

Chapter 2: Texas Constitutions Test Bank

Multiple Choice

1. When introducing the chapter on the Texas Constitution, the authors describe the majority view of Texans as _____.
- a. wanting an unobtrusive government
 - b. being most concerned with health care
 - c. desiring the state government to defer to the national government on most issues
 - d. supporting increased government power at both the national and state level

Ans: A

KEY: Learning Objective: 2-4: Explain how Texas's current constitution reflects the preferences of Texans today.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: Texas Constitutions

Difficulty Level: Medium

2. In creating a federal system, the founders of the U.S. Constitution were agreeing to _____.
- a. a new fundamental principle of government
 - b. an ancient fundamental principle of government
 - c. a compromise between a confederacy and a unitary form of government
 - d. a replication of the English form of government
 - e. a replication of the structure of most of the state constitutions

Ans: C

KEY: Learning Objective: 2-2: Define federalism and discuss the difficulties in sharing power between the state and national government.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: The Federal System of the United States

Difficulty Level: Easy

3. Which of the following statements is NOT true about the legislative branch of government in the current Texas Constitution?
- a. The legislature is limited to one, 140-day regular session every two years.
 - b. The members of the legislature set their own salaries.
 - c. The powers of the legislature are heavily restricted.
 - d. The legislature is forbidden from imposing a state income tax.
 - e. The legislature is forbidden from passing a bill that contains more than one subject.

Ans: B

KEY: Learning Objective: 2-5: Identify problems with the current Texas Constitution.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: The Current System: The Constitution of 1876

Difficulty Level: Easy

4. The Texas executive branch is called a *plural executive* because _____.
a. the governor shares all executive power with the lieutenant governor
b. the governor has twice as much power as most governors in the nation
c. governors are limited to two terms in office
d. the executive is considered to be the second branch of government
e. the governor shares power with several other officials who are elected separately

Ans: E

KEY: Learning Objective: 2-1: Explain the purpose of a constitution.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: The Current System: The Constitution of 1876

Difficulty Level: Medium

5. All members of the Texas judiciary are _____.
a. appointed by the governor
b. appointed by the governor with the consent of the Senate
c. elected in partisan elections, except in cases of appointments
d. appointed by the governor from a list of approved candidates provided by the Texas Bar Association
e. appointed by the Texas Judicial Commission

Ans: C

KEY: Learning Objective: 2-4: Explain how Texas's current constitution reflects the preferences of Texans today.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: The Current System: The Constitution of 1876

Difficulty Level: Medium

6. The Texas Constitution is sometimes regarded as _____.
a. giving too much power to the executive branch
b. giving too much power to the legislature
c. being too vague
d. providing too little guidance to state government
e. being long and specific

Ans: E

KEY: Learning Objective: 2-4: Explain how Texas's current constitution reflects the preferences of Texans today.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension
Answer Location: Constitutional Government
Difficulty Level: Medium

7. According to the text, the winners under the current constitutional rules tend to be _____.

- a. the people
- b. liberals
- c. big-government advocates
- d. big-business interests
- e. rural interests

Ans: D

KEY: Learning Objective: 2-4: Explain how Texas's current constitution reflects the preferences of Texans today.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: Winners and Losers

Difficulty Level: Medium

8. A mechanism that allows voters to gather signatures on a petition in order to place statutes or constitutional amendments on a ballot is _____.

- a. a referendum
- b. citizen legislation
- c. petitioning the government
- d. an initiative
- e. an advisory petition

Ans: D

KEY: Learning Objective: 2-4: Explain how Texas's current constitution reflects the preferences of Texans today.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: Constitutional Revision

Difficulty Level: Easy

9. The U.S. Constitution restricts government power through the application of all the following EXCEPT _____.

- a. separation of powers
- b. detailed policy provisions
- c. federalism
- d. checks and balances
- e. popular sovereignty

Ans: B

KEY: Learning Objective: 2-1: Explain the purpose of a constitution.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: Constitutional Government

