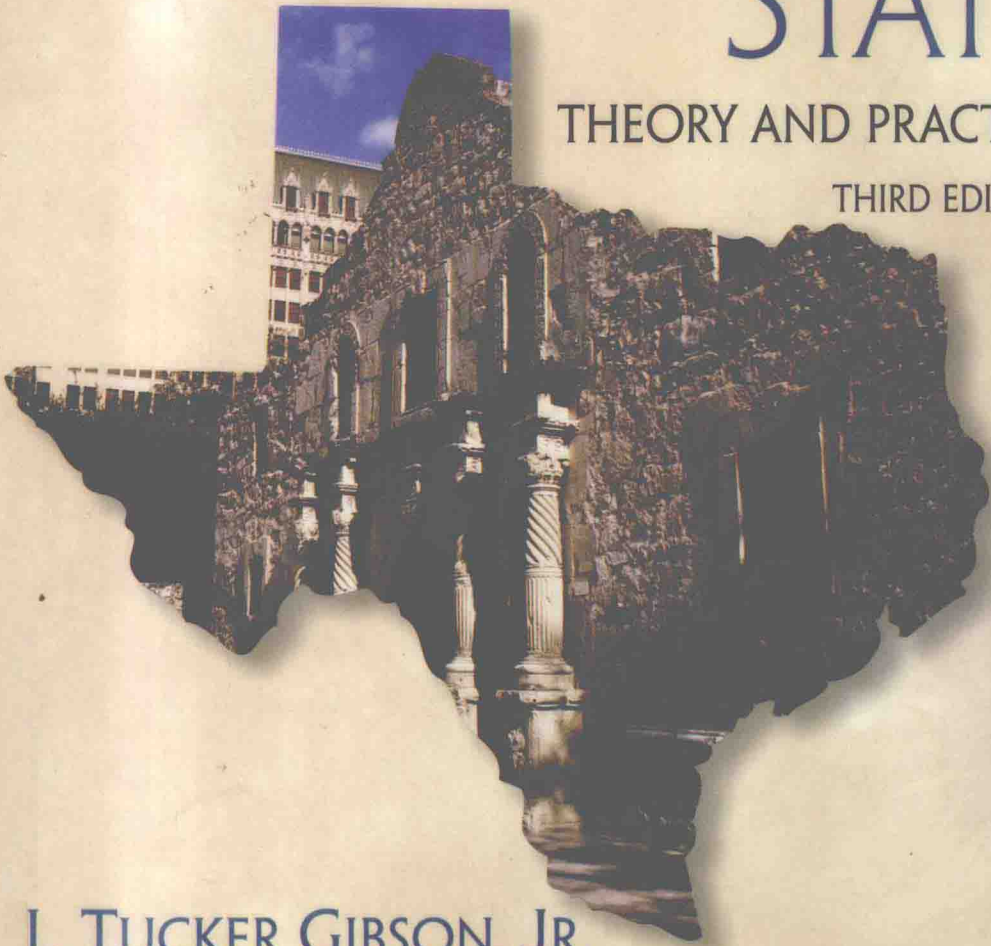


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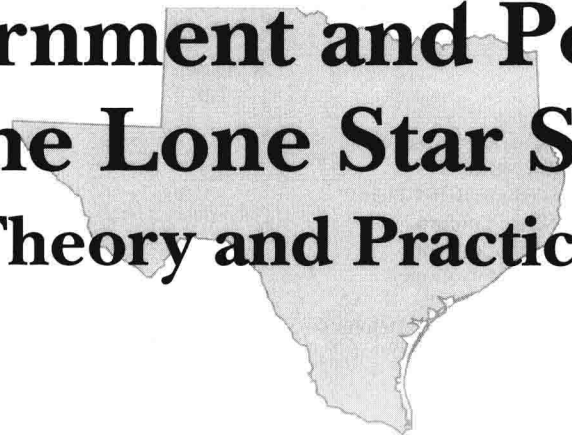
THIRD EDITION



L. TUCKER GIBSON, JR.
CLAY ROBISON

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**Government and Politics
in the Lone Star State
Theory and Practice**



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Trinity University

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To Trevor Scott Duff (1997–1998), my grandson, who
in his short life gave my family such joy. Unlike
some whose lives are epics, yours was a haiku.
L. Tucker Gibson, Jr.

To Roxanne, Taylor, and Adrian, and also to my father,
Eugene L. Robison, who writes from the heart.
Clay Robison



There is no way around it. Often discussed but seldom praised, government plays a major role in molding the quality of our lives. Such vital, everyday basics as the purity of the air we breathe, the water we drink, and the food we eat are determined by levels of governmental action or inaction. So are the safety of our streets and neighborhoods and the quality of our schools. Governmental regulatory practices help set the price we pay for telephone service, and tax policies help determine how much we pay for gasoline, clothes, jewelry, and most other commodities. Government even tells us we must wear seatbelts when we drive around the block.

