

## Sample Answers U.S. Constitution vs. Florida Constitution: Individual Right

**Activity:** To see how a state constitution might protect similar yet different individual rights than the U.S. Constitution, compare the U.S. Constitution with parts of the Florida Constitution. Read the excerpts from both constitutions. Identify the right(s) being discussed and explain in your own words any differences between the two documents.

U.S. Constitution	Florida Constitution	Making Comparisons
“No state shall .... Deny to any person within its jurisdiction the equal protection of the laws”	“All natural persons, female and make alike are equal before the law.”	<b>Right Discussed:</b> Equality before the law  <b>Explain the Difference:</b> Florida’s constitution gives more protection; more specific 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.”	<b>Right Discussed:</b> Rights; right to vote  <b>Explain the Difference:</b> The U.S. Constitution is specific to voting rights while Florida says any right. Florida constitution gives more protection
X	“All working Floridians are entitled to be paid a minimum wage...”	<b>Right Discussed:</b> Be paid a minimum wage  <b>Explain the Difference:</b> This right/text is not mentioned in the U.S. Constitution

<p>“Congress shall make no law.... Abridging the freedom of speech, or of the press....”</p>	<p>“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 retrain or abridge the liberty of speech or of the press”</p>	<p><b>Right Discussed:</b> Freedom of speech, freedom of press</p> <p><b>Explain the Difference:</b> Both constitutions forbid passing laws that limit these rights but Florida also says people can’t abuse these rights</p>
<p>“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.”</p>	<p>“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.”</p>	<p><b>Right Discussed:</b> Bear arms</p> <p><b>Explain the Difference:</b> Florida’s constitution allows the state to limit how people bear arms</p>
<p>X</p>	<p>“No gill nets or other entangling nets shall be used in any Florida waters.”</p>	<p><b>Right Discussed:</b> Protection of Florida water wildlife from certain nets</p> <p><b>Explain the Difference:</b> The U.S. Constitution rights/texts don’t mention fishing nets.</p>
<p>“No person shall be.... Subject for the same offense to be twice put in jeopardy of life or limb; not compelled in any criminal case to be a witness against themselves, not 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><b>Right Discussed:</b> Due process, double jeopardy, self-incrimination</p> <p><b>Explain the Difference:</b> None. Both constitutions give the same protections.</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><b>Right Discussed:</b> Freedom from unreasonable search &amp; seizures.</p> <p><b>Explain the Difference:</b> Florida constitution also guarantees freedom from unreasonable interception of private communications.</p>
<p>X</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><b>Right Discussed:</b> Free public education</p> <p><b>Explain the Difference:</b> The U.S. Constitution rights/text does not mention schools or education.</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><b>Right Discussed:</b> Freedom of religion</p> <p><b>Explain the Difference:</b> Florida’s constitution extends further and says people cannot practice religion in a way that is immoral, not peaceful, or unsafe.</p>
<p>X</p>	<p>“Those in the Everglades Agricultural Area who cause water pollution shall be primarily responsible for paying the costs of the abatement of the pollution.”</p>	<p><b>Right Discussed:</b> Everglades protection</p> <p><b>Explain the Difference:</b> The U.S. Constitution rights/text does not mention cleaning up pollution or the Florida Everglades.</p>

Adapted from [iCivics: Comparative Constitutions](#)