Difficulty Level: Medium

10. All of the following help to define federalism EXCEPT _____.

- a. states having the power to nullify federal laws
- b. the full faith and credit clause of the U.S. Constitution
- c. the requirement that states extradite those convicted or accused of a crime in another state
- d. the privileges and immunities clause of the Fourteenth Amendment to the U.S. Constitution
- e. the Tenth Amendment to the U.S. Constitution

Ans: A

KEY: Learning Objective: 2-2: Define federalism and discuss the difficulties in sharing power between the state and national government.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: The Federal System of the United States

Difficulty Level: Medium

11. Federalism has always generated a great deal of controversy because _____.

- a. the states do not like the federal system
- b. it imposes too many restrictions on the federal government
- c. the actual distribution of powers is not clearly defined in the U.S. Constitution
- d. the founders clearly intended the states to have much more power than they have been granted
- e. the U.S. Supreme Court has been inconsistent in its rulings on federalism

Ans: C

KEY: Learning Objective: 2-2: Define federalism and discuss the difficulties in sharing power between the state and national government.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: The Federal System of the United States

Difficulty Level: Hard

12. According to the text, the most prominent feature of the current Texas Constitution is _____.

- a. its brevity
- b. its distrust of government
- c. a strong executive branch
- d. its efficiency
- e. the fact that it is difficult to amend

Ans: B

KEY: Learning Objective: 2-4: Explain how Texas's current constitution reflects the preferences of Texans today.

TOP: TX Core Objective: CT | SR

REF: Cognitive Domain: Comprehension

Answer Location: The Current System: The Constitution of 1876

Difficulty Level: Medium

13. Which of the following explains the reason for a short, biennial legislative session with low salaries for legislators?

- a. It enables participation by citizen legislators.
- b. It ensures that the legislature will be dominated by people who work for or own businesses that do business with the state or are regulated by the state.
- c. It is a very efficient way to run a legislature.
- d. It is an effective way to meet the needs of Texas today.
- e. It ensures that the legislature is dominated by policy experts.

Ans: B

KEY: Learning Objective: 2-4: Explain how Texas's current constitution reflects the preferences of Texans today.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: The Current System: The Constitution of 1876

Difficulty Level: Medium

14. According to the text, the Texas Constitution is _____.

- a. well written
- b. in need of some minor adjustments
- c. well suited to meet the needs of Texas
- d. badly outdated and should be replaced

Ans: D

KEY: Learning Objective: 2-5: Identify problems with the current Texas Constitution.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: Conclusion

Difficulty Level: Easy

15. States generally prefer that the federal government provide them money in the form of block grants because they _____.

- a. provide the most flexibility in how the money may be used
- b. give the clearest definition of how the money can be used
- c. prohibit the federal government from taking back the money
- d. allow the states to pay back the money to the federal government with no interest
- e. provide more money than other forms of grants from the federal government

Ans: A

KEY: Learning Objective: 2-2: Define federalism and discuss the difficulties in sharing power between the state and national government.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: The Evolving Idea of Federalism

Difficulty Level: Medium

16. According to the U.S. Constitution, _____.

- a. state constitutions supersede federal law
- b. state constitutions are coequal with the federal constitution
- c. federal law supersedes the federal constitution
- d. state law supersedes federal law
- e. the federal constitution supersedes all other state laws and state constitutions

Ans: E

KEY: Learning Objective: 2-2: Define federalism and discuss the difficulties in sharing power between the state and national government.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: The Federal System of the United States

Difficulty Level: Medium

17. All of the following descriptions of power under federalism are correct EXCEPT _____.

- a. the power to tax is a concurrent power
- b. the power to coin money is a concurrent power
- c. the power to select members of the Electoral College is a state power
- d. the power to enter into treaties is a federal power
- e. the power to regulate interstate commerce is a federal power

Ans: B

KEY: Learning Objective: 2-2: Define federalism and discuss the difficulties in sharing power between the state and national government.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: The Federal System of the United States

Difficulty Level: Easy

18. The Defense of Marriage Act involves the federal issue of _____.

- a. whether the states or national government should define marriage
- b. whether the federal government can require every state to recognize same-sex marriages
- c. whether the federal government can use categorical grants to induce the states to provide more support for married couples
- d. whether Congress can release the states from their obligation to honor same-sex marriages performed in other states
- e. whether the states can force the federal government to define marriage as being between a man and a woman