To understand government and how its laws and policies affect us, we have to understand the principles upon which it is based and know something of the theories behind political behavior. But government is more than a set of principles and theories. Government is alive. It is people bending and changing the rules to meet changing conditions.

The subject of this book is Texas government and its relationship to the people it serves and to the federal and local governments that form the American political system. In the following chapters, we will attempt not only to outline the principles and theories upon which state government is built, but also to discuss their practical applications and misapplications in anecdotal material drawn from actual events.

We will present a great deal of information about the structure and functions of political and governmental institutions so as to provide the reader with the basic data and tools necessary to understand how these institutions are supposed to work. And we will weave through this material our assessments of how these institutions really work, because theory and reality often are not the same. Our purpose is not to train you to be a political scientist, but to assist you in a lifelong journey in civic education, whereby you can develop the concepts, skills, and behaviors necessary to make political and governmental institutions more responsive to your needs, interests, and expectations.

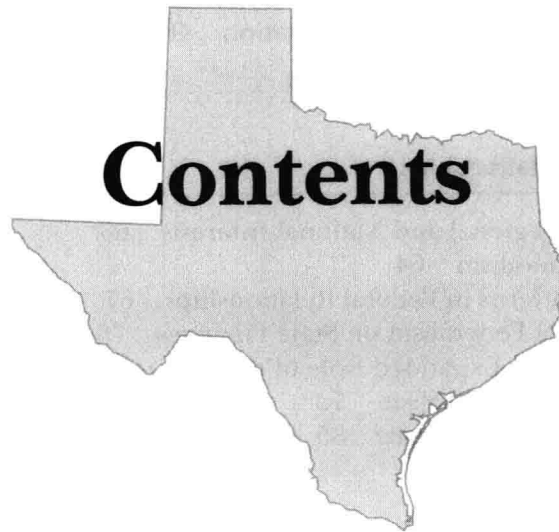
comptroller's information service staff; and Kathy Staat and other Senate Media Services staffers.

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CHAPTER ONE

The Social and Economic Milieu of Texas Politics



I wasn't born in Texas, but I got here as soon as I could.

I'm from Texas. What country are you from?

Bumper stickers seen on cars in San Antonio

The rural frontier society characterized by the cowboy is long gone. The Oil Patch, where wildcatters and roughnecks prevailed, has been replaced by the Silicon Prairie, “where venture capitalists and software engineers roam.”¹ But Texas still has a rugged, bigger-than-life mystique that annoys or amuses many non-Texans. In many subtle and not-so-subtle ways, Texans manifest this historical legacy in their speech, their “can-do” attitude, their celebration of their “Texan-ness,” and their actions. But it hardly offers Texas and Texans immunity from the host of nagging, down-to-earth problems that confront most states on the threshold of the twenty-first century. While most of these problems are not new, they have become increasingly important for Texas as it adjusts to a changing economy, a changing society, and a changing political landscape.

To many Texans, government is almost an abstract institution, an anonymous bureaucracy represented by some famous names in the headlines and familiar faces on the six o'clock news. Many distrust government—a traditionally strong sentiment in Texas—and hope it interferes with their lives as little as possible. But, like most Americans, Texans also assume there will be potable water flowing through their kitchen taps, streets and highways on which to drive their cars, public schools to which they can send their children, parks for family outings, and police officers to help protect their lives and property.

Obviously, we all have a stake in what governments do, because these institutions have a daily impact on our livelihoods and our quality of life. We pay taxes for

a multitude of programs and services and would like to feel that the benefits we receive are worth what we are paying. The only time many people get excited or concerned about government, however, is when it fails to meet their demands or expectations. Moreover, many individuals don't know much about their state and local governments—the governments directly responsible for essential daily services. Such indifference and ignorance can be harmful to the people's interests, particularly today, when Texas is in a critical period of change that will determine what kind of state it will be for years to come and, consequently, how well or how poorly the public's needs will be met.

The 1980s were a tumultuous period of economic boom and bust for Texas. High prices on oil and natural gas had put the state's economy in overdrive during the 1970s and early 1980s, but world energy prices plummeted in the mid-1980s, precipitating a major recession. Texas was also battered by numerous bank and savings and loan failures, and many of the state's major financial institutions were reorganized. The real estate industry also went bust during the last part of the 1980s, and foreclosures on buildings and property escalated. There was little new commercial or residential construction in the final years of the decade, and many support industries were forced into bankruptcy. It was during this period that the state's economy underwent significant diversification, which contributed to economic recovery in the early 1990s.

Throughout the remainder of the 1990s, the Texas economy continued to expand and outperform the national economy. Technology has replaced energy as the state's largest employer, and Texas leads the nation in exports to Mexico. Three of the nation's ten largest cities are located in Texas, and the state is the second largest in terms of total population. But with all these changes, major problems still persist.

