

third edition

THE STATE OF TEXAS

GOVERNMENT, POLITICS, AND POLICY



**Mc
Graw
Hill**
Education

Sherri Mora | William Ruger

Learning Outcomes and Core Objectives Correlation Table			
CHAPTER 1	Learning Outcome: Explain the history, demographics, and political culture of Texas.	History: Criticality	How have Texas's political patterns impacted Texas? Give current examples.
	Learning Outcome: Explain the history, demographics, and political culture of Texas.	History: Effectivity	Write a short synopsis of Texas's changing economy and its role in international trade.
	Learning Outcome: Explain the history, demographics, and political culture of Texas.	History: Effectivity	What can you do to become well-informed about political issues so that you can make good decisions as an elected leader?
CHAPTER 2	Learning Outcome: Explain the history, demographics, and political culture of Texas.	History: Effectivity	Understanding the relationship between religious affiliation and politics can improve your knowledge. How would you use this knowledge to engage effectively in your community?
	Learning Outcome: Describe the separation of powers and checks and balances in both Texas and the United States.	Government: Effectivity	Analyze the arguments in Figure 2.1 and the discussion questions in Table 2.1(a) to describe the separation of powers and checks and balances in both Texas and the United States.
	Learning Outcome: Describe the rights and development of the Texas Constitution.	History: Criticality	What is the impact of a constitutional convention as assessed by the panel? What were the consequences of the 1875 constitutional convention in the development of the Texas Constitution?
	Learning Outcome: Describe state and local political systems and their relationship with the federal government.	History: Effectivity	Considering the argument that the national government has recent state powers, to what extent should the government "borrow" general authority? What does providing general authority mean to you? In developing an understanding of state and local political systems, do you see similarities with the federal government, and if so, what are they? Should you or anyone else be able to do this?
	Learning Outcome: Describe state and local political systems and their relationship with the federal government.	History: Effectivity	An overview of Texas and its major political features, the two-party system, and discuss changes in that structure in the Fall 2016 and Credit Course and the Principles and Practices of Texas's Government. Can you identify and describe the major political parties in Texas? How do you think the political system in Texas is changing? What are the major political parties in Texas? How do you think the political system in Texas is changing? What are the major political parties in Texas?
	Learning Outcome: Describe the legislative branch of Texas government.	Government: Effectivity	It has been argued that neither conservatives nor liberals in either party of people to participate in state politics, rather than just the "old" or "hard core," has made the political branch of a state's government.

Texas Learning Outcomes and Core Objectives:

The State of Texas not only covers the new Learning Outcomes and Core Objectives for GOVT 2306, but also does so in a way that makes the program SACS-compliant. The State of Texas deeply incorporates the state Core Objectives (COs) and Texas Learning Outcomes (TLOs) in both the print and digital products.



87%*
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72%**

90%**
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— Sophia Garcia, Tarrant County College



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* [The Impact of Technology on College Student Study Habits 2015](#)
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THE STATE OF TEXAS:
Government, Politics,
and Policy

THIRD EDITION



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William Ruger



THE STATE OF TEXAS: GOVERNMENT, POLITICS, AND POLICY, THIRD EDITION

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GROUNDING IN YOUR CORE OBJECTIVES, DEVELOPED FOR YOUR STUDENTS

The State of Texas: Government, Politics, and Policy, 3e, combines concise content with effective digital tools that provide a personalized learning path for every student. Built to align directly with state learning outcomes and core objectives, this highly readable program provides students with the content and tools to make Texas government relevant in their lives.

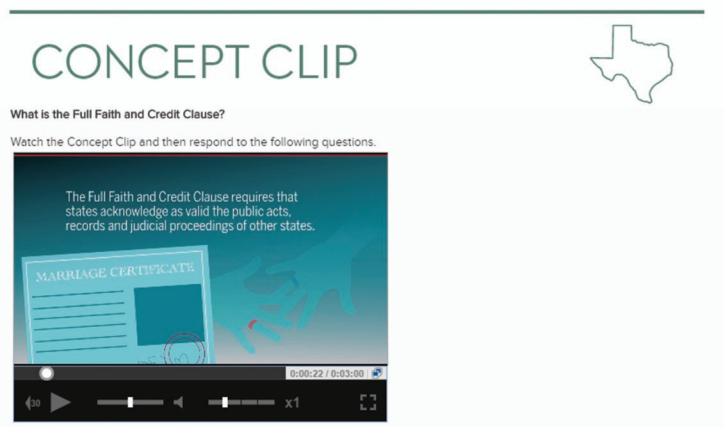
The State of Texas is designed around the Learning Outcomes and Core Objectives for GOVT 2306 as defined by the Texas Higher Education Coordinating Board. With a comprehensive content program, a revision that was informed by student data, and numerous assignable activities in Connect Texas Government®, *The State of Texas* includes ample material for a full semester course on Texas government. Connect Texas Government with LearnSmart and Smartbook is organized around the Texas Learning Outcomes and provides the ability to assess directly on those outcomes.

Informing and Engaging Students on Government Concepts

Using Connect Texas Government, students can learn the course material more deeply and study more effectively than ever before.

At the *remember* and *understand* levels of Bloom’s taxonomy, **Concept Clips** help students break down key concepts in government. Using easy-to-understand audio narration, visual cues, and colorful animations, Concept Clips provide a step-by-step presentation that aids in student retention. Concept Clips for the Third Edition address the following:

- What is Federalism?
- What is Selective Incorporation?
- How are State Judges Selected?
- What are the Voting Decision Rules?
- How are Public Opinion Polls Evaluated?
- What are the Merit and Spoils Systems?
- What Does Separation of Powers Mean?
- What is Judicial Review?
- What is the Difference Between De Jure and De Facto Segregation?



- What is Social Contract Theory?
- What is the Full Faith and Credit Clause?
- What is Electioneering?
- What are the Powers of Congress?
- How Does the Electoral College Work?
- What is the Public Policy Cycle?
- How Does Media Shape the Public Agenda?
- Why Two Parties?

Also at the remember and understand levels of Bloom's, **Newsflash** exercises tie current news stories to key Texas government concepts and learning objectives. After interacting with a contemporary news story, students are assessed on their ability to make the connection between real life events and course content.

