

## **POLS 2306 UNIT 1—HISTORY—TEXT**

What is a State? In today's world, the system we have of independent countries, or states, evolved from the political developments of Early Modern Europe, as the Middle Ages were ending.

In that era, it was confusing to figure out the ultimate earthly authority over lands and peoples. Kings and emperors claimed authority, but so did dukes, counts, and other nobles, as well as religious figures in the Catholic church, like Bishops and Archbishops.

Here we see the Holy Roman Empire, most of which constitutes Germany today, which was divided into kingdoms, dukedoms, counties, territories ruled by Bishops and Archbishops (like the Archbishopric of Trier, here), as well as a few self-governing cities, like Frankfurt. The families or dynasties that ruled these lands held a lot of power, even though they were technically under the Emperor.

The Emperors were from the House of Hapsburg, a Catholic Dynasty, and along with the Pope, who also claimed authority over all Catholic countries, wanted to reduce the growing influence of Protestantism which had taken hold in northern German lands, as well as the Netherlands, Denmark, Sweden, and Bohemia (today the Czech Republic).

In the early 17<sup>th</sup> century, Ferdinand II, a Catholic Hapsburg, became Emperor. In addition to being Emperor, he directly ruled the Hapsburg family lands as the Archduke of Austria, the King of Hungary, the King of Bohemia, and several other titles. He ended the toleration of Protestantism in Bohemia, which touched off a rebellion by Bohemian nobles, and eventually the 30 Years' War, the worst wartime butchery in Europe until the World Wars. The war involved multiple Protestant and Catholic armies of nobles inside the Holy Roman Empire, as well as states outside the Empire, like Denmark, Sweden, and France (a Catholic country that actually fought alongside the Protestant forces).

The Treaty of Westphalia that ended the war in 1648 left the Holy Roman Empire technically intact, as well as the confusing mass of 300 territories ruled by different dynasties, nobles, churchmen, and sometimes municipal self-government. However, one major point it established was that the local rulers had the final say over which religions would be tolerated in each of the little "statelets." This was the origin of state sovereignty: the rule that neither other states nor non-state entities like the Catholic Church, the Holy Roman Empire (or the IMF, World Bank, or United Nations, for that matter) have the right to interfere with the internal actions or policies of the government of an independent state without that government's permission. Of course this rule is certainly violated around the world, but according to the doctrine of state sovereignty, such violations are the equivalent of an act of war.

In the history of the United States, the Articles of Confederation presents a comparable to the Holy Roman Empire. Each of what had been the Thirteen British colonies now considered itself an independent state, with all of the rights of state sovereignty. [Go through states, and lands they claimed in the West]. Under the Articles of Confederation, the government of the United States, as a whole, hardly had any more legitimate power over the thirteen states than the Holy Roman Emperor did over the Duke of Bavaria or the Archbishop of Trier. Thirteen disunited and often quarrelsome states were vulnerable to foreign powers and even the possibility of wars amongst themselves over their western land claims, to say nothing of the inability of the weak national government to promote the development of a new nation. The strong federal system created by the constitution would help overcome these problems, and established the United States as a single independent sovereign state,

even while the constituent units were also still called “states,” though no longer independent or sovereign.

Half a century later, Texas, which had been part of the Mexican State, won its independence and became a sovereign, independent state in the Texas Revolution of 1836. The United States recognized Texan independence in 1837, and France became the first European country to do so two years later. After nine years, Texans decided to give up their independence and sovereignty, and join the other 27 states to become a part of the US. Today, both Germany and the United States have strong federal systems, and their constituent units carry the label of “states” (in English, “Länder” in German), but according to the international system of states, Texas, California, New York, or German states like Bavaria or North Rhine-Westphalia are not truly sovereign independent states. The United States government and the German Federal government have ultimate legal control over the territories of their respective “states” and “Länder”.

