

Comparing Constitutions

Identifying sources and types of law

Benchmark: SS.7.C.3.13 Compare the constitutions of the United States and Florida.

Clarifications/Objectives:

- Students will identify the purposes of a constitution (provides a framework for government, limits government authority, protects the rights of the people).
- Students will recognize the basic outline of the U.S. and Florida constitutions (both have articles, amendments, and preambles).
- Students will compare the amendment process of the U.S. and Florida constitutions.
- Students will recognize the U.S. Constitution as the supreme law of the land.

Time: One class period

Materials:

- Comparing Constitutions PowerPoint
- Computer
- Projector
- Speakers
- Handout A: Comparing Constitutions Venn Diagram
- Handout B: Outline of the U.S. Constitution
- Handout C: Outline of the Florida Constitution

Lesson Preparation

- Review all handouts and PowerPoints
- Print and review the PowerPoint in “notes view.” The PowerPoint includes notes to guide the lesson.

Lesson Overview

Warm Up Begin by reviewing the definition of a constitution. Ask students if they can recall what a constitution is and the purposes it serves. A constitution serves as a framework for government. It provides the general outline of government structure, sets limits on the powers of government, and outlines the rights of the people.

Distribute Handout A to each student. Provide one copy of Handout B and one copy of Handout C to a small group (3-5 students). Using the outlines provided, students should work to compare the United States and Florida Constitutions. Students will list similarities in the center, while identifying unique components of each document in the respective section.

Debrief by creating a large Venn diagram on chart paper or a smart board. Allow each group to provide responses and record them on the master Venn diagram. Each group should offer one similarity between the documents and one difference for each document before asking for the next group to provide information. Students should not repeat responses other groups have already provided. Continue to rotate around the room until the students run out of responses. Discuss responses.

Continue with the PowerPoint. Highlight the differences in the amendment processes for the United States and Florida Constitutions. Emphasize that Florida has more ways to amend the constitution than any other state. *Note: Benchmark SS.7.C.3.5 will provide an in-depth look at the constitutional amendment process for the United States Constitution.*

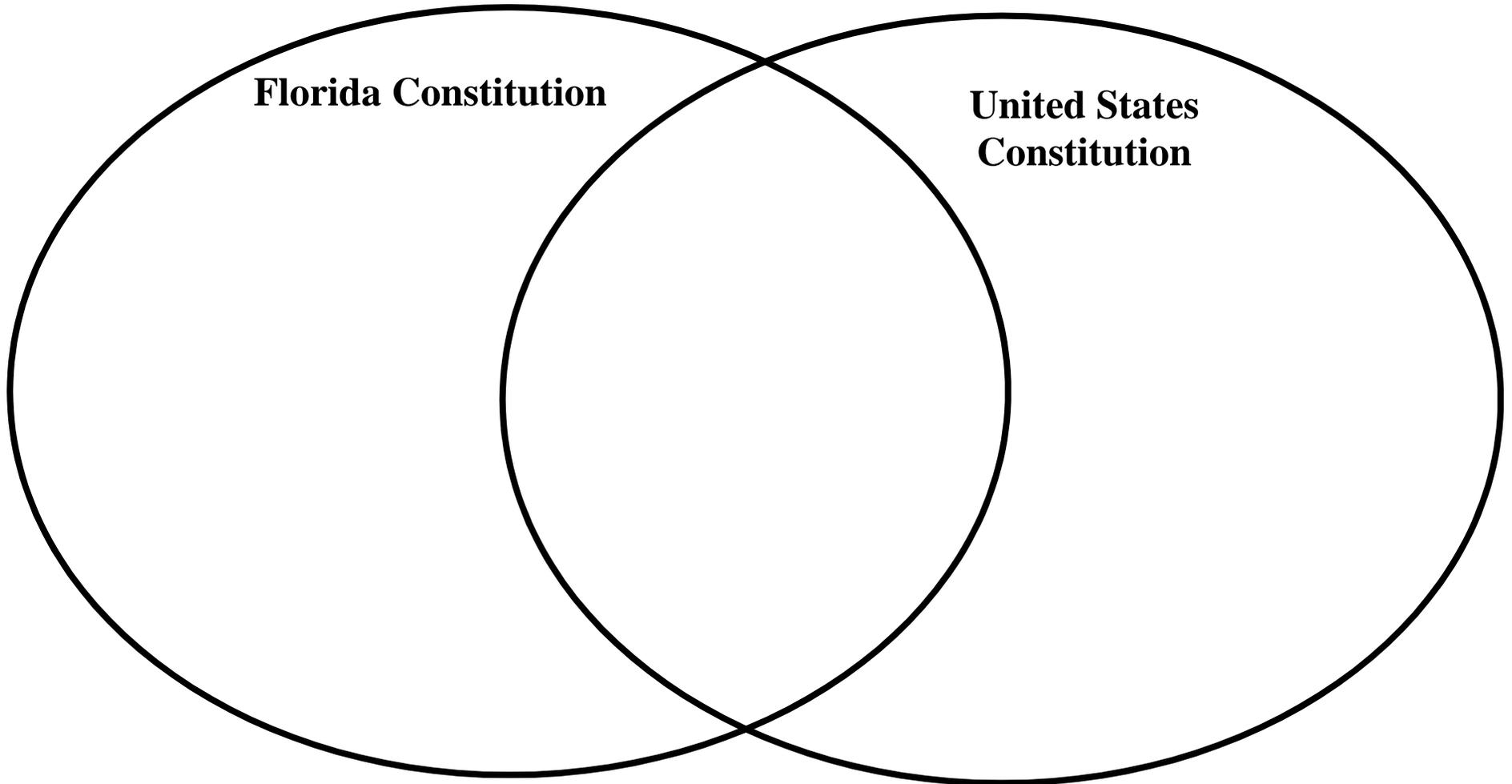
Cite the Source! Using the PowerPoint, students will read quotes from the U.S. and Florida Constitutions. Using their outline for assistance, students will decide, in their groups, which document the quote is from – the U.S. Constitution or the Florida Constitution. Students can raise their hand to provide a response or write the answer on white boards/paper/tablets and hold up the response.