At the *apply*, *analyze*, and *evaluate* levels of Bloom's taxonomy, **critical thinking activities** allow students to engage with the political process and learn by doing. For example, students will understand how Texas is a majority-minority state.

Better Data, Smarter Revision, Improved Results

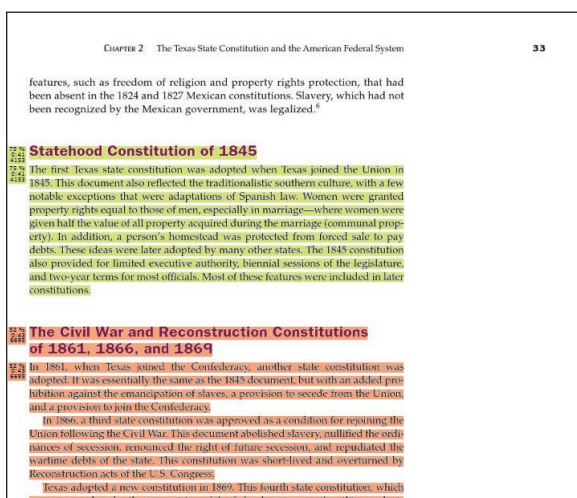
Students study more effectively with LearnSmart® and SmartBook®. LearnSmart is an adaptive learning program designed to help students learn faster, study smarter, and retain more knowledge for greater success. Distinguishing what students know from what they don't, and focusing on concepts they are most likely to forget, LearnSmart continuously adapts to each student's needs by building an individual learning path. Millions of students have answered more than a billion questions in LearnSmart since 2009, making it the most widely used and intelligent adaptive study tool that's proven to strengthen memory recall, keep students in class, and boost grades.

Fueled by LearnSmart, SmartBook is the first and only adaptive reading experience currently available.

- **Make It Effective.** SmartBook creates a personalized reading experience by highlighting the most impactful concepts a student needs to learn at that moment in time. This ensures that every minute spent with SmartBook is returned to the student as the most value-added minute possible.
- **Make It Informed.** The reading experience continuously adapts by highlighting content based on what the student knows and doesn't know. Real-time reports quickly identify the concepts that require more attention from individual students—or the entire class. SmartBook detects the content a student is most likely to forget and brings it back to improve long-term knowledge retention.

Students helped inform the revision strategy:

STEP 1. Over the course of two years, data points showing concepts that caused students the most difficulty were anonymously collected from the Connect Texas Government LearnSmart product.



STEP 2. The data from LearnSmart was provided to the authors in the form of a **Heat Map**, which graphically illustrated “hot spots” in the text that impacted student learning (see image to the right).

STEP 3. The authors used the **Heat Map** data to refine the content and reinforce student comprehension in the new edition. Additional quiz questions and assignable activities were created for use in Connect Texas Government to further support student success.

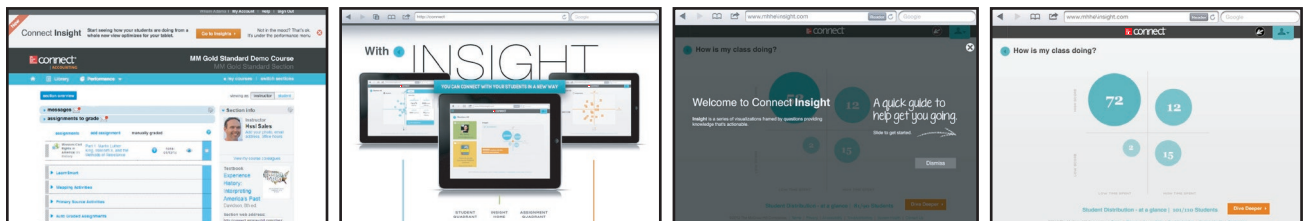
RESULT: Because the **Heat Map** gave the authors empirically based feedback at the paragraph and even sentence level, they were able to develop the new edition using precise student data that pinpointed concepts that caused students the most difficulty.

Real-Time Reports, On the Go, Made Easier

Student performance reports show you their progress.

Connect Insight is a one-of-a-kind visual analytics dashboard—now available for both instructors and students—that provides at-a-glance information regarding student performance.

- **Make It Intuitive.** You receive instant, at-a-glance views of student performance matched with student activity.
- **Make It Dynamic.** Connect Insight puts real-time analytics in your hands so you can take action early and keep struggling students from falling behind.
- **Make It Mobile.** Connect Insight travels from office to classroom, available on demand wherever and whenever it's needed.



Increased Coverage of Criminal Justice, Media, and the Hispanic Experience

The Third Edition features increased coverage of core content areas.

- **New! Chapter 12, “The Criminal Justice System in Texas,”** covers criminal and civil courts, prisons, the death penalty, and reforms.
- **New! Chapter 14, “Public Opinion and the Media in Texas,”** available in Connect Texas Government only, covers the historical and current media landscape as it relates to Texas government.
- **New! Focus On** features present students with engaging examples of how Hispanic and Latino individuals, groups, and culture play an important role in Texas political life. Chapter 8, for example, focuses on “The Hispanic Population and Bilingual Ballots.”

Content Changes

As mentioned, the Third Edition was revised in response to student heat map data that pinpointed the topics and concepts where students struggled the most. This was reflected primarily in the chapters on the Texas State Constitution and the American Federal System, the Court System in Texas, Local Governments in Texas, Public Policy in Texas, and Financing State Government.

Chapter 1

- Updated section on post-Reconstruction Texas, including the most recent data available on the state’s economy, politics, and demographics
- Updated section on Texas today, including the most recent data available on poverty, education, and immigration in Texas
- Revised section on political culture to clarify Texas’s political culture and the philosophical traditions contributing to it
- Expanded Conclusion section
- New Focus On feature on how the government defines the term “Hispanic”

Chapter 2

- Updated section on characteristics common to state institutions with a recent example on conflicts between local law and state law
- Updated section comparing state constitutions to reflect their most current version, as of 2015
- Updated section on amending state constitutions, including the most recent voter turnout numbers from 2015
- Significantly revised section, “Relations between States in the Federal System,” focusing on the 2015 Supreme Court case *Obergefell v. Hodges*, which legalized gay marriage in the United States
- New Focus On feature on Tejano contributions to the Texas founding, specifically through the deeds of José Antonio Navarro

Chapter 3

- Updated section on legislator qualifications and demographics, including the most recent data available on the members of the Texas state legislature

