

## Comparing Constitutions-Sample Answers

**Directions:** Read through the following excerpts from the U.S. and Mexican Constitutions. In the third column, take notes on similarities and differences you can identify.

| U.S Constitution (1787)  | Mexican Constitution (1917)   | Comparisons   |
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| <u>Preamble:</u><br><i>We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, 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.</i> | <u>Article I:</u><br><i>In the United Mexican States, all individuals shall be entitled to the human rights granted by this Constitution and the international treaties signed by the Mexican State, as well as to the guarantees for the protection of these rights. Such human rights shall not be restricted or suspended, except for the cases and under the conditions established by this Constitution itself</i> | <p><b>S:</b> Goals of the constitution/government; focus on individual</p> <p><b>D:</b> Mexico sounds more like the constitution is giving the rights as the U.S. is more about people giving government its power.</p> |
| <u>First Amendment:</u><br><i>Congress shall make no law respecting an establishment of ..... the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.</i>   | <u>Article 8:</u><br><i>Public officers and employees will respect the exercise of the right to petition provided that petition is made in writing and in a peaceful and respectful manner. Regarding political petitioning, only citizens have this right. Every petition must be decided in writing by the authority to whom it was addressed, who has the duty to reply to the petitioner within a brief term.</i>   | <p><b>S:</b> Granting the right to petition; must be peaceful</p> <p><b>D:</b> Mexican constitution gives more specifics about the requirements surrounding petitioning and responding.</p>                             |
| <u>Third Amendment:</u><br><i>No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.</i>   | <u>Article 16:</u><br><i>During peacetime, no member of the Army can be quartered in a private house against the owner's will nor impose any requirements. During a war, soldiers can demand lodging, baggage, food and other requirements in the terms set forth by the applicable martial law.</i>  | <p><b>S:</b> No quartering of soldiers without homeowner consent</p> <p><b>D:</b> Mexican constitution gives more latitude during times of war</p>  |

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| <p><u>Article I, Section 1:</u><br/><i>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.</i></p> <p><u>Article II, Section 1:</u><br/><i>The executive Power shall be vested in a President of the United States of America.</i></p> <p><u>Article III, Section 1:</u><br/><i>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 to time ordain and establish.</i></p> | <p><u>Article 49:</u><br/><i>The political authority or power is divided into the Executive, the Legislative and the Judiciary branches. Two or more of these powers cannot be united in one single person or corporation, nor shall the legislative branch be vested in one single person, except for the case where extraordinary powers are granted to the President of the Republic as provided in Article 29. In no other case, except as provided under the second paragraph of Article 131, extraordinary powers to legislate shall be granted.</i></p> | <p>S: Power is divided into three branches; executive/legislative/judicial; stay separate</p> <p>D: Mexican constitution may blur the separation and grant the President “extraordinary powers” in some cases</p>                      |
| <p><u>Article I, Section 8:</u><br/><i>The Congress shall have Power to declare War</i></p> <p><u>Article II, Section 2:</u><br/><i>The President shall be Commander in Chief of the Army and Navy of the United States</i></p>  | <p><u>Section 3, Article 73:</u><br/><i>The Congress shall have the power to declare war, based on the information submitted by the President of the Republic.</i></p>   | <p>S: Congress has power to declare war</p> <p>D: While both presidents are commander in chief...the U.S. Constitution specifically states as such; The Mexican Constitution only alludes to it in numerous sections of Article 89</p> |

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| <p><u>Article II, Section 1, Clause 5:</u><br/> <i>No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.</i></p> | <p><u>Article 82:</u><br/> <i>Qualifications for the Presidency:</i><br/> <i>I. The candidate for the Presidency must be a natural born citizen, with legal capacity to exercise his rights, born of Mexican father or mother and must have live in the country for at least 20 years.</i><br/> <i>II. The candidate for the Presidency must be 35 years of age on the election date.</i><br/> <i>III. The candidate for the Presidency must have live in the country for a full year prior to the day of the election. Absences for up to 30 days do not interrupt residence.</i><br/> <i>IV. The candidate for the Presidency cannot be priest or minister of any religion.</i><br/> <i>V. The candidate should not be in active duty in the Army at least six months before the day of the election.</i><br/> <i>VI. The candidate should not be Secretary of State or Under-Secretary, Federal Attorney General, Governor or Head of the Federal District Government, unless he resigns his position six months before the election date.</i></p> | <p><b>S: Presidents must be natural born citizens, 35 years old; resident</b></p> <p><b>D: Both stipulate resident of country but U.S. is 14 years and Mexico is 20 years; Mexico has numerous additional requirements/qualifiers</b></p> |
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