PERPETUATING AN IMAGE

New York native Elliott Naishtat moved to Texas as a young Vista volunteer while fighting the war on poverty in 1967. He stayed in his adopted state and eventually won election to the Texas House of Representatives over an opponent who ran campaign ads that asked Austin voters, "Do you want a liberal social worker from New York City?"

Even after he was elected, Naishtat's New York roots occasionally prompted some ribbing from his native Texan colleagues, but he enjoyed enough success in the Texas statehouse that the *New York Times Magazine* published an article on him as he began his fourth term in 1997. The article was accompanied by a photograph of Naishtat dressed in a business suit, which he normally wears, and waving a Stetson, which he doesn't. Like millions of other Texans, in fact, Naishtat doesn't even own a Stetson and had to borrow one for the photo.

"They also wanted me to wear a bolo tie. I said, 'No way,'" Naishtat chuckled. The legislator said the magazine staged the stereotypical photo "for fun," but it perpetuated a largely mythical image of Texas that won't disappear.

Source: New York Times Magazine, January 26, 1997, p. 13.

CHALLENGES OF THE 1990s

Sustained population growth, the continued transformation of the state's economy, environmental and water problems, and increased demands for governmental services pose tremendous challenges to the resources, capabilities, and the very structure of Texas government. The demographic characteristics of the state's population are also changing, as racial and ethnic minority groups increase in size and the population ages. Although wealthy school districts have been forced to share revenue with their poor neighbors, inequities in public education still persist and pose a significant challenge for developing a workforce that can compete in the global economy. Despite an unprecedented prison construction program and a decline in crime rates, many Texans still live in fear of crime. The lingering effects of the 1980s recession and high rates of unemployment or underemployment in some areas of the state, the influx of immigrants from Mexico, an aging population that requires long-term nursing care, and changes in the federal welfare laws have forced local governments across the state to develop more effective and efficient means for assisting low-income populations. Finally, the state's population growth has aggravated environmental problems that affect the health and well-being of everyone.

These problems and issues are the ingredients of contemporary Texas politics. They reflect the fundamental conflicts between competing interests and the way Texans decide "who gets what, when, and how."² Government is the system that we have developed to structure conflict, develop an orderly and stable process by which competing interests can be expressed, and, finally, decide who will benefit and who will pay the bill.

As we begin our analysis of Texas government and politics, we ask why Texans and their public officials make the political choices they do. Why, for example, do expenditures for public education rank low in comparison to other states? How do we account for Texas's highly regressive tax system? Why are Texans so willing to fund the construction of highways and roads while letting their state rank near the bottom of all the states in expenditures for public welfare?³

These policy issues are directly linked to a variety of other questions about government and the political system. Texas functions under a state constitution that most scholars agree is obsolete, but when Texans had an opportunity to adopt a modern constitution, they refused to do so. Why are Texans content to amend the present charter on a piecemeal basis? Why, until recently, was Texas a one-party Democratic state, and what explanations can be given for the development of two-party politics? How do we explain a long legacy of racial discrimination? And what factors have forced changes in the relationships among the state's ethnic and racial groups? Does a small group of powerful individuals make the primary policy decisions of the state, or are there various competing centers of power? Many argue that special interests dominate state and local government, subordinating the public interest. Is this true? Have bitter, mudslinging political campaigns contributed to the public's loss of confidence in government and elected officials? Do Texans feel that they are paying more but getting less for their tax dollars?

Most of these issues personally affect Texans. They pay the costs, even though they may not receive the benefits of every policy decision. The actions and decisions of governmental leaders can have an immediate and direct effect on people's lives, and, from time to time, those holding positions of power have made decisions that have cost Texans dearly. For example, the disastrous performances of savings and

loans and banks in Texas in the 1980s were the result, in large part, of the failure of state and federal governments to regulate the financial industry adequately.

Each generation has to address fundamental questions of the role of government, the relationship of the people to that government, and what can be done to make government more responsive and responsible. When one hears or reads of many of the contemporary policy debates, there is a real sense of *déjà vu*—we have seen these problems and issues before. Funding of public education, a major problem in the 1990s, was also an issue during the Texas revolution of 1836, the Reconstruction era after the Civil War, and throughout much of the state's history. There are also new issues, such as the regulation of genetic engineering, the changing international economy, the environment, the health and social problems posed by AIDS, and an aging population. But many of today's issues are enduring issues of government and politics.

The fundamental problems in the social, economic, and political structure of the state require new solutions. Funding public education in the days of the one-room schoolhouse was one thing. Funding today's educational system in a way that provides equity among the state's 1,000+ school districts is an entirely different matter.

