

Comparative Constitutions



Name: _____

If You've Seen One . . .

. . . you have not seen them all! State constitutions usually have many things in common with the United States Constitution, but there are many differences too. The U.S. Constitution begins with a **Preamble** that introduces the Constitution and explains its purpose. The Florida Constitution, for example, also has a preamble.

Activity: Compare the Preamble of the U.S. Constitution with the Preamble of the Florida Constitution. **Box** the parts that are *the same* in both documents.





 U.S. CONSTITUTION	 FLORIDA CONSTITUTION
<p><u>We the People of the</u> United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.</p>	<p><u>We, the people of the</u> State of Florida, being grateful to Almighty God for our constitutional liberty, in order to secure its benefits, perfect our government, insure domestic tranquility, maintain public order, and guarantee equal civil and political rights to all, do ordain and establish this constitution.</p>



Government Rules!

Just like the U.S. Constitution gives the rules for how the U.S. government should run, state constitutions give rules for how a state government should run. Like the U.S. Constitution, state constitutions describe the branches of government that the state will have. Often these branches are very similar, but if you take a closer look you will find differences.



Activity: Compare how the government is set up in the U.S. Constitution with how the state government is set up by the Florida Constitution. This time, underline the parts that are *different*.

 U.S. CONSTITUTION	 FLORIDA CONSTITUTION
<p>The executive Power shall be vested in a <u>President of the United States of America.</u></p>	<p>The <u>supreme</u> executive power shall be vested in a <u>governor.</u></p>
<p>The judicial Power of the United States shall be vested in one Supreme Court, and in such inferior Courts as the Congress may from time</p>	<p>The judicial power shall be vested in a supreme court, district courts of appeal, circuit courts and county courts.</p>
<p><i>Keep going on the next page...</i></p>	

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Name: _____

Continued from last page...

 U.S. CONSTITUTION	FLORIDA CONSTITUTION 
All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.	The legislative power of the state shall be vested in a legislature of the State of Florida, consisting of a senate ... and a house of representatives...
The Senate of the United States shall be composed of two senators from each State, chosen for six Years...	Senators shall be elected for terms of four years ...
The House of Representatives shall be composed of Members chosen every second year...	Members of the house of representatives shall be elected for terms of two years...
All Bills for raising Revenue shall originate in the House of Representatives...	Any bill may originate in either house...
Every bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it ... If any Bill shall not be returned ... within ten Days ... the Same shall be a Law...	Every bill passed by the legislature shall be presented to the governor for approval and shall become a law if the governor approves and signs it, or fails to veto it within seven consecutive days after presentation.
[S]uch District (not exceeding ten Miles square) as may, by Cession of particular States . . . , become the Seat of Government of the United States...	The seat of government shall be the City of Tallahassee, in Leon County...

Everybody's Got Rights



State constitutions also contain many of the same rights and guarantees you see in the U.S. Constitution. The U.S. Constitution is the supreme law of the land and cannot be violated. That means state constitutions cannot give state citizens fewer rights than the U.S. Constitution gives. However, state constitutions can guarantee *more* rights than the U.S. Constitution does. For example, a state constitution might give more protection for a right that is also in the U.S. Constitution. A state constitution might also include additional rights that are not found in the U.S. Constitution. Finally, a state constitution might include rules about things that are unique to that state, such as how the state's natural resources should be preserved.



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Activity: To see how a state constitution might offer similar yet different rights than the U.S. Constitution, compare the U.S. Constitution with parts of the Florida Constitution. Underline the *main difference* in Florida's constitution (don't get too nitpicky), then check the statement that best describes the difference.





 U.S. CONSTITUTION	 FLORIDA CONSTITUTION	EXPLAIN THE DIFFERENCE:
No state shall . . . deny to any person within its jurisdiction the equal protection of the laws.	All natural persons, <u>female and male alike</u> , are equal before the law.	The right being discussed is equality before the _____. The Florida constitution gives <input type="checkbox"/> more protection <input type="checkbox"/> the same protection.
The right of citizens of the United States to vote shall not be denied ... on account of race, ... [or] on account of sex ... [or to citizens] who are eighteen years of age or older...	No person shall be deprived of any right because of race, religion, national origin, or physical disability.	The U.S. Constitution talks about the right to _____, while the Florida constitution talks about _____ right. The Florida constitution gives <input type="checkbox"/> more protection <input type="checkbox"/> the same protection.
X	All working Floridians are entitled to be paid a minimum wage...	Does the U.S. constitution mention a minimum wage? <input type="checkbox"/> Yes <input type="checkbox"/> No
Congress shall make no law... abridging the freedom of speech, or of the press...	Every person may speak, write and publish sentiments on all subjects but shall be responsible for the abuse of that right. No law shall be passed to restrain or abridge the liberty of speech or of the press.	The right being discussed is freedom of _____ and of the _____. Both constitutions forbid passing _____ that limit these rights. The Florida constitution says people can't _____ these rights.
A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.	The right of the people to keep and bear arms in defense of themselves and of the lawful authority of the state shall not be infringed, except that the manner of bearing arms may be regulated by law.	The right being discussed is the right to _____. Florida's constitution allows the state to limit <input type="checkbox"/> the right to bear arms. <input type="checkbox"/> how people bear arms.
X	No gill nets or other entangling nets shall be used in any Florida waters.	Does the U.S. constitution mention fishing nets? <input type="checkbox"/> Yes <input type="checkbox"/> No

Keep going on the next page!

Comparative Constitutions

Name: _____

Continued from last page...

 U.S. CONSTITUTION	 FLORIDA CONSTITUTION	EXPLAIN THE DIFFERENCE:
<p>No person shall be . . . subject for the same offence to be twice put in jeopardy of life or limb; nor compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property without due process of law . . .</p>	<p>No person shall be deprived of life, liberty or property without due process of law, or be twice put in jeopardy for the same offense, or be compelled in any criminal matter to be a witness against oneself.</p>	<p>The rights being discussed are due _____, double _____, and being a _____ against yourself.</p> <p>The Florida constitution gives <input type="checkbox"/> more protection <input type="checkbox"/> the same protection.</p>
<p>The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated...</p>	<p>The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures, and against the unreasonable interception of private communications by any means, shall not be violated.</p>	<p>Both constitutions guarantee freedom from unreasonable _____ and _____.</p> <p>The Florida constitution also guarantees freedom from unreasonable _____ of private _____.</p>
	<p>Adequate provision shall be made by law for a uniform, efficient, safe, secure, and high quality system of free public schools that allows students to obtain a high quality education...</p>	<p>The Florida constitution requires the state to maintain a system of _____.</p> <p>Does the U.S. constitution mention schools or education? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof...</p>	<p>There shall be no law respecting the establishment of religion or prohibiting or penalizing the free exercise thereof. Religious freedom shall not justify practices inconsistent with public morals, peace or safety.</p>	<p>The right being discussed is the freedom of _____.</p> <p>Florida's constitution says people cannot practice religion in a way that is <input type="checkbox"/> immoral <input type="checkbox"/> not peaceful <input type="checkbox"/> unsafe <input type="checkbox"/> all of the above</p>
	<p>Those in the Everglades Agricultural Area who cause water pollution ... shall be primarily responsible for paying the costs of the abatement of that pollution.</p>	<p>Does the U.S. constitution mention cleaning up pollution? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Does the U.S. constitution mention the Florida Everglades? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>