Ans: D

KEY: Learning Objective: 2-2: Define federalism and discuss the difficulties in sharing power between the state and national government.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension
Answer Location: The Evolving Idea of Federalism
Difficulty Level: Medium

19. Which of the following statements is NOT true about the annexation of Texas by the United States?

- a. Many Northerners opposed the annexation of Texas because it permitted slavery.
- b. Britain encouraged annexation.
- c. Texas retained its public lands when it was annexed.
- d. Texas retained its debts when it was annexed.
- e. Prior to annexation, Texas sought international recognition from France.

Ans: B

KEY: Learning Objective: 2-3: Describe the evolution of Texas's previous constitutions and the historical events that influenced them.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: Statehood: The Constitution of 1845

Difficulty Level: Medium

20. All of Texas's constitutions have tended to reflect Texans' _____.

- a. belief in participatory democracy
- b. belief in the principle of including in a constitution only what is necessary for government to function
- c. opposition to inequality
- d. love of strong leadership
- e. opposition to strong government

Ans: E

KEY: Learning Objective: 2-3: Describe the evolution of Texas's previous constitutions and the historical events that influenced them.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Analysis

Answer Location: Texas Constitutions

Difficulty Level: Hard

21. The current Texas Constitution creates a governor who _____.

- a. is very powerful
- b. has a great deal of influence over the legislature
- c. is very weak
- d. is the chief executive of the state
- e. is more powerful than the governors of most other states

Ans: C

KEY: Learning Objective: 2-1: Explain the purpose of a constitution.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: The Executive Branch

Difficulty Level: Easy

22. Which of the following statements is NOT true about Texas's and Connecticut's constitutional provisions regarding religious liberty?

- a. Both constitutions guarantee freedom of worship.
- b. Both constitutions prohibit the government from giving preference to any religious society.
- c. Only Connecticut's constitution prohibits the denial of equal protection of the law based on religion.
- d. Only Connecticut's constitution guarantees the freedom to maintain ministers and teachers.
- e. Both constitutions prohibit religious tests to hold office.

Ans: E

KEY: Learning Objective: 2-4: Explain how Texas's current constitution reflects the preferences of Texans today.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: Texas versus Connecticut

Difficulty Level: Easy

23. Popular sovereignty manifests itself in Texas in which of the following ways?

- a. taxation
- b. election of citizens to state offices
- c. the existence of public education
- d. the development of a vital oil economy

Ans: B

KEY: Learning Objective: 2-1: Explain the purpose of a constitution.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: Constitutional Government

Difficulty Level: Medium

24. All of these are examples of unfunded mandates EXCEPT _____.

- a. No Child Left Behind
- b. the Clean Air Act
- c. the Supplemental Nutrition Assistance Program
- d. the American with Disabilities Act of 1990

Ans: C

KEY: Learning Objective: 2-3: Describe the evolution of Texas's previous constitutions and the historical events that influenced them.

TOP: TX Core Objective: CT | COMM

REF: Cognitive Domain: Application

Answer Location: The Evolving Idea of Federalism

Difficulty Level: Easy

25. The Constitution of _____ marked the era in which Texas was an independent republic.

- a. 1876
- b. 1915
- c. 1866
- d. 1836

Ans: D

KEY: Learning Objective: 2-3: Describe the evolution of Texas's previous constitutions and the historical events that influenced them.

TOP: TX Core Objective: CT | COMM

REF: Cognitive Domain: Analysis

Answer Location: Texas Constitutions

Difficulty Level: Easy

26. The Constitution of 1869 provided for the creation of _____

- a. taxes on roads and bridges.
- b. homeless shelters.
- c. a vibrant arts district in Austin.
- d. tax exemptions for oil barons.

Ans: A

KEY: Learning Objective: 2-3: Describe the evolution of Texas's previous constitutions and the historical events that influenced them.

TOP: TX Core Objective: CT | COMM

REF: Cognitive Domain: Analysis

Answer Location: The Second Reconstruction: The Constitution of 1869

Difficulty Level: Easy

27. In what year was the Texas Constitution amended to guarantee equality regardless of "sex, race, color, creed or national origin"?