- Updated district maps for the state legislature
- Updated coverage of redistricting issues in Texas
- Updated list of legislative committees and process for legislative oversight of state agencies
- Revised section on procedures to include discussion of the change in the “two-thirds” rule, as well as updated coverage of the legislature’s use of calendars
- New Focus On feature on the first Hispanic woman in the Texas legislature

Chapter 4

- Updated section, “Informal Qualifications for Governor,” including a recent study on the jobs that most often lead into the governorship and updated national statistics on the gender and ethnicity of those holding state governorships in 2016
- Updated map on states with female governors, past and present
- Updated map, “Total Number of Major Statewide Elected Officials for Each State, Executive Branch”
- Updated map, “Term Limits for Governors as of 2015”
- Updated figure, “Employment in the Top Four State Agency Categories by General Appropriation”
- New Focus On feature on the issue of when Texas may have its first Hispanic governor

Chapter 5

- Revised and reorganized section on the structure of state courts
- Updated section “Judicial Selection” reflecting 2015 data, specifically how states currently select their judges
- Significantly revised section “Is There a Best System for Judicial Selection?”
- Revised section “Judicial Selection in Texas,” specifically addressing minority representation and campaign contributions
- Updated graph on crime rates in Texas as compared to the United States as a whole
- New Focus On feature on the first Hispanic justice on the Texas Supreme Court, Raul A. Gonzalez, Jr.

Chapter 6

- Revised section on “General Law Cities and Home Rule”
- Updated section on county governments with the most recent data available (number of counties within states and the populations of the largest counties in Texas)
- New Focus On feature on Hispanic representation in local governments, including a brief discussion of the differences between descriptive and substantive representation

Chapter 7

- Revised section on political participation, including a discussion of online political engagement
- Reorganized voting section to present more clearly the current requirements for voting in Texas

- New material on the 2016 presidential primary and general elections
- Updated section on voter turnout with the most recent data available on voter turnout in Texas
- New Focus On feature on Hispanic voter turnout

Chapter 8

- Reorganized subsection “Party Caucus” introducing concepts of primary elections and open vs. closed primary systems
- Updated chart on the primary systems used in state elections as of 2015
- Revised section on the Federal Voting Rights Act to more clearly explain the Supreme Court case *Shelby County v. Holder* (2013) and its effect on voting rights
- Updated material on PAC money in state campaigns with the most recent data available
- New Focus On feature on the use of bilingual ballots as required by the Federal Voting Rights Act

Chapter 9

- Reorganized to present the history and evolution of political parties in the United States as background for subsequent material
- Revised section on the evolution of political parties in Texas to include the concept of candidate-centered politics
- Expanded coverage of realignment and dealignment to clarify these concepts and how they apply to Texas politics
- Updated material on Texas parties and election results with the most recent data available
- Expanded coverage of caucus and primary delegate selection systems
- New Focus On feature on Hispanic party affiliation

Chapter 10

- Updated section on interest group typology, including the most recent data available on Texas interest groups
- Expanded discussion of grassroots lobbying
- New material on litigation as a technique interest groups use to achieve their goals
- New Focus On feature on litigation by Hispanic interest groups

Chapter 11

- Updated section on policy liberalism, including the most recent version of the State Policy Index (SPI)
- Updated section on public policy areas, including the most recent data on state policy regarding business regulation, welfare, health care, education, firearms, gay rights, abortion, immigration, water, and veterans
- Expanded discussion of the Affordable Care Act (ACA), including its provisions
- Expanded discussion of the intersection between federal and state policy
- New Focus On feature on bilingual education

Chapter 12

- New to this edition, this chapter covers criminal and civil courts, prisons, the death penalty, and reforms in the Texas criminal justice system.

Chapter 13

- Significantly revised section “Why Do Governments Provide Services to Citizens?” including a more explicit discussion of public goods and how they are nonexclusive and nonexhaustive
- Revised table comparing revenue for the 15 most populous states
- Updated table on the 10 most regressive state tax systems to 2015
- Updated figures on state and local taxes in Texas and all states to 2015
- Expanded Budget Fix subsection to include discussion of dedicated and non-dedicated revenue
- Updated section on state finance to include discussion of fluctuating oil prices
- New Focus On feature on the tax contributions of Hispanic households

Chapter 14

- New to this edition and available in Connect Texas Government only, this chapter covers the historical and current media and public opinion landscape as it relates to Texas government.

Learning Outcomes and Core Objectives

GOVT 2306 is one of the foundational component areas within the Core Curriculum identified by the Undergraduate Education Advisory Committee (UEAC) of the Texas Higher Education Coordinating Board (THECB). The UEAC has identified six core objectives, of which four—critical thinking skills, communication skills, social responsibility, and personal responsibility—must be mapped to content in GOVT 2306. Those four core objectives are mapped to specific *The State of Texas* content here and throughout each chapter.

Institutions must assess learning outcomes (provided in the *UEAC's Academic Course Guide Manual*); for example, the student's demonstrated ability to explain the origin and development of the Texas constitution, consistent with assessment practices required by the Commission on Colleges of the Southern Association of Colleges and Schools (SACS-COC).

These requirements include an explanation of measures, methodology, frequency, and timeline of assessment; an explanation of targets and benchmarks of “Core Objective” attainment; evidence of attainment of the required core objectives; interpretation of assessment information; and the use of results for improving student learning. SACS principles of accreditation 3.3.1.1 requires institutions to identify expected learning outcomes, assess the extent to which it achieves these outcomes, and provide evidence of improvement based on analysis of the results.

Adopting *The State of Texas* and using the provided assessment tools makes SACS compliance easy while meeting the purpose of the Core Curriculum.

