dives into one jurisdiction or another, more comparative studies on constitutional literacy are needed within the literature, as these can highlight common problems, good practices, or even common solutions across jurisdictions. Expanding the pool of available data is, moreover, essential to enable more accurate theorizing about the phenomenon of constitutional literacy, its value for contemporary democracies, and its potential risks or downsides.

On that note, there is a need for more empirical work on constitutional literacy. In particular, research should focus on whether increased constitutional literacy levels could help counter misinformation, idolatry, or potentially even democratic decay within states, whether the effect is neutral or perhaps even negative. As Levinson forcefully argues, the constitutional literacy movement does not just need literacy as such. What it needs is a critical approach to literacy. If this is not present, then states may be less able to correct mistakes and more likely to develop a Schmittian adherence to versions of politics that succumb to the “great man” theory. These claims appear like sound conclusions, but they need evidence, including from beyond the specific setting of the United States. After all, there currently seems to be more critical discussion of the US Constitution than ever

before (Barber 2014; Franks 2019, Seidman 2021), and yet vast problems remain. Similarly, although we have suggested that increased knowledge of a constitutional document may potentially put people off trying to interact with it, such as through constitutional amendment, there is only anecdotal evidence to back that claim up, in the form of increasingly desperate op-eds about the near impossibility of constitutional amendment in the United States. More empirical work on constitutional literacy will help scholars improve the robustness of their claims.

**An Action Plan for Constitutional Literacy Advocates**

The idea that constitutional literacy will always be a positive force within society has been challenged throughout the special issue articles and in this rejoinder. Let us reiterate that none of these challenges should be seen as fatal to the project of expanding literacy, but they do culminate in possible lessons or insights for those seeking to champion constitutional literacy.

To start with, literacy should be pursued in an explicitly nonpartisan manner. That means that no specific version of the nation’s constitution or its interpretation should be privileged when embarking on literacy-boosting efforts. It is especially important to take a cautious approach to literacy within jurisdictions and contexts that are highly polarized in nature, those where idolatry has coalesced around a particular provision or several provisions, as well as those where constitutional interpretation is especially contentious. However, as Levinson’s article reminds us, this does not mean that one cannot be critical of the nation’s constitution or its functioning. Being critical of any constitutional arrangements simply means that one takes an evaluative look at its operation, including what may be working well or what is not. While we recognize that being critical has the potential to bring in partisan viewpoints, we do not think that such an attitude in itself is an inherent negative or should be avoided. Indeed, being critical may be a constructive antidote to something such as increasing constitutional idolatry and could thus help to counter a possible undesirable side effect of increased constitutional literacy.

Turning next to the question of suitable providers of constitutional literacy, it may seem intuitive to place reliance on national government institutions. After all, they typically possess the financial and human resources to embark on information campaigns and also have access to suitable infrastructures—such as schools or community centers—to disseminate knowledge pertaining to the formal Constitution and its actual operation. It might further be suggested that the oath to uphold or respect the Constitution, which many government officials are required to take upon assuming office, should be understood as giving rise to a positive obligation of
sorts to spread wider awareness of this text, including by role-modeling adherence to constitutional values and principles through their behavior in the discharge of their official functions (De Visser and Jones 2023, 12–13). Recalling the need for a nonpartisan approach, however, means that literacy-boosting efforts should not only be undertaken by the political branches of state, as these could be incentivized to put forward an understanding of the Constitution that aligns with their political ideals and ideological agenda. One of us has accordingly argued that highest courts would also be well suited to engage in the promotion of constitutional literacy, given that they are expected to conduct themselves in an independent and nonpartisan fashion, while their mandate as enforcers of constitutional supremacy means that they possess high levels of constitutional literacy that can profitably be leveraged in the service of augmenting societal levels of such literacy (De Visser 2022). In the same vein, there is arguably an important role for such so-called fourth-branch institutions as human rights commissions or ombudsmen (Tushnet 2021), as well as for such knowledge institutions as institutions of higher learning, the free press, and public as well as private organizations that collect, assess, and disseminate objective facts (Jackson 2021), that should have both the expertise and the inclination to act in promotion of constitutional literacy. One task that knowledge institutions in particular should be amenable to undertake is ensuring that political movements, protesters, or those who aim to take their claim to the streets are well informed and are able and willing to come forward when potentially constitutional or democratic regressive events occur. Examples from Taiwan and India demonstrate that political movements or sustained protest can have significant effects on government policy (Lin 2024; Sethi 2024). At times constitutional experts have been able to help political movements contextualize their arguments or help couch these arguments in constitutional terms, which ties in with contemporary debates about the need for, and propriety of, scholars acting in a constitutional or activist capacity (Lazarus 2020; Khaitan 2022; Stone 2023). This has been especially apparent in the various political movements that have occurred in Taiwan throughout the years. At other times constitutional experts have helped set the record straight on constitutional claims that were being used incorrectly, such as in the Netherlands, as pointed out by Van Vugt (2024). In sum, we would advocate for a many hands approach, with state actors working alongside nongovernmental entities to enhance societal understandings of constitutional values, principles, and rules, including with a view to better equipping people to act on those values, principles, and rules in the public square.

