

Texas constitution essay sample

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



Introduction

Constitution is the fundamental law under which the subjects or citizen of an organization, state or country are governed. In words of Thomas Jefferson “ Constitution is tool to curtail state power as freedom is bestowed to man by the creator and it can only be taken by government, on gun point or by rouge government officials”.

Similarly the Constitution of Texas is there to provide the guideline to government regarding how not to impinge upon human rights and individual freedom and simultaneously foster rule of law and respect for human dignity in the state. But most experts describe the constitution to specific and lengthy thus creating bottlenecks with changing times. This paper will shed light on the features which make the Constitution of Texas lengthy and need tinkering to make it flexible. The need for scope of flexibility is critical to interpretation of the constitution by judiciary in deciding upon issues.

Constitution of Texas

The constitution of Texas comprises seventeen articles that include – Bills of Rights, The Power of Government, Legislative Department, Executive Department, Judicial Department, Suffrage, Education, Taxation & Revenue, Counties, Rail Roads, Municipal Corporations, Private Corporations, Spanish & Mexican Land Titles, Public Land & Land Office, Impeachment, General Provisions and Mode of amending the Constitution of the State. (*The Texas Constitution, 2005*)

Areas Where Changes can be made in Constitution of Texas

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Unlike the constitution of United States the Constitution of State of Texas is too detailed which leaves lesser room for flexibility for both the executive and judiciary.

Number of articles is too specific and leaves lesser elbow room to maneuver for devising policing according to change in time. Some of the articles which should be looked into in the Constitution of Texas are -

Article 7 - Education - The Article provides guidelines to government regarding free public schools for children in the state plus a creation of consolidated funds to finance Universities in the state especially University of Texas and Texas Agricultural & Mechanical University. This article in recent times has been a bone of contention as it denies the government freedom to allocate education resources where it deems best for the growth of education in state.

Article 8 - Taxation & Revenue - It provides too specific details to the government regarding how to raise money. For example Texas doesn't have a personal income tax structure which prohibits the government to raise taxes directly based on their income. Secondly even if such a tax is levied through amendment, than the money raised should be first spent on schools and then on higher education.

Article 10 - Rail Roads, Article 12 - Private Corporations, Article 13- Spanish and Mexican Land Titles are either completely or partially repealed due to changing times and usage.

If we analyze the amendments made in constitution of United States and constitution of State of Texas then we can easily sum up that the number is far greater in constitution of Texas. The reason for it is that constitution of United States is based on set of guiding principles which help in decision making in various situation while constitution of Texas to a great extent is set of policy a government should follow for betterment of people. With changing times the policies or desired action needed to be changed but the principles remain the same.

References

The Texas Constitution (2005). Retrieved on Feb 24, 2008, from <http://tlo2.tlc.state.tx.us/txconst/toc.html>