Learning Outcomes and Core Objectives Correlation Table

CHAPTER 1	Learning Outcome: Explain the history, demographics, and political culture of Texas.	Thinking Critically	How have settlement patterns impacted Texas? Give current examples.
	Learning Outcome: Explain the history, demographics, and political culture of Texas.	Communicating Effectively	Write a short synopsis of Texas's changing economy and its role in international trade.
	Learning Outcome: Explain the history, demographics, and political culture of Texas.	Taking Personal Responsibility	What can you do to become well informed about political issues so that you can make good decisions at election time?
	Learning Outcome: Explain the history, demographics, and political culture of Texas.	Being Socially Responsible	Understanding the relationship between religious affiliations and politics can improve civic knowledge. How would you use this knowledge to engage effectively in your community?
CHAPTER 2	Learning Outcome: Describe separation of powers and checks and balances in both theory and practice in Texas.	Communicating Effectively	Analyze the diagram in Figure 2.1 and the division of powers in Table 2.1 to describe the separation of powers and checks and balances in both theory and practice in Texas.
	Learning Outcome: Explain the origin and development of the Texas Constitution.	Thinking Critically	What is the impact of a constitutional convention dominated by one party? What were the consequences of the 1875 constitutional convention in the development of the Texas Constitution?
	Learning Outcome: Describe state and local political systems and their relationship with the federal government.	Being Socially Responsible	Considering the argument that the national government has eroded state power, to what extent should the government “promote general welfare?” What does promoting general welfare mean to you? In developing an understanding of state and local political systems and their relationship with the federal government, who do you think should play a greater role—the states or the federal government?
CHAPTER 3	Learning Outcome: Describe state and local political systems and their relationship with the federal government.	Taking Personal Responsibility	As a resident of Texas and a citizen of the United States, can you identify and discuss examples that reinforce the Full Faith and Credit Clause and the Privileges and Immunities Clause of the U.S. Constitution? Can you identify examples that, in your opinion, violate these principles?
	Learning Outcome: Describe the legislative branch of Texas government.	Communicating Effectively	It has been argued that smaller constituencies might allow a wider array of people to participate in state politics, rather than just the “rich” or “well born.” How would you argue in favor of or against this statement?
	Learning Outcome: Describe the legislative branch of Texas government.	Being Socially Responsible	To what extent should legislators use race when redistricting? Do you think redistricting is an appropriate tool to increase intercultural competency? Why or why not?
	Learning Outcome: Describe the legislative branch of Texas government.	Thinking Critically	Both demographics and voting patterns have changed in Texas, and some districts have become more competitive, especially for Democrats in South Texas and in inner-city districts. Discuss what these shifts mean for future elections and the composition of the Texas House and Senate. Reference Table 3.6 in your answer.
	Learning Outcome: Describe the legislative branch of Texas government.	Taking Personal Responsibility	It has been stated that the success of legislation depends largely on a relative few individuals who make up the leadership in the Texas House and Senate. Do you think the speaker of the house and the lieutenant governor have too much control over the passage of bills? How can you influence legislation? What can individuals do to affect legislation?

CHAPTER 4	Learning Outcome: Explain the structure and function of the executive branch of Texas government.	Communicating Effectively	Analyze Map 4.1. What inferences can be drawn from the data?
	Learning Outcome: Explain the structure and function of the executive branch of Texas government.	Being Socially Responsible	How does the comptroller promote effective involvement in regional, national, and global communities?
	Learning Outcome: Explain the structure and function of the executive branch of Texas government.	Taking Personal Responsibility	What can you do to become more actively engaged in the civic discourse about the role of the State Board of Education?
	Learning Outcome: Explain the structure and function of the executive branch of Texas government.	Thinking Critically	The six factors that influence the strength of the power of the governor are the number of elected statewide executives, tenure of office, the governor's appointive powers, the governor's budgetary powers, the governor's veto powers, and the extent to which the governor controls his or her political party. What can you conclude about the powers of the governor?
CHAPTER 5	Learning Outcome: Describe the structure and function of the judicial branch of Texas government.	Communicating Effectively	Analyze Figure 5.1. Describe the appeals process for a civil case filed in county court.
	Learning Outcome: Describe the structure and function of the judicial branch of Texas government.	Being Socially Responsible	What impact, if any, do you think partisan election of judges has on judicial outcomes?
	Learning Outcome: Describe the structure and function of the judicial branch of Texas government.	Thinking Critically	Reflecting on the discussion about representation of minorities and women in the Texas judicial system, do you think it is important to have a judiciary that is representative of the general population? Why or why not?
	Learning Outcome: Describe the structure and function of the judicial branch of Texas government.	Taking Personal Responsibility	Given what you read in this section, it would seem that citizens have little impact in disciplining and/or removing judges. What do you think is a citizen's responsibility in this matter? How can individuals take greater personal responsibility to ensure that judges perform properly?
CHAPTER 6	Learning Outcome: Describe local political systems in Texas.	Communicating Effectively	Compare Figures 6.1, 6.3, and 6.4 with Table 6.2. Discuss the fundamental differences between weak mayor, strong mayor, and council-manager forms of government. Which do you prefer and why?
	Learning Outcome: Describe local political systems in Texas.	Being Socially Responsible	Compare at-large election systems and single-member district systems. An argument in favor of single-member district systems is that they increase minority representation in local government. In your opinion, does increased minority representation increase intercultural competency? Why?
	Learning Outcome: Describe local political systems in Texas.	Taking Personal Responsibility	Local government directly impacts people in their daily lives. What can you do to improve local governance?
	Learning Outcome: Describe local political systems in Texas.	Thinking Critically	Identify some of the problems facing county governments. What solutions would you propose?