## **POLS 2306 UNIT 2—HISTORY—TEXT**

### **Texas Origins—Texas Political History**

Sam Houston, from Tennessee, a commander in the Texas Revolution who was elected president of Texas in 1836, was a Democrat and a strong supporter of Andrew Jackson, a notorious president who was famous for his populist and nationalist policies. The Democrats considered themselves the party of the “common man,” but in the early to mid 1800s, were a very different party than the democrats of today. While they advocated the expansion of voting rights to all white men, the Democrats under Andrew Jackson were also in favor of a hands-off approach to government and quite limited powers for the federal government. In the 1800s, it was the Republican Party that stood in opposition to slavery—many were abolitionists.

But the Democrats didn’t have a stronghold in Texas during its time of independence. From 1836-1845, the state of Texas had relatively low influence from political parties.

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Politics in the republic of Texas were not driven by political parties in the same way that the United States was at the time—or today. In fact, coming straight out of a revolutionary war that produced great heroes, the fledgling Texas government and its elections were driven more by personality than by political party. The most prominent political leaders at the time were men like Stephen F. Austin, a Virginian who led the settlement of Texas, Sam Houston, Juan Seguin, and Mirabeau Lamar, heroes of the revolutionary war, and Lorenzo de Zavala, a doctor from the Mexican Yucatan who became Texas’s first vice-president. Texans seemed to prefer electing prominent figures from the struggle for independence, rather than dividing themselves along party lines.

This is somewhat reflective of the early days of the United States as well. While it didn’t take long for political parties to form and become a major factor in American government, the earliest leaders of the American political system were heroes in America’s struggle for independence, like General George Washington and statesmen Thomas Jefferson and John Adams.

The earliest election campaigns in Texas got very personal, with opponents often slandering one another’s character, rather than focusing on policy positions.

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Once Texas became a state of the United States in 1845, the Democratic Party became dominant, as it was in much of the south at the time. The Democratic Party was the party of slaveholders, and the political leaders in Texas during its early years of statehood were actively vocal in support of slavery.

While there was some competition from the Whig party, which dissolved by the late 1850s, the Whigs had very little success in the strong slaveholding state of Texas. The period of the 1850s ushered in an era in which the Democratic Party would have a stronghold in Texas for decades to come, with only a few exceptions.

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While the Democratic Party controlled all major offices during the time of the civil war, there was significant disagreement within the state of Texas and the political leadership over whether to secede

from the Union and join the Confederacy in the Civil War. Sam Houston, the former president of the Republic of Texas who served as a Democratic senator from the state for over a decade strongly opposed secession from the Union. He was elected Governor of Texas as an Independent in 1859, abandoning his Democratic allegiance, in order to challenge the issue of secession.

The democratic majority remained strong in Texas in the period leading up to the Civil War, and after the election of Abraham Lincoln in 1860, Texas seceded from the union, with overwhelming support from the democratic state legislature and the voters themselves.

The dominance by the Democratic party experienced a brief interruption after the Civil War, during Reconstruction a period of occupation by the US army to enforce the policies of the reconstruction era, like the abolition of slavery and extension of voting rights to people of color. Many Democratic Texan officials who had supported secession in 1861 were barred from politics, and Republican Party members were able to take control in Texas. Republicans, the party of the north, took many positions of power in Texas in the reconstruction era. The new constitution of Texas, created by these Republican reconstructionists, centralized significant power in the office of the governor. The republicans always won a majority in the houses of the state legislature, and the state was dominated by Republicans from 1867 to 1874.

However, at the end of this period, Texas Democrats mounted a successful challenge to the Reconstruction Republicans. Democrats won all of Texas's seats in the U.S. House of Representatives in 1872, and the Republican governor lost his reelection bid in a landslide against a Democratic challenger, returning Texas to democratic control, and leading to a new constitution, written in 1876, which still governs Texas today.

