

Compare and contrast texas constitution and new hampshire constitution

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



The constitution is the fundamental principles of law that the state's law system is based on. Regardless of where it was created, New Hampshire or Texas, the constitution always went through different processes of drafting, revising, and amending several times over the course of history to result in the modern constitution as people look at it today. At a glance, there is Texas, a state that is known for its notorious cowboy culture and rebellious history, to be compared to New Hampshire, a quiet little state that is located in the northeast corner of the US. In comparison and contradiction, the two states' constitutions share many similarities in their bills of rights but maintain many differences in their legislature, especially in the meeting cycles. Whether or not Texas should change its constitution in order to ensure the effectiveness of legislative sessions in a given time frame is still in debate.

One of the major and most obvious similarities that appears in almost every state's constitution is the freedom of religion. In the Texas constitution, this category is worded as "freedom of worship", section 6 of article 1 states, "All men have a natural and indefeasible right to worship Almighty God according to the dictates of their own consciences. No human authority ought, in any case whatever, to control or interfere with the rights of conscience in matters of religion..." (Texas Constitution. Art. I, sec. 6.) In a like manner, the New Hampshire constitution states, "Every individual has a natural and unalienable right to worship God according to the dictates of his own conscience, and reason; and no subject shall be hurt, molested, or restrained, in his person, liberty, or estate, for worshipping God." (New Hampshire Constitution. Part 1. Art. 5) The first two sentences from each

section of the two states constitutions strongly proclaim that it is the natural right of the people to worshipping any kind of deity without getting punish or being force to worship a different deity against their wish. This similarity of religious freedom from both constitutions illustrated the state founders' strong desire for a society in which people are free to pursuit a faith of their own. However, within these similarities there are still some important differences.

To be more specific, the second sentence of religious freedom on the New Hampshire constitution does mention that the right to worship can be achieved only if "...he doth not disturb the public peace or disturb others in their religious worship." (New Hampshire Constitution. Part I. Art. 5). This statement means to say that one individual cannot use their freedom of worship to disturb other individual's life or his or her freedom of worship. Texas constitution did not state specifically the same idea but it took into account another important element- the equality of religions: " It shall be the duty of the Legislature to pass such laws as may be necessary to protect equally every religious denomination in the peaceable enjoyment of its own mode of public worship." (Texas Constitution. Art. I, sec. 6). This is one very important element that the New Hampshire constitution does not mention. Texas, in the other hand, put down in text that the government is responsible to protect every religion the same as others by passing such law to ensure that equity.

Speaking of the government structure, both Texas and New Hampshire have the basic form of government in which the structure is similar to the United

States federal government. Each has three branches: legislative, executive and judicial. The Texas legislature, however, has one substantive difference to the New Hampshire legislature, the meeting cycle. The Texas constitution requires the legislature to meet in regular session once every two years. “The legislature shall meet every two years at such time as may be provided by law and at other times when convened by the Governor.” (Texas Constitution. Art. III, sec. 5).

Normally, the session held on the second Tuesday in January of odd-numbered years and may last for 140 days. The New Hampshire constitution requires the state legislature to meet more often. Article 3 of Part II of the New Hampshire constitution states that the state legislature is to meet in session for once a year in January (New Hampshire Constitution. Part II. Art. 3); a session usually last until June. In addition, the legislature has to meet again on December of the next even-numbered year for organization purposes, bringing the number of session to three times every two years. The difference between each state legislature’s meeting cycles is particularly stood out because Texas is geographically a huge state with large population, and the fact that its meeting cycle is too far away from each other is very uncommon among other large states.

The difference between Texas and New Hampshire constitutions in regard to the frequency of legislative meeting can be explain by several reasons. According to Texas former senator Will Harnet, “Annual sessions are expensive and can chase off quality law-maker that are paid as little as \$7, 200 a year” (Schechter). But in contrast, meeting annually has advantages

that included dealing with complex problems, finishing works on time and reducing the number of special sessions (Schechter). For a state that is the second most populous in the nation, Texas is the only large state that has legislature meet every two years, the other states are Montana, Nevada and North Dakota, all with tiny populations (Schechter). Recently, this frequency of meeting has shown its disadvantage.

The most obvious example is that during the summer of 2013, Texas Governor Rick Perry has called three back-to-back special sessions (Schechter). This puts a question mark on the Texas constitution, why wouldn't change the legislative meeting cycle to annual if Texas law-makers are not able to get their business done on time? New Hampshire has a much smaller population than Texas and still able to meet annually without any restrictions. The legislature meeting cycle is one big problem that Texas needs to amend into the constitution, not only to save the budget from all the extra special sessions but also giving law-makers a more flexible cycle to work on many complex problems.

In the end, both Texas and New Hampshire constitution serve one and only one purpose is to maintain their societies within the law of the state and also in respect to the United States constitution. A society in which every individual are born with natural and unalienable rights including the right to worship, and that no human authority can restricts people from doing so. On the other hand, the differences of population, geographic and political beliefs are reflected on the word of each state's constitution, which in this case is the difference between the legislative meeting cycles. The Texas legislature

apparently had experience the flaws of their cycle, evidently show by Governor Perry's consecutive calls for special sessions. For that being said, it is now the time for the Texas government to reconsider amending their constitution, in order to create a better legislative system that is capable of getting their business to finish on time.