Learning Outcomes and Core Objectives Correlation Table *continued*

CHAPTER 7	Learning Outcome: Identify the rights and responsibilities of citizens.	Taking Personal Responsibility	What activities do you engage in that are related to governance? Which forms of political participation do you think are the most effective?
	Learning Outcome: Identify the rights and responsibilities of citizens.	Thinking Critically	How do you think the Texas voter ID law impacts voter turnout in Texas? Where do you stand on the issue? Explain why you favor or oppose voter ID laws.
	Learning Outcome: Identify the rights and responsibilities of citizens.	Being Socially Responsible	Considering the discussion of the socioeconomic factors that affect voter turnout, identify effective ways to increase civic knowledge in culturally diverse communities.
	Learning Outcome: Identify the rights and responsibilities of citizens.	Communicating Effectively	Write a one-page summary of the rationalist explanations for low voter turnout.
CHAPTER 8	Learning Outcome: Analyze the state and local election process in Texas.	Thinking Critically	Explain the challenges that hinder minor party candidates from succeeding in statewide elections.
	Learning Outcome: Analyze the state and local election process in Texas.	Communicating Effectively	Do you think the Voting Rights Act requirement that Texas provide a bilingual ballot increases voter turnout? Construct an argument in favor or against this provision of the Voting Rights Act.
	Learning Outcome: Analyze the state and local election process in Texas.	Being Socially Responsible	What responsibility do you think the media have in covering campaigns and elections? Are the media living up to your expectations?
	Learning Outcome: Analyze the state and local election process in Texas.	Taking Personal Responsibility	If you choose to contribute to a candidate's campaign, to what extent is the candidate obligated to you as a contributor? Should your contribution influence public policy? What about corporate contributions?
CHAPTER 9	Learning Outcome: Evaluate the role of political parties in Texas.	Communicating Effectively	Explain how political reforms have weakened political parties.
	Learning Outcome: Evaluate the role of political parties in Texas.	Taking Personal Responsibility	Examine your political values and compare them to the expressed values of both parties. Do your ideas about the role of government, politics, and policy align with one particular party?
	Learning Outcome: Evaluate the role of political parties in Texas.	Being Socially Responsible	What impact, if any, do factions have on enhancing or diminishing civic engagement? In your opinion, do factions promote acceptance of diverse opinions?
	Learning Outcome: Evaluate the role of political parties in Texas.	Thinking Critically	For a variety of reasons, third parties do not currently have much impact on Texas politics. What measures might be taken to level the playing field for third parties and improve their competitiveness in elections?
CHAPTER 10	Learning Outcome: Evaluate the role of interest groups in Texas.	Thinking Critically	Review Table 10.1. Are you a participant in a membership organization? If so, how does the organization represent your interests? If not, how are your interests represented at the state and federal levels of government?
	Learning Outcome: Evaluate the role of interest groups in Texas.	Taking Personal Responsibility	Socrates suggested, "know thyself," and Shakespeare's Hamlet admonished "to thine own self be true." It is important to know what your interests are and how they are represented in government. Consider what you have read in this chapter and determine how interest group efforts align with your personal interests. If they do not, what can you do to ensure that government addresses your interests or the interests of those who share similar values?
	Learning Outcome: Evaluate the role of interest groups in Texas.	Communicating Effectively	Review the data presented in Table 10.4. Identify the interest group category that spent the most money in 2014. Discuss the impact that PAC spending has on government.
	Learning Outcome: Evaluate the role of interest groups in Texas.	Being Socially Responsible	How can geographic distribution of interest groups improve political awareness between culturally diverse populations?

CHAPTER 11	Learning Outcome: Analyze important public policy issues in Texas.	Taking Personal Responsibility	How can you impact public policy decisions? At what point in the policy cycle could you voice your preferences?
	Learning Outcome: Analyze important public policy issues in Texas.	Being Socially Responsible	To what extent should Texas be responsible for ensuring equal funding for wealthy school districts and poor school districts?
	Learning Outcome: Analyze important public policy issues in Texas.	Communicating Effectively	Summarize the legislation that Texas has passed on abortion. Discuss the advantages and disadvantages of state involvement in this policy issue.
	Learning Outcome: Analyze important public policy issues in Texas.	Thinking Critically	Given the water-related challenges facing Texas, what measures would you recommend to ensure all Texans have access to water? What might be some negative or unintended consequences of your recommendations?
CHAPTER 12	Learning Outcome: Analyze issues and policies in Texas.	Communicating Effectively	Explain the difference between criminal and civil law, including how the standard of proof differs for each. Provide an example of each type of case.
	Learning Outcome: Analyze issues and policies in Texas.	Taking Personal Responsibility	Currently, at what age does the state of Texas consider a person an adult in criminal and civil proceedings? At what age do you think the state should require individuals to take personal responsibility? Why?
	Learning Outcome: Analyze issues and policies in Texas.	Being Socially Responsible	Why might the use of special courts to punish crimes like prostitution provide a cost savings for the criminal justice system?
	Learning Outcome: Analyze issues and policies in Texas.	Thinking Critically	Given the current challenges faced by the criminal justice system, what types of reforms would you recommend? What might be some of the negative or unintended consequences of your recommendations?
CHAPTER 13	Learning Outcome: Analyze state financing issues and policies in Texas.	Thinking Critically	What goods and services do you think state government should provide? Consider the consequences of your answer. What would the possible impact to society be, given your position?
	Learning Outcome: Analyze state financing issues and policies in Texas.	Being Socially Responsible	Texas taxes prepared food items, but does not tax unprepared food items (e.g., raw meats and fresh produce). If, as noted earlier in this chapter, individuals can be excluded from receiving services, such as electricity, because of the inability to pay, how does taxing prepared food impact our state's poorest citizens?
	Learning Outcome: Analyze state financing issues and policies in Texas.	Communicating Effectively	Consider Table 13.7, which illustrates how specific appropriations are restricted. What percentage of funds is not restricted? How does restricting funds impact budget flexibility?
	Learning Outcome: Analyze state financing issues and policies in Texas.	Taking Personal Responsibility	Although few individuals would express a preference for higher taxes, given the information in this chapter about the goods and services the state provides and the revenue data presented in Figure 13.9 and Table 13.9, should Texans advocate for a personal income tax? Why or why not?
CHAPTER 14	Learning Outcome: Evaluate public opinion and the role of the media in Texas politics.	Thinking Critically	Compare and contrast the factors of socialization and explain how they have informed your political opinions.
	Learning Outcome: Evaluate public opinion and the role of the media in Texas politics.	Taking Personal Responsibility	What can you do to improve the content on social media networks?
	Learning Outcome: Evaluate public opinion and the role of the media in Texas politics.	Being Socially Responsible	Explain what social obligation the media has in the political campaign process.
	Learning Outcome: Evaluate public opinion and the role of the media in Texas politics.	Communicating Effectively	Write an essay summarizing government's efforts to regulate the Internet.

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CHAPTER 1

Introduction to Texas History and Politics



Texas Learning Outcomes

- Explain the history, demographics, and political culture of Texas.

History and politics are inevitably intertwined, and this is also the case in Texas. Today's Texas is the product of a variety of factors: cultural influences, a unique geography including a vast amount of land that borders a foreign nation and has thriving ports, complicated historical relations with European powers, a distinctive experience with the U.S. Civil War and Reconstruction, economic shifts from agriculture to industry, shifts in political dominance from one party to the other, and changing demographics due to waves of opportunity. The current challenges Texas faces are also tied to national events. To gain a full appreciation for Texas government, we must examine the Texas of the past as well as today's Texas and put them in a framework within which we can understand them—the framework of political culture. By doing this, we can begin to appreciate the special position Texas occupies within the United States, the ways in which it is very much “American,” and the ways in which it is uniquely Texan.