- a. 1836
- b. 1972
- c. 1955
- d. 1928

Ans: B

KEY: Learning Objective: 2-3: Describe the evolution of Texas's previous constitutions and the historical events that influenced them.

TOP: TX Core Objective: CT | COMM

REF: Cognitive Domain: Comprehension

Answer Location: Civil Rights in Texas

Difficulty Level: Easy

28. All of these offices are part of the plural executive EXCEPT _____.

- a. land commissioner
- b. governor
- c. Speaker of the House

d. comptroller

Ans: C

KEY: Learning Objective: 2-4: Explain how Texas's current constitution reflects the preferences of Texans today.

TOP: TX Core Objective: CT | COMM

REF: Cognitive Domain: Analysis

Answer Location: The Executive Branch

Difficulty Level: Medium

29. The election of judges opens up the judicial system to the influence of special interests through _____.

a. newspaper editorials

b. campaign contributions

c. impeachment

d. the governor's appointment powers

Ans: B

KEY: Learning Objective: 2-5: Identify problems with the current Texas Constitution.

TOP: TX Core Objective: CT | COMM

REF: Cognitive Domain: Analysis

Answer Location: The Texas Judiciary

Difficulty Level: Medium

30. Low legislative pay may have the following impact on the state legislature: _____.

a. it prevents the election of low-income residents to the House or Senate

b. it encourages the development of career politicians

c. it offers legislators a luxurious salary that insulates them from the concerns of average Texans

d. it undermines redistricting efforts

Ans: A

KEY: Learning Objective: 2-5: Identify problems with the current Texas Constitution.

TOP: TX Core Objective: CT | COMM

REF: Cognitive Domain: Analysis

Answer Location: Criticisms of the Texas Constitution

Difficulty Level: Medium

31. Referendums involve statutes placed on the ballot by the _____.

a. governor

b. citizens

c. state legislature

d. justice of the peace

Ans: C

KEY: Learning Objective: 2-4: Explain how Texas's current constitution reflects the preferences of Texans today.

TOP: TX Core Objective: CT | COMM

REF: Cognitive Domain: Analysis

Answer Location: Constitutional Revision

Difficulty Level: Easy

32. Initiatives are one way to _____.

- a. impeach a governor
- b. elect a judge
- c. dispute property taxes
- d. amend the state constitution

Ans: D

KEY: Learning Objective: 2-4: Explain how Texas's current constitution reflects the preferences of Texans today.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: Constitutional Revision

Difficulty Level: Medium

33. Concurrent powers include all of the following EXCEPT _____.

- a. taxation
- b. defense
- c. establish courts
- d. charter banks

Ans: B

KEY: Learning Objective: 2-2: Define federalism and discuss the difficulties in sharing power between the state and national government.

TOP: TX Core Objective: CT | COMM

REF: Cognitive Domain: Knowledge

Answer Location: The Federal System of the United States

Difficulty Level: Easy

34. The first Supreme Court case that limited segregation in Texas was _____.

- a. *Lawrence v. Texas*
- b. *Plessy v. Ferguson*
- c. *Sweatt v. Painter*
- d. *United States v. Texas*

Ans: C

KEY: Learning Objective: 2-2: Define federalism and discuss the difficulties in sharing power between the state and national government.

TOP: TX Core Objective: CT | COMM | SR

REF: Cognitive Domain: Knowledge

Answer Location: Civil Rights in Texas

Difficulty Level: Easy

35. Where the U.S. Constitution is _____ and _____, the Texas Constitution is _____ and _____.

- a. long and detailed; brief and flexible

- b. brief and flexible; long and detailed
- c. brief and rigid; brief and detailed
- d. long and rigid; brief and flexible

Ans: B

KEY: Learning Objective: 2-1: Explain the purpose of a constitution.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: The Federal System of the United States

Difficulty Level: Easy

36. Where _____ federalism addresses the distribution of power between the national government and the state governments, _____ federalism addresses the distribution of power at the state government level.