Finally, as and when constitutional literacy increases, there might be implications for how constitutions are written to alleviate some of the foregoing concerns. They should perhaps be shorter and couched in less legalistic language, making
them easier to digest. Constitutions might need to not just list rights but be forthright about how and why those rights can be limited—an important step to ensure that the beneficiaries thereof understand that most rights are relative, not absolute, in nature. In addition, mechanisms to update the realities of state operation may need to be included, either outside the formal amendment context or through a form of “amendment-lite.”¹⁸ These changes could better mesh with people’s expectations as to what these documents can or should do, as some scholars have noted that they are “definitely not blueprints” (Frankenburg 2018, 14–15). In that vein, the content of preambles and the inclusion of other symbolic aspects might need to be rethought if constitutions are seen by the people as primarily operating manuals. Conversely, it may also be the case that improved literacy rates could bolster the need for more aspirational elements that reflect the expectations of citizens as to the ultimate ends of government, but potentially at the cost of the clarity of the legal language and legal certainty.

CONCLUSION: RECONCILING IDOLATRY AND LITERACY

Constitutional literacy can be a double-edged sword. It has the potential to enhance discussion and debate regarding important societal topics, but it may also distract, confuse, and potentially even mislead citizens in relation to constitutional fundamentals. Many of the struggles seen in the relationship between constitutional idolatry and constitutional literacy are those involving constitution as symbol versus constitution as operating manual. Using the constitution as symbol sometimes obscures its practical reality, at times downplaying its faults or coalescing support around one particular provision or one particular section, such as the preamble. Conversely, using the constitution as operating manual aims for truth and transparency, but doing so may disguise the actual functioning of state operation, leading to potential misunderstandings. Given the sprawling features involved in the project of constitutional literacy, perhaps these challenges are inevitable. But even if so, it is important to further explore this relationship as studies on literacy move forward.

We should also be cautious going forward about what we expect from constitutional literacy. As explained, even if citizens do consult constitutional text, this needs to be supplemented with other types of knowledge—such as case law and constitutional practice—which is often difficult or time consuming for citizens to acquire.

¹⁸. Perhaps this could come through a decreased threshold for constitutional amendment that is merely clarifying constitutional operation, rather than attempting to substantively change the constitution, the latter of which would require the normal constitutional threshold.
The general public, after all, has a limited amount of time to engage in constitutional literacy exercises and may decide that their efforts are not worth it. Some individuals may take to the streets, but some may simply give up. Perhaps these knowledge barriers are healthy for democracies, as they mean that rabblerousers cannot easily attempt to change constitutions and that any constitution should rely on sophistication and knowledgeable gatekeepers. Relying on literacy to enhance civic patriotism, reduce conflict, or alleviate democratic decay may further be asking too much. Mounk believes that civic patriotism has its limits and that people are more likely to gravitate toward cultural markers when looking for items that may unite the public. He states that “an interest in civic documents like the United States Constitution remains the preserve of a politically minded minority” and that “civic patriotism will never fully describe what most people actually feel when they think of their country with love or affection” (Mounk 2022, 139). This may well be true. Yet, while we also believe that there are limits to what improved popular constitutional literacy can achieve within a given jurisdiction, we also believe that we have not yet tapped its full potential, either in theory or in practice.

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