Chapter Learning Objectives

- Explain the significance of Texas's six flags.
- Describe the Civil War and Reconstruction in Texas.
- Describe post-Reconstruction Texas.
- Explain the challenges facing Texas today.
- Explain U.S. and Texas political cultures.

The Six Flags of Texas: From Spain to Statehood

Learning Objective: Explain the significance of Texas's six flags.

Settlement of the territory known as Texas began with north Asian tribal groups migrating down from the Bering land bridge into the Americas. These groups spread out throughout the Americas, and several eventually occupied the plains, grasslands, and coastal woodlands that are now called Texas. The Caddo Indians settled primarily in the eastern parts of Texas. The Wichita Indians claimed much of the Red River Valley and the lowland grass plains. The Karankawas made their home along the coastal plains, and the western parts of the state were settled by those tribes that eventually became part of the great horse cultures in North America: the Comanches, Apaches, Kiowas, and Tonkawas. Each of these groups would have an impact on later European settlers.

Spain

Spain was the first of the modern European nations to lay claim to the territory of Texas, although Spanish Texas included only a small part of today's state. Alonso Alvarez de Pineda explored and mapped the Texas coastline as early as 1519, more than 100 years before the Pilgrims landed at Plymouth Rock. However, it was not until 1540 that Francisco Vasquez de Coronado intentionally surveyed the interior of Texas. After Coronado dispelled rumors that the land was brimming with treasures, Spain all but abandoned Texas for almost a century and a half. Still, Spain had raised the first of the six flags that would eventually fly over Texas.

France, Briefly

France was the second nation to lay claim and bring its flag, briefly, to the territory of Texas. After the European discovery of North America, France laid claim to all the territory encompassing the Mississippi River system (bordering much of the territory of Texas in the east and north along the Red River) as well as parts of the Spanish claims in the northwestern territories of Mexico. One settlement attempt, led by René-Robert Cavelier, Sieur de La Salle, began in 1685 (mostly by accident) when his expedition overshot New Orleans and landed on the Texas coast near Matagorda Bay. Fort Saint Louis, however, was a dismal failure because the expedition was inadequately supplied and La Salle was a poor leader. When La Salle left in 1687, taking an overland route to seek assistance from New Orleans, he was killed by his own men. The next year, Karankawa Indians destroyed the fort and either killed or captured the remaining settlers.

Spain Returns

After the remains of Fort Saint Louis were discovered in 1689, the Spanish crown decided to increase settlement efforts by establishing missions and presidios (fortified settlements) in the eastern part of its territory. The goal was to fend off future French claims by bringing Spanish settlers from Mexico into Texas

territory. These Spanish settlers were known as Tejanos, and the first area they settled was the Rio Grande Valley. They established settlements along the Rio Grande and as far north and east as San Antonio. (Spanish settlements in other parts of the state lasted for only a few years, with the exception of Nacogdoches.) Although permanent Spanish settlement did not penetrate much beyond San Antonio, Spanish influence permeated the entire state. For example, most of the major rivers in Texas have Spanish names, as do other geographic features and a number of cities and counties. Notably, the Spanish introduced horses, sheep, and cattle into Texas. Spanish legal systems also left their legacy on state laws, especially those regarding land ownership and rights. For example, current laws regarding community property and protections against the forced sale of property (to pay off a debt or court-ordered judgment) have their origins in Spanish law.¹ The homestead exemption is another such legacy.²

When the United States purchased the Louisiana Territory from France in 1803, new settlement and immigration patterns emerged in East Texas. As **Anglos** encroached through Louisiana, Spain continued to promote settlement. But Spanish-Mexican relations were deteriorating, and Mexico declared its independence from Spain in 1821.

The Republic of Mexico

The third flag to fly over Texas was that of the Republic of Mexico, which included what had been Spanish Texas. By 1824 Texas, the northeastern-most territory of the new nation, had been combined with another province to form the new, Mexican state of Coahuila and Texas.³ The **empresario** land-grant system that had begun under the Spanish continued. (Stephen Austin renegotiated his father's Spanish grant with the new Mexican government.) Mexico continued to attract settlers into East Texas. Southern U.S. Anglos and the African American slaves they brought with them began settling there in the 1820s. These southern white Protestants were decidedly different from the Spanish Catholic settlers who already occupied Texas. Because of Mexico's own history of ethnic diversification, a strong antislavery movement was brewing. When President Santa Anna effectively declared himself dictator of Mexico and issued decrees limiting property rights and economic freedom for Anglos, the simmering conflict led to increased Anglo-Texan calls for rebellion.

Open revolt began in late 1835 when Texan and Mexican forces fought over a small six-pound cannon in Gonzales, Texas. Famously, the defenders of the cannon at Gonzales raised a flag with the words "Come and Take It" underneath a lone star and cannon. A Texan victory fed the fever of revolt, and political leaders began planning for rebellion against Mexico. Internal conflicts in Texas complicated matters. Many of the Catholic Spanish remained loyal to Mexico, while the more recently arrived Protestant Anglos generally favored independence.

Anglo

Here, refers to non-Hispanic white North Americans of European descent, typically (but not exclusively) English speaking

empresario

A person who contracted with the Spanish or Mexican government to recruit new settlers to Texas in exchange for the ability to claim land



Gonzales Flag

© Gallery of the Republic



The Battle of the Alamo, Percy Moran, 1912

Source: Library of Congress Prints and Photographs Division LC-USZC4-2133

Santa Anna himself took command of the Mexican forces and marched north into Texas for the stated purpose of suppressing the rebellion and expelling the Anglos. His first battle was the siege of the Alamo (an old mission turned fortress) in San Antonio in February 1836. Texan forces under the command of William B. Travis were hopelessly outnumbered and had no real chance to be reinforced. The siege lasted two weeks, ending with the death of all 187 Alamo defenders on March 6, 1836. The brave resistance by the Alamo's defenders provided additional motivation for the independence movement and is today seen as the Texan equivalent of the famous Battle of Thermopylae between the Greek forces led by the Spartan 300 and the Persians. On March 2, 1836, just before the Alamo's fall, the provisional government of Texas declared its independence from Mexico.