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From the period of 1874-1994, Texas was a stronghold for the Democratic party. Every governor elected in Texas was a Democrat from 1874 to 1978. Animosity towards Reconstruction Republicans, whose brief rule had been enforced by the Federal armed forces, was the driving force behind the era of Democratic party dominance.

There were still divisions among Texas Democrats. Disagreement over the New Deal policies of President Franklin D Roosevelt in the 1930s caused some dissatisfaction among conservative democrats in the south who favored the limited government strategy of the Andrew Jackson days. Then, these divisions in the party broke out more starkly in the era of the civil rights movement, when southern democrats who were vehemently opposed to civil rights and desegregation clashed with liberals in the party who supported civil rights. Texas remained mostly controlled by democrats through the civil rights era, but the landscape was changing.

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By the 1980s and 1990s, the complete control of Texas by democrats was beginning to fall apart. Republican senators and representatives began to defeat democratic ones. The Republican party was shifting as well, becoming the party of business and of the south, rather than the party of civil rights and northerners that it was in Lincoln's time.

In 1990, the last democratic governor of Texas, Ann Richards, was elected, and her defeat by George W Bush 1994, a republican from New England, ended the reign of the Democratic party in Texas. Since that time, democrats have not won a single state-wide election, and have become a minority in the state legislature.

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While Republican dominance over the state of Texas certainly prevails as of 2017, the landscape may change. Many democratic candidates have started political campaigns in the wake of the 2016 election of Republican Donald Trump as president of the US, indicating an emerging support for more competition in the state of Texas.

In addition, changing demographics in the state may affect partisan support in the state. With growing Hispanic populations, the state may develop a stronger level of support for Democrats.

But even as Texas is considered a “Red State” and a Republican stronghold, the state might not be as right-wing as some might have you believe. Texas is, in fact, more of a “purple state.” In the 2016 election, more than 43% of Texans voted from Democratic candidate Hillary Clinton, and another 5% of Texans voted for candidates in third parties or independent candidates. While Republicans do hold a slim majority in the statewide electorate, the state may be more competitive than you might imagine, and the competition is only likely to grow over time.

## **POLS 2306 UNIT 3—HISTORY—TEXT**

### **Political Culture—Cowboy Culture & the Wild West**

Texas political culture today is influenced by history in every way. From the industries that flourish in Texas, to the kinds of political candidates we like to elect, to the attitude of our citizens and voters, our history of cowboy culture has stayed with our state. Texas was central to the notion of Manifest Destiny, which was the 19<sup>th</sup> century idea that the United States must expand to span from the Atlantic Ocean to the Pacific. When Texas was annexed, the United States came that much closer to the goal of Manifest Destiny.

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The early days of westward expansion were when settlers crossed west of the Mississippi river into lands not previously settled by European-Americans. These new territories often had Native American populations who were hostile to newcomers settling in their lands, and there was a dearth of any type of formal government or social structure, requiring independence and self-reliance. There were few formal institutions that could resolve disputes between settlers, so settlers themselves had to devise ways of settling arguments.

This gave rise to a culture of conflict, and the frequent use of force: outlaws versus sheriffs, cowboys versus Indians, and vigilante justice. The Old West is often idealized in popular culture, from John Wayne movies of the mid 1900s to modern shows such as West World. The creation of the image of “the West” and the rugged cowboys that settled it, is part of the mythos of Texas and the entire United States.

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Cowboy culture is a combination of several different cultures. Mexican and Hispanic influences on cowboy culture are heavy, including the clothing, food, and even the values and attitudes, which were important to Texas from its time as a Mexican state. Cattle ranching was originally a Spanish and Mexican tradition.

As cowboy culture evolved, the settlers and cowboys of the Texas frontier had to innovate and create new technologies and techniques. Some of these include what is now recognized as a Western saddle, with a horn for a lariat. The invention of barbed wire and the six shot revolver hand gun were also inventions of the time that accompanied the spirit of the frontier. When settlers and cowboys in Texas had problems, they were on their own to devise solutions through invention, innovation, and trial-and-error. This contributed to the individualistic culture that emerged in Texas.

