Comparing the U.S Constitution and the Georgia Constitution

By Robert Fowler

The U.S constitution established two types of government that are the highest in our nation, the state followed by the federal. The federal government has broad powers and establishes policy with other nations, declares wars, and drafts treaties. While all that’s going on the rest of the country is run by 50 smaller governments that all drafted constitutions specifically for their states. For example the U.S constitution protects life liberty and the pursuit of happiness, while the Georgia constitution protects life liberty and property. Now this is a small difference but they are essentially the same just the states do detailed legislation. For example nowhere in the U.S constitution does it say anything about how to appropriate funds for various projects and programs, Georgia’s does however. It specifies all lottery proceeds that aren’t apart of a participants winnings go toward paying college grants and aid. Taxes on gasoline go towards paying for road maintenance and paying workers. There’s also that all proceeds from traffic fines and bail and contraband auctions are used to pay police officers and maintain jails. As well as with officeholders Georgia’s states that salary increases can’t take place immediately while the US doesn’t include it.

With human rights the state has the utmost power compared to the federal government mostly because of the enumerated powers clause stating all powers not given to the federal government are to go to the states such as with eminent domain where the local government must buy land from its owners because they can’t take it. Local government can condemn a building or plot and declare it unsafe if they want to use a backdoor method but that’s where state and fed diverge. States can also issue marriage licenses unlike the federal government and within certain
states say who and who can’t marry. The state can’t choose this based on religious background or most other factors; however they can prohibit same sex marriage or allow it simply depends on the state. Some say that the federal government should get involved but most people would rather leave it up to the states. With paying contractors for work on roads, buildings, and other public utilities they can’t change the payment after it has been agreed upon and the job started. This isn’t even mentioned in the US constitution and is one of the powers given to the states because the federal government can’t micromanage all of the businesses and works. The state also authorizes paying healthcare to disabled veterans and public works employees where the only laws that are remotely similar to this would be the GI Bill for Veterans education, and Medicare and Medicaid for low income or elderly. There’s even veteran preference within the GA constitution saying that veterans will be hired first.

Alcohol is another example of states having more power than the national government. Congress repealed prohibition and allowed states to choose how alcohol is regulated as long as the legal drinking age is set at 21. Georgia has complete power over how it is sold, however the federal government has a large tax on it to get some revenue. The same thing is done with cigarettes it has what’s called a sin tax.

Overall the two constitutions are very similar to each other and you can clearly tell that the Georgia constitution is based on the U.S constitution but keeps clear differences. These differences include appropriating funds for programs and paying for college aid or how to pay for road repair. Our division of government allows us to have these separate constitutions and freedoms. A good example would be gay marriage rights, our area may completely oppose it but California may approve it in a landslide, the federal government has no say in the matter. Even
though there is constant bickering between the states on how things should be done or who pays for what our system has succeeded beyond belief and will continue to do so for many years.

Sources

http://sos.georgia.gov/elections/constitution.htm

We the People textbook