The Republic of Texas

The Republic of Texas flew the fourth national flag. The immediate problem for the new republic was surviving the war with Mexico. The republic did not have an organized army, and the one being assembled had little to no experience. Sam Houston, the general of the Texan army, knew that he needed time to organize and train if Texas was to have a chance at victory. Meanwhile, Santa Anna continued his march north and captured and killed all 350 of James Fannin's troops at what is now called the Goliad Massacre. It was becoming increasingly clear that Santa Anna intended to wipe out the Anglo-American presence in Texas permanently. In what came to be known as the "Runaway Scrape," Texans and Texas forces retreated for several weeks, fleeing ahead of Santa Anna's army

toward Louisiana. Finally, on the banks of the San Jacinto River on April 21, 1836, Houston found himself with a tactical advantage; he attacked and defeated Santa Anna's army. Santa Anna was captured and forced to sign the Treaty of Velasco, recognizing Texas's independence from Mexico.

In the aftermath of the revolution, Texas found itself a new nation with no real desire to *be* a nation. With limited resources and infrastructure, the new government was quickly bound by debt and struggled to meet its minimum obligations to its citizens. Houston had been elected the first president of Texas, and as one of the first acts of the new republic, he petitioned the government of the United States for statehood. Because the vast majority of Anglo settlers considered themselves Americans, it seemed fitting for Texas to become part of the United States. However, the petition for statehood was denied because of the intensely political and divisive issue of slavery. At that time, if Texas was admitted into the Union as a slave state, a corresponding free state would need to be created. This balancing act was not possible then, and Texas was forced to stand on its own. The United States recognized Texas's independence and set up diplomatic relations.

From 1836 to 1845, the Republic of Texas struggled to survive. Poor relations and border disputes with Mexico to the south and open hostilities with Indians in the west made governing Texas difficult. Lack of revenue and poor infrastructure continued to plague the nascent republic and made economic development challenging. Nonetheless, Texas promoted settlement of its frontier to Americans and Anglo-Europeans by offering the one thing it did have: land. In the 1840s, an organization called the **Adelsverein Society** aided this appeal for settlers by actively promoting German immigration to Texas. By 1847 this society had brought more than 7,000 Germans to Texas, most of whom settled in the vicinity of Fredericksburg in what is now known as "Hill Country."⁴ By 1850, German settlers composed 5.4 percent of the population.⁵

Adelsverein Society

An organization that promoted German immigration to Texas in the 1840s

CORE OBJECTIVE

Thinking Critically . . .

How have settlement patterns impacted Texas? Give current examples.



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The Twenty-Eighth State of the Union

Meanwhile, the idea of Manifest Destiny was gaining popularity in the United States. Many in Washington wanted to ensure that Texas and all its lands would be part of this nation, one that would stretch from the Atlantic to the Pacific. Although the diplomatic efforts to bring Texas into the Union were complex, on December 29, 1845, President Polk signed the act making Texas the twenty-eighth state of the Union. When Texas entered the Union, it retained its public debt and its public lands, forcing the U.S. government to purchase all land



MAP 1.1 Compromise of 1850 Present state boundaries are shown along with territory transferred to the federal government as part of this agreement.

that was to be designated as federal. During the Compromise of 1850 (see Map 1.1), when Texas's boundary lines were finally settled, the U.S. government purchased lands that were formerly the west and northwest parts of Texas (now much of present-day New Mexico and parts of Colorado, Wyoming, Kansas, and Oklahoma).⁶

Thus the U.S. flag became the fifth to fly over Texas. But Mexico did not give up easily. Still claiming all of Texas as its own, Mexico had voiced objections to U.S. annexation of Texas and broke diplomatic relations with the United States in early 1845. Moreover, Mexican territory at that time extended as far north as the Great Salt Lake and west to the Pacific, in direct opposition to the U.S. goal of spreading across the whole continent. Crossing the Rio Grande on April 25, 1846, Mexican troops attacked U.S. troops provocatively stationed in a disputed area, leading the U.S. Congress to declare war. The resulting Mexican-American War lasted from 1846 to 1848, ending with a decisive victory for the United States. In the Treaty of Guadalupe Hidalgo (in conjunction with the Gadsden Purchase in 1853), the United States officially gained Texas, California, and all the land between them. However, Texas had entered the Union at a time when the very structure of that Union was becoming tenuous.

The Confederate State of Texas

From 1848 to 1860, settlement increased dramatically, with more and more immigrants coming from

the southern United States and Europe. Increasingly, Texas's economy became tied to that of the southern states and the slave system. These ties were the primary reason Texas seceded from the Union in 1861 and joined the Confederacy. Texas was not among the first states to do so, because its constitutional requirements were more stringent than other southern states, but in the end, the Confederate flag was the sixth national flag to fly over Texas.

Civil War and Reconstruction: A Time of Transition

Learning Objective: Describe the Civil War and Reconstruction in Texas.

The Civil War was a costly and brutal conflict, but Texas was lucky compared to many Confederate states. Politics and geography combined to create that "luck." Oddly enough, the machinations of Napoleon III of France played a role in the war in Texas. France had invaded Mexico in 1861. Napoleon's goal was to set up

a new government in Mexico, with Archduke Ferdinand Maximilian of Austria as emperor, under French protection. Napoleon was openly pro-Confederate but did not want to risk warfare with the United States. Despite the Confederacy's desperate need for French funds and official recognition, events in Europe combined with U.S. threats to keep the French from fully committing to Confederate support. Union General Nathaniel P. Banks, commanding the Army of the Gulf, was ordered to invade Texas, partly as a show of force to discourage French support of the Confederacy and partly to occupy the state. Both of Banks's attempts to do so ultimately failed. Thanks to a complex series of events worthy of the most intrigue-laden novels, Maximilian did eventually become emperor of Mexico (though only for a brief time, and he ended up being executed in 1867 by Mexicans fighting for independence); Banks was relieved of field command; France did not throw her support behind the Confederacy; and Texas for the most part avoided the battles and physical devastation, stemming from invasion and occupation, that affected much of the rest of the Confederacy.⁷ After the war ended in 1865, 50,000 U.S. troops were stationed in Texas, primarily along the border with Mexico to oppose the "French Intervention." However, conflict did not break out between the U.S. and Mexico at that time.