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Everything from music to stories to traditions of modern Texas have been influenced by the history of the frontier. Today’s Texas country and western music, as well as popular Tejano music, can trace direct roots back to the music traditions of the frontier days. The 1940s and 50s saw a revival of the figure of the cowboy in country and western music, with wholesome cowboy musicians like Roy Rogers and Gene Autry embodying the spirit of the cowboy. As the 1970s arrived, country and western music was influenced by the famous Outlaws, like Waylon Jennings, Willie Nelson, and David Allen Coe, who brought a harder edge to country and western music. Still, we can see the themes of individualism reflected in this music today.

Stories and legends from the days of the frontier are still told in schools and families: Annie Oakley the sharpshooter, Black Bart the stagecoach robber, and Wyatt Earp the sheriff are all still famous figures and household names.

Many of our Texas traditions have their roots in the days of the frontier. From the foods we eat, like chili and hearty barbecue that could have been served on a cattle drive, to the holidays we celebrate that highlight our Spanish, Mexican, and frontier influence, like Cinco de Mayo and Texas Independence Day. Texas culture today is strongly influenced by our history.

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Cowboy culture has been romanticized in films and television shows, but the reality is that it was a difficult life. If you are interested in learning more about frontier life and the history of westward expansion, you can visit the Ranching Heritage Museum in Lubbock, TX, or the Frontier Museum in Abilene, Texas.

Without the history of rugged individualism that cowboy culture created, Texas political culture would be vastly different today. As you learn about political culture and Texas politics and institutions throughout the course, consider the influence of the frontier and cowboy culture on our modern political system.

## **POLS 2306 UNIT 4—HISTORY—TEXT**

### **Political Representation—Government among Texas Native Americans: the Caddo Civilization**

The territory that is Texas today has been inhabited for over 10,000 years, although almost all of the 29 million people who now live here either were born somewhere else, or are descended from immigrants who arrived quite recently in Texas history. Whenever more than a handful of people live together in a community, lines of authority and patterns of behavior develop that are the essence of government, whether such practices are written down formally in a document like a constitution, or simply prevail over time because they are respected as tradition.

Sometimes governing structures provide significant channels of feedback for members of the community to make their preferences known—representation, under other structures the rulers have much more latitude to use their own judgment. And indeed, under governments that allow representation, it's not always equally open to everyone—even when equality is written into formal documents like the Declaration of Independence and the US Constitution. Historically, the governing bodies on the territory of Texas have varied quite widely in terms of representation.

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When the first Europeans came to Texas, they were entering a land already populated by about 30,000 Native Americans. This may seem small by today's standards—just one tenth of the population of Lubbock—but consider that when Texas gained its independence as a republic three centuries later, the non-Indian population was less than 40,000 people. Thus, the Native American groups needed government as much as the Republic of Texas.

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Interestingly, many of the Native American groups that are best-known to us in popular culture today actually only arrived in Texas a little before the first Europeans. The Apache, for example, probably arrived in Texas just a couple of hundred years before the first Spanish explorers, and the Comanche even later, in the 1700s. Both of these groups were nomadic and tended to live primarily by hunting, which meant that members of any given band could not acquire more wealth than they could carry around with them. As a result, there could not be much inequality, especially in the small groups which leaders governed, and due to roughly equal circumstances, they operated in a highly democratic manner, with members able to make themselves heard by leaders, and leaders elected by the community.

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However, the most complex and developed Native American societies in Texas arose in the eastern part of the territory, in the basins of the Red and Sabine rivers. These were the chiefdoms of the Caddo people, whose agriculture-based society first arose in the 8<sup>th</sup> century

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One of the Mississippi mound-building cultures that represented the most advanced pre-Columbian civilizations that developed in what is today the United States. The earliest known Caddo chiefdom was at a site near Nacogdoches, in east Texas, and at the zenith of the Caddo