Returning to the PowerPoint, review the hierarchy of law and have students identify where in the U.S. Constitution it states that the U.S. Constitution is the Supreme Law of the Land (Answer: Article VI, Clause 2 – the Supremacy Clause).

Check for Understanding The final slide will include a question from the End of Course Exam Item Specifications book. Have the students independently write down their answer and ask student to explain how they made their decision.

Comparing Constitutions

Instructions: Using the outlines of the U.S. and Florida Constitutions, find differences and similarities between the two documents. Write the differences under the labeled spaces and the similarities in the intersection of the two circles.



Outline of the U.S. Constitution

The Preamble
 The 7 Articles
 The 27 Amendments
 Written in 1787

The Preamble

We the People of the 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.

The Articles (7)

Article I (1) The Legislative Branch	a long part with 10 sections, creates the Congress to make laws, divides Congress into a Senate and House of Representatives, makes rules for election of members, gives some powers to Congress, limits other powers, provides for the coinage of money, establishes a post office
Article II (2) The Executive Branch	sets up the presidency and vice presidency to carry out or execute the laws, election rules, powers of the president, how to impeach
Article III (3) The Judicial Branch	sets up the Supreme Court, duties and powers of Supreme Court and federal courts, defines treason
Article IV (4) The States	creates rules for states to get along with other states, guarantees to states, admitting states to the Union
Article V (5) Making Amendments	how to add amendments to the Constitution
Article VI (6) Supreme Law of the Land	the Constitution is the highest law of the land
Article VII (7) Ratification	the Constitution became effective when 9 out of 13 states approved it

The Amendments (27)

I (1)	freedom of religion, speech, press, assembly, petition
II (2)	right to bear arms
III (3)	quartering of troops
IV (4)	search and seizure
V (5)	due process, double jeopardy, self-incrimination
VI (6)	jury trial, right to counsel
VII (7)	common law suits
VIII (8)	excess bail or fines, cruel and unusual punishment
IX (9)	rights not named
X (10)	powers reserved to states
XI (11)	lawsuits against a state
XII (12)	election of president and vice president
XIII (13)	abolition of slavery
XIV (14)	due process, equal protection, privileges of citizens
XV (15)	rights not to be denied because of race
XVI (16)	income tax
XVII (17)	election of senators
XVIII (18)	prohibition
XIX (19)	women's right to vote
XX (20)	presidential term and succession
XXI (21)	repeal of prohibition
XXII (22)	president limited to 2 terms
XXIII (23)	presidential vote for persons in D.C.
XXIV (24)	no poll tax (required fee to vote)
XXV (25)	presidential succession
XXVI (26)	right to vote at age 18
XXVII (27)	compensation of members of Congress

Outline of the Florida Constitution

Preamble

Articles

Current Version Ratified in 1968

The Preamble

We, the people of the 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.

Articles (12)

ARTICLE I DECLARATION OF RIGHTS

ARTICLE II GENERAL PROVISIONS

ARTICLE III LEGISLATURE

ARTICLE IV EXECUTIVE

ARTICLE V JUDICIARY

ARTICLE VI SUFFRAGE AND ELECTIONS

ARTICLE VII FINANCE AND TAXATION

ARTICLE VIII LOCAL GOVERNMENT

ARTICLE IX EDUCATION

ARTICLE X MISCELLANEOUS

ARTICLE XI AMENDMENTS

ARTICLE XII SCHEDULE

ARTICLE I

FLORIDA DECLARATION OF RIGHTS

SECTION 1. Political power.

SECTION 2. Basic rights.

SECTION 3. Religious freedom.

SECTION 4. Freedom of speech and press.

SECTION 5. Right to assemble.

SECTION 6. Right to work.

SECTION 7. Military power.

SECTION 8. Right to bear arms.

SECTION 9. Due process.

SECTION 10. Prohibited laws.

SECTION 11. Imprisonment for debt.

SECTION 12. Searches and seizures.

SECTION 13. Habeas corpus.

SECTION 14. Pretrial release and detention.

SECTION 15. Prosecution for crime; offenses committed by children.

SECTION 16. Rights of accused and of victims.

SECTION 17. Excessive punishments.

SECTION 18. Administrative penalties.

SECTION 19. Costs.

SECTION 20. Treason.

SECTION 21. Access to courts.

SECTION 22. Trial by jury.

SECTION 23. Right of privacy.

SECTION 24. Access to public records and meetings.

SECTION 25. Taxpayers' Bill of Rights.

SECTION 26. Claimant's right to fair compensation.

SECTION 27. Marriage defined.