Geography also played a role in limiting Texas's exposure to the ravages of war. A line runs from the Red River to present-day Fort Worth and south through Waco and Austin to San Antonio, and the settlements of Anglo southerners did not extend west much beyond this line. (This line is a natural geological feature, known as the Balcones Escarpment, which separates the Coastal Plains and pine forest regions of Texas from the middle and High Plains regions of the state.) In fact, most areas west of this line were not settled by whites until after the Civil War, for two reasons. First, Native American tribes—Comanche, Lipan Apache, Kiowa, and Tonkawa Indians—already inhabited the region. In the 1850s, the U.S. Army tried to control this region by constructing a series of forts on the edge of the Cross Timbers area. Forts Belknap, Cooper, Phantom Hill, Chadborne, McKavett, and Terrett were part of this plan. During the Civil War, however, the U.S. government abandoned these forts, and the Indian presence in the region reemerged. (Indeed, both Union and Confederate forces engaged in skirmishes with Native Americans in Texas during the Civil War.) Indian domination of the area continued until 1875, when Comanche Chief Quanah Parker was captured in Palo Duro Canyon, near present-day Amarillo. The second geography-related reason settlement was limited was that the dry, arid, treeless plains west of the Balcones Escarpment (Grande Prairie, Cross Timbers, lower plains, and High Plains) were not conducive to the wood, water, and plantation culture that southern Anglos brought with them. (This terrain likewise did not offer bountiful provisions for an invading army trying to live off the land.)

Despite Texas's relative "luck" during the war years from 1861 to 1865, it was the home of some important Civil War events. Foremost among them were the Battle of Sabine Pass and the Battle of Galveston, both fought in 1863. In the former, a small Confederate force prevented a larger Union force, led by General Banks, from moving into Texas. In the latter, Confederate forces on land recaptured Galveston while its naval forces captured the USRC *Harriet Lane*, despite being heavily outnumbered and losing CS *Neptune*. Other noteworthy actions included the Union blockade of the Texas coast, General Henry Sibley's march to El Paso in an attempt to take New Mexico and other federal territories beyond for the Confederacy, and



Battle of Galveston, Harper's Weekly, January 31, 1863

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the final land conflict of the war, the Battle of Palmito Ranch (which took place more than a month after Lee's surrender in Virginia). It is also worth noting that roughly 90,000 Texans served in the war.⁸ Overall, the lives lost in battle and the time and money lost to the conflict were devastating to both Texas and the nation.

In the immediate aftermath of the Civil War, Texas, like many other states of the former Confederacy, found itself deeply in debt and under the military control of the Union army. The era that began in 1865 and was known as Reconstruction had two primary political goals. First, the Union wanted to restore law and order to a society recovering from war and allow Southern states to be readmitted to the Union. Second, the Union sought to finally dismantle the institution of slavery. As historians James M. McPherson and James K. Hogue stated, "No single generalization can encompass the variety of ways in which freedom came to the slaves."⁹ In Texas, Union General Gordon Granger started the process of emancipation on his arrival at Galveston by issuing General Order Number 3 on June 19, 1865. This order informed Texans that "in accordance with a proclamation from the Executive of the United States, all slaves are free." Importantly, it went on to note that "This involves an absolute equality of personal rights and rights of property between former masters and slaves, and the connection heretofore existing between them becomes that between employer and hired labor." This is the origin of the "Juneteenth" holiday in Texas and other states.¹⁰ By the time the Thirteenth Amendment became the law of the land in December 1865, U.S. slavery was outlawed. It would prove more difficult to reunite the country and truly protect the rights of African Americans in the former states of the Confederacy.

Reconstruction's goals created a culture clash between the two major ideological groups in Texas. One group was the dominant Confederate sympathizers (typically southern Democrats) who wanted to maintain the status quo of

society as much as possible. The second group was composed of Union supporters, including Republican “carpetbaggers,” a pejorative term used to describe Republicans who moved to the South to be appointed to political office during Reconstruction, and “scalawags,” an equally derisive descriptor of Southerners who supported Reconstruction policies. During this time, being a Republican in the South essentially came to mean that you were an outsider and could not be trusted by “true” (meaning white) Southerners.

In 1866, Texas adopted a new constitution that abolished slavery, nullified the ordinances of secession, renounced the right of future secession, and repudiated the state’s wartime debt. This constitution was short-lived; it was replaced with another in 1869 as a result of the Reconstruction acts of the U.S. Congress and subsequent military rule imposed on Texas. This alleged “carpetbagger’s constitution” was a drastic departure from other Texas constitutions, past and future (see Chapter 2), and granted African Americans the right to vote while also disenfranchising whites who had participated in the Civil War. Texas formally rejoined the Union in 1870.

Southern Democrats were able to regain control of state government with the election of 1874. The new governor, Richard Coke, called for a convention to write yet another constitution. When Texas adopted its new constitution in 1876, the document demonstrated a strong distrust in the institutions of government and a heavy emphasis on the freedoms and liberties of its citizens. Although it has changed dramatically due to hundreds of amendments over the years, the 1876 constitution remains the outline of our fundamental law for the state of Texas. The Coke administration also marked the beginning of one-party Democratic politics in Texas that lasted about 100 years. Without the legal tools created by the policies of Reconstruction, or the broad political support necessary to win any public office, Republicans began to vanish from the political scene. Democrats were triumphant in Texas.

Post-Reconstruction Texas

Learning Objective: Describe post-Reconstruction Texas.

A state’s economy plays a role in its politics (and vice versa). For most of its history, the Lone Star State has had a **land-based economy**. However, that economy has evolved in the many decades following Reconstruction. Texas is no longer simply a rural state with an economy dominated by cattle, cotton, and oil (although these are still important elements).

Land

Early in Texas’s history, many settlers were lured to the region by offers of free land. The Spanish and, later, Mexican governments provided generous land grants to any family willing to settle in the state. Each family could receive one *sitio* or *legua* (Spanish for “league”), the equivalent of about 4,428 acres of land, and a single person could receive 1,500 acres. By the 1820s it took generous incentives to convince people to settle in Texas, given the hardships of travel and simple survival there. “GTT” (“Gone to Texas”) was a common sign left behind

land-based economy

An economic system in which most wealth is derived from the use of the land