- a. vertical; horizontal
- b. horizontal; vertical
- c. concurrent; horizontal
- d. concurrent; vertical

Ans: A

KEY: Learning Objective: 2-2: Define federalism and discuss the difficulties in sharing power between the state and national government.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: The Federal System of the United States

Difficulty Level: Easy

True/False

1. In *Obergefell v. Hodges* (2015), the Supreme Court ruled that states must recognize same-sex marriages.

Ans: T

KEY: Learning Objective: 2-2: Define federalism and discuss the difficulties in sharing power between the state and national government.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Knowledge

Answer Location: Civil Rights in Texas

Difficulty Level: Easy

2. The Texas constitutional framers were motivated by concerns over Mexican tyranny.

Ans: T

KEY: Learning Objective: 2-3: Describe the evolution of Texas's previous constitutions and the historical events that influenced them.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: The Republic of Texas: The Constitution of 1836

Difficulty Level: Easy

3. Extradition guarantees the right of states to external tax income from former citizens of the state for up to a year after they relocate.

Ans: F

KEY: Learning Objective: 2-2: Define federalism and discuss the difficulties in sharing power between the state and national government.

TOP: TX Core Objective: CT | COMM

REF: Cognitive Domain: Analysis

Answer Location: Horizontal Federalism

Difficulty Level: Medium

4. Categorical grants offer states a wide range of discretion for spending federal money.

Ans: F

KEY: Learning Objective: 2-2: Define federalism and discuss the difficulties in sharing power between the state and national government.

TOP: TX Core Objective: CT | COMM

REF: Cognitive Domain: Analysis

Answer Location: The Evolving Idea of Federalism

Difficulty Level: Easy

5. Proponents of devolution argue for state control over policy areas whenever possible.

Ans: T

KEY: Learning Objective: 2-2: Define federalism and discuss the difficulties in sharing power between the state and national government.

TOP: TX Core Objective: CT | COMM

REF: Cognitive Domain: Knowledge

Answer Location: The Evolving Idea of Federalism

Difficulty Level: Medium

6. Low voter turnout may be the result of overwhelmed voters who are outmatched by a constitution that favors the influence of big business.

Ans: T

KEY: Learning Objective: 2-4: Explain how Texas's current constitution reflects the preferences of Texans today.

TOP: TX Core Objective: CT | COMM

REF: Cognitive Domain: Knowledge

Answer Location: Criticisms of the Texas Constitution

Difficulty Level: Easy

7. In *Lawrence v. Texas* (2003), the Supreme Court ruled that outlawing homosexual sex violated the right to privacy.

Ans: T

KEY: Learning Objective: 2-2: Define federalism and discuss the difficulties in sharing

power between the state and national government.

TOP: TX Core Objective: CT | COMM

REF: Cognitive Domain: Knowledge

Answer Location: Civil Rights in Texas

Difficulty Level: Medium

Short Answer

1. Differentiate the vertical and horizontal powers.

Ans: Vertical applies to the relationship between the states and the national government; horizontal applies to the relationship among states.

KEY: Learning Objective: 2-2: Define federalism and discuss the difficulties in sharing power between the state and national government.

TOP: TX Core Objective: CT | COMM

REF: Cognitive Domain: Comprehension

Answer Location: Vertical Federalism

Difficulty Level: Medium

2. The form of government based on the sharing of powers between the national and state governments is _____.

Ans: federalism

KEY: Learning Objective: 2-2: Define federalism and discuss the difficulties in sharing power between the state and national government.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: The Federal System of the United States

Difficulty Level: Easy

3. The Texas Constitution creates a(an) _____ executive.

Ans: plural

KEY: Learning Objective: 2-4: Explain how Texas's current constitution reflects the preferences of Texans today.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Knowledge

Answer Location: The Current System: The Constitution of 1876

Difficulty Level: Easy

Essay

1. Describe and explain the significance of the full faith and credit clause of the U.S. Constitution.

Ans: It requires that court judgments, acts, records and/or legal contracts entered into in

one state will be honored by other states. Its significance is that marriages, divorces, and other legal acts in one state must be recognized and honored in the other states.

KEY: Learning Objective: 2-2: Define federalism and discuss the difficulties in sharing power between the state and national government.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: Horizontal Federalism

Difficulty Level: Medium

2. How is popular sovereignty included in the Texas Constitution?

Ans: The constitution begins by stating that it is written by the people. It includes an elected legislature, many elected executive offices, and an elected judiciary. Voters must approve constitutional amendments.

KEY: Learning Objective: 2-1: Explain the purpose of a constitution.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Analysis

Answer Location: Constitutional Government

Difficulty Level: Medium

3. Define and explain the significance of categorical grants.

Ans: A categorical grant is national money given to states and local governments that must be spent for specific activities. These grants are used by the national government to get the states to enact policies or meet standards Congress wants but which are beyond the scope of federal power.

KEY: Learning Objective: 2-2: Define federalism and discuss the difficulties in sharing power between the state and national government.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: The Evolving Idea of Federalism

Difficulty Level: Medium

4. How did the Constitution of 1845 reflect the experiences of Texans when they had lived under Mexican rule?

Ans: Women were granted property rights, and homestead provisions protected personal homes from being forfeited for debt. Also, the constitution provided a guarantee against imprisonment for debt.

KEY: Learning Objective: 2-3: Describe the evolution of Texas's previous constitutions and the historical events that influenced them.

TOP: TX Core Objective: CT | SR

REF: Cognitive Domain: Comprehension

Answer Location: Statehood: The Constitution of 1845

Difficulty Level: Medium

5. What are the major criticisms of the current Texas Constitution?

Ans: It has too many specific policy provisions, the length continues to grow (at already

approximately 87,000 words), and it creates a government that is too weak to carry out its responsibilities in modern Texas.

KEY: Learning Objective: 2-5: Identify problems with the current Texas Constitution.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: Criticisms of the Texas Constitution

Difficulty Level: Easy

6. Why did the authors of the current Texas Constitution want to place strong limits on the Texas government? Discuss the ways in which they accomplished this goal.

Ans: Answers may vary. Students should describe the circumstances of the writing of the current constitution, in particular the experience of losing the Civil War and having to live under the Reconstruction regime of E. J. Davis, forced on them by the national government, which did not represent most Texans' preferences. They should discuss the strong civil liberties provisions, including the fact that habeas corpus cannot be suspended, as limitations on the government. They should identify the various limitations on the legislature. These include biennial sessions of 140 days, low salaries, and numerous restrictions on the subjects of legislation, particularly the restrictions on taxing. The limitations on the executive should also be discussed, including the plural executive. The fact that the original constitution gave the governor a two-year term and limited the number of terms a governor could serve can be mentioned, although it is not crucial since these provisions have been changed. The numerous policy provisions in the constitution should also be mentioned.

KEY: Learning Objective: 2-4: Explain how Texas's current constitution reflects the preferences of Texans today.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Application

Answer Location: The Current System: The Constitution of 1876

Difficulty Level: Medium

7. Discuss how federalism is manifested in the U.S. Constitution. How is power divided, and how are relationships among the states defined? Why has the relationship between the states and the national government been so unstable?

Ans: Answers may vary. The various categories of powers should be defined and described. These would include delegated powers, reserved powers, and concurrent powers. The relationships among the states should be described in terms of the full faith and credit clause of the Constitution, the privileges and immunities clause of the Fourteenth Amendment, and the constitutional requirement for extradition. The instability in the relationship between the states and the national government can be explained by the vagueness of the Constitution and the seeming contradiction between the national supremacy clause of the Constitution and the reserved powers clause of the Tenth Amendment to the Constitution.

KEY: Learning Objective: 2-2: Define federalism and discuss the difficulties in sharing power between the state and national government.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: The Federal System of the United States

Difficulty Level: Medium

8. How common have amendments to the Texas Constitution been? How does the number of amendments to the Texas Constitution compare to the number of amendments in other states' constitutions, and what are the major criticisms of the amendment process?

Ans: Answers may vary. The Texas Constitution has been amended 491 times, making it one of the most frequently amended state constitutions in the Union, and ratification votes come frequently. Ratifications most often occur in odd-numbered years, in a special election that seldom coincides with any other state elections. Turnout is thus quite low, substantially lower than in other state or federal election years. Low voter turnout raises questions about popular sovereignty, an especially salient concern considering that amending the state constitution can change substantially the powers of government.

KEY: Learning Objective: 2-5: Identify problems with the current Texas Constitution.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Application

Answer Location: Criticisms of the Texas Constitution

Difficulty Level: Medium

9. Does the supremacy clause make the reserved powers irrelevant? Why or why not?

Ans: Answers may vary depending on the student's perspective and any additional examples discussed in class.

KEY: Learning Objective: 2-2: Define federalism and discuss the difficulties in sharing power between the state and national government.

TOP: TX Core Objective: CT

REF: Cognitive Domain: Comprehension

Answer Location: The Federal System of the United States (Vertical Federalism)

Difficulty Level: Medium

10. Under what conditions might the implied powers conflict with reserved powers?

Ans: In any situation in which the national government is attempting to fulfill its enumerated powers, there may be conflict.

KEY: Learning Objective: 2-2: Define federalism and discuss the difficulties in sharing power between the state and national government.

TOP: TX Core Objective: CT | COMM

REF: Cognitive Domain: Analysis

Answer Location: Vertical Federalism

Difficulty Level: Medium

11. How might the issue of same-sex marriage be affected by the full faith and credit clause?

Ans: Answers may vary.

KEY: Learning Objective: 2-2: Define federalism and discuss the difficulties in sharing power between the state and national government.

TOP: TX Core Objective: CT | COMM

REF: Cognitive Domain: Analysis

Answer Location: Horizontal Federalism

Difficulty Level: Medium

12. Offer at least two examples of why full faith and credit is important for contemporary relationships between states.

Ans: Answers may vary. Examples could include business or marriage contracts.

KEY: Learning Objective: 2-2: Define federalism and discuss the difficulties in sharing power between the state and national government.

TOP: TX Core Objective: CT | COMM

REF: Cognitive Domain: Analysis

Answer Location: Horizontal Federalism

Difficulty Level: Medium

13. Why might the federal government want to issue categorical grants over block grants?

Ans: Answers may vary.

KEY: Learning Objective: 2-2: Define federalism and discuss the difficulties in sharing power between the state and national government.

TOP: TX Core Objective: CT | COMM

REF: Cognitive Domain: Application

Answer Location: The Evolving Idea of Federalism

Difficulty Level: Easy

14. What common elements can be found in each of the Texas constitutions from 1836 to 1876?

Ans: Answers may vary: They should include individual rights and distrust of government and demonstrate the extent to which Texas's previous constitutions have contributed to the state's current constitution.

KEY: Learning Objective: 2-3: Describe the evolution of Texas's previous constitutions and the historical events that influenced them.

TOP: TX Core Objective: CT | COMM

REF: Cognitive Domain: Analysis

Answer Location: Texas Constitutions

Difficulty Level: Medium

15. What are the major criticisms of the current Texas Constitution?

Ans: Answers may vary. They should include the plural executive, low legislative pay, and the election of judges.

KEY: Learning Objective: 2-5: Identify problems with the current Texas Constitution.

TOP: TX Core Objective: CT | COMM

REF: Cognitive Domain: Analysis

Answer Location: The Current System: The Constitution of 1876

Difficulty Level: Easy

16. Discuss the problems with devolution. How might devolution create inequity?

Ans: Answers may vary.

KEY: Learning Objective: 2-2: Define federalism and discuss the difficulties in sharing power between the state and national government.

TOP: TX Core Objective: CT | COMM

REF: Cognitive Domain: Analysis

Answer Location: The Evolving Idea of Federalism

Difficulty Level: Medium

17. How have the various state constitutions impacted the lives and rights of African Americans in Texas?

Ans: Answers may vary. They should include slavery, voting rights, segregation, and education.

KEY: Learning Objective: 2-4: Explain how Texas's current constitution reflects the preferences of Texans today.

TOP: TX Core Objective: CT | COMM | SR

REF: Cognitive Domain: Analysis

Answer Location: Civil Rights in Texas

Difficulty Level: Medium