

The texas constitution essay sample

[Law](#), [Constitution](#)



Constitutions are a necessary tool in keeping a Nation running in a smooth manner. One is also necessary in keeping the components, which are states, running in an ordered way. The constitution of Texas has a long historical trail from 1827 to 1876 and there are many events that occurred during this time period. The current Texas constitution has many strengths and weaknesses and there have been revisions made to this document. This document limits the way government can be involved in certain problems that arise in Texas. The Texas constitution is a document with positives and negatives but it is definitely a necessity.

Constitutions are a necessary tool because they are the basic law of a state or nation that tells all of the people of the nation or state the way the government is going to be structured as well as how it will function. The constitution has four main purposes which are legitimacy, organizing Government, providing power and limiting governmental power (Newell, 40-42). Legitimacy from the constitution is the way the people accept their government and the way it should be such as fair, moral and just. If the people accept this and most of them do, then they will obey the laws. Constitution also helps to organize the government, both national and states have separation of powers which are the executive, legislative and judicial branches. In order to keep the government at peace in order to run the nation, there is a form of checks and balances that prevents one branch of the government from overpowering the others. It also provides power to the government and allows it certain liberties that it can use when it is “necessary and proper” (Newell, 41). Another purpose is the constitution limits the power of the government in order to prevent the government from

dictating and taking away the peoples' liberties and rights. Because the constitution was a necessity, Texas went through many events to develop one of its own.

During the period from 1827 to 1876, seven constitutions were put together for Texas. The constitution of 1827 was created in Mexico after Mexico won its Independence from Spain in 1821. In 1836, the new Texas Constitution was written during the war for independence which had a separation of governmental powers, a bill of rights, a bicameral legislature. This had many adopted aspects from the Spanish and Mexican laws. In 1845, was modeled after other southern states and therefore referred to as the Statehood Constitution (Newell, 44). It embraced democratic principles and was influenced by Jacksonian democracy. In 1861, the Constitution was modified when Texas joined the Confederate States of America, this was called The Civil War Constitution. This is when Texas seceded to join the confederacy. In 1866, was on the losing side of the war and Texas was ordered by Andrew Jackson to revise the document. This new document abolished slavery and declared secession illegal. In 1869, reconstruction of the Constitution happened yet again because radical reconstructionists in Washington wanted southern states to write new constitutions with tougher standards. The present constitution the document was careful about what government could do and couldn't do. This document has changed a bit and has had over 467 revisions but it is still the document that is used present day.

Despite, all of the revisions the Texas Constitution still has its strengths and weaknesses. The strengths it has a clear definition of restrictions on what

government officials can and can't do. It has the Bill of Rights that provides for liberties and right protection for all of its citizens. It also limits the amount of money of legislature can make. This is important in keeping the economy in order. But because the constitution was written so long ago there are a few weaknesses. It was written over a century ago and because of this, it is not a very organized document. There are many laws that are not enforceable because of the restrictions of the constitution. It is one of the longest constitutions in the nation but it includes a many laws and provisions that are no longer needed and this causes it to be difficult to read and understand; therefore revisions are necessary.

Revisions of the constitution were done in 1977 and 1999 by the legislature in order to remove the unenforceable provisions of the constitution in order to try and make it a nit shorter and concise and take all of the things that were not needed anymore out. Times are different from a century ago and this new document needs to reflect it. There have been many tries to modernize the Constitution; some areas that needed reform were the legislative session time, the judicial system, the plural executive branch, county government, among others. It is difficult to make revisions to this document because two-thirds of the legislature has to vote in order to reform a certain change (Newell, 61). This is difficult because the legislature is composed of many people with many different political interests. They are all influenced by different political group and it is very difficult for them to agree. As of now, they are just making changes as problems come up with the constitution and the need for change is apparent. This is what legislation

tries to do even if they are pretty restricted by the document on what they can do.

Restrictions on the state and local government are many and it causes the government to be unprepared and unable to deal with new problems that are arising because the state is not like it was 100 years ago. The Texas Constitution was written to discourage the expansion of government but it is written in such a way that sometimes it seems as though it acts against the interest of the people. Because of the limitations the government cannot represent the majority of the people and laws are difficult to pass that incorporate all groups. Because of the new problems arising legislature want a quick fix to the problems and people fear the changes of the constitution. The legislature is limited as to what changes it can do but if the people do not vote then it doesn't get done. The constitution limits the amount of time the legislature can meet, the amount of years they can serve, the salaries and the money used for different things. Giving the legislature more power can be a tricky situation because what is there to guarantee that the results needed would be produced.

The Texas Constitution is a necessary tool for everyday life in Texas. If we did not have a constitution, I would probably not be in school and not be able to afford my lifestyle. The constitution was not written perfectly because it did not think of the changing times, but throughout history, the revisions made were necessary and made this state a better place. Although, there are some revisions that are still needed, I think that the way the revisions can be made is the best way at the moment. Requiring two thirds of the

legislature to vote on it is an excellent way to prevent one group of taking over. I would be frightened if everyone with one special interest voted to revise the constitution without regard to what would happen to the rest of the people. I am a woman and if only men had a say in legislature, it would not be so friendly to women out there. The Constitution allows the right for women to have rights and succeed in this great state. I understand that there needs to be some revisions but for being 100 years old, it does a pretty good job of keeping this state going. I am aware that if there is no problem then why fix it, but then I wonder if all people thought this way there would probably be no Texas to call home.

Works Cited

Newell, Charldean; Prindle, David, F.; and Riddlesperger, James. Texas Politics, South Texas College. Mason, Ohio: Cengage Learning, 2012. Print.