The demographics, or population characteristics, of the state have changed dramatically since the 1940s, when Texas was still predominantly rural. Texas is now an urban state with urban problems. With an estimated population of 19.3 million, Texas is now the nation's second most populous state. Its ethnic and racial composition has changed, and it is also home to a large number of individuals who were born and reared in other parts of the United States or outside the country—people who have a limited sense of Texas history and politics. While oil and natural gas are still important to the state's economy, economic diversification is the dominant theme promoted by business leaders, government officials, and economists.

Changes place heavy demands on the state's governmental institutions, and there is increasing evidence that many of these institutions are incapable of responding adequately. As Texans face the challenges of the twenty-first century, in which change will be further accelerated, they will need to give increased attention to modernizing and adapting government to these new realities.

This chapter will introduce you to the people of Texas, the views they have of themselves, the state's political subcultures, and its economy. We refer to these factors generally as the *political environment*, a concept developed by political scientist David Easton to refer to the milieu, or context, in which political institutions function.⁴

THE MYTHS OF TEXAS'S POLITICAL CULTURE

Although most Texans have only a cursory knowledge of their state's governmental institutions, political history, and contemporary public policy, they do have views—often ill-defined—of the state, its people, and its culture. Key elements of these views, shared by millions of Texans, are described by some scholars as *political myths*.

In recent years, serious scholarship has focused on myths as ways to assess the views people have of their common historical and cultural experiences. A myth can be regarded as a “mode of truth . . . that codifies and preserves moral and spiritual values” for a particular culture or society.⁵ Myths are stories, narratives, or phrases that are used to describe past events, explain their significance to successive generations, and provide an interpretive overview and understanding of a society. Myths pro-

vide a world picture or, in this case, a picture of the state of Texas. The relevance of a myth depends, in part, on the degree to which it approximates the events it is describing.

Texas has produced its own *myth of origin*, which continues to be a powerful statement about the political system and the social order on which it is based. For many Texans, the battle of the Alamo clearly serves to identify the common experiences of independence and the creation of a separate, unique political order.⁶ No other state was a **republic** prior to joining the Union, and several scholars argue that independence and “going at it alone” from 1836 to 1845 resulted in a cultural experience that distinguishes the Texas political system from that of other states. A whole set of heroes came out of the formative period of Texas history, including many who fought and died at the Alamo or secured Texas independence on the San Jacinto battlefield. Texas schoolchildren are introduced to these heroes at a very early age with field trips, or rather “pilgrimages,” to the Alamo in San Antonio and visits to the San Jacinto monument in Houston.

The Texas mythology also includes the Texas Ranger and the cowboy. There is considerable lore of the invincible, enduring ranger defeating overwhelming odds. Nineteenth-century newspapers and dime novels introduced readers throughout the United States to the cowboy, who was often portrayed as an honest, hardworking individual wrestling with the harsh Texas environment. The cowboy’s rugged individualism, with strong connotations of self-reliance, symbolizes a political culture in Texas that doesn’t like to look to government as a solution to many problems.⁷ It is the kind of individualism that continues to be exploited by political candidates in campaign ads and by the state legislature in order to limit appropriations for welfare, health care, and other public-assistance programs.

The frontier to which the Texas Ranger and the cowboy belong is part of a cul-



The dime novel helped to create the myth of Texan individualism by popularizing and exaggerating the image of the cowboy.



Texans rally in Austin in celebration of the birthday of Martin Luther King, Jr., which is now a national and a state holiday.

tural myth of limited government and unlimited personal opportunity. The Texas frontier experience also perpetuates the myth of “land as wilderness and land as garden.”⁸ This myth emphasizes a need to dominate, control, and subdue the land, and it shapes many of the contemporary attitudes toward land use in Texas.

The Texas myths, however, have been primarily the myths of the white “Anglo” population and have little relevance to the cultural and historical experiences of many African-American and Hispanic Texans. From the 1840s to the mid-1960s, these groups were excluded from full participation in Texas politics and the state’s economic and social life. To many Hispanics, for example, the Texas Ranger is not a hero, but a symbol of ruthless suppression.

Over the past twenty years, African Americans and Hispanics have made significant political and economic gains. Their share of the population has also been increasing at a faster rate than that of Anglos, and they are expected to comprise a majority of the state’s population after the first quarter of the twenty-first century.

As this shift occurs, Hispanic and African-American historical experiences are likely to be incorporated into the mythology of the state, and some components of the mythology will be redefined. These revisions may already be underway, as demonstrated by recent heated debates over what actually took place during the battle of the Alamo. According to newly published accounts, some of the Alamo’s heroes surrendered to Mexican soldiers and were executed, rather than fighting to the death. African Americans in Texas have been successful, after several years of trying, in getting the legislature to make Martin Luther King, Jr.’s birthday a state holiday. And, for Hispanics, the *Cinco de Mayo* celebration speaks to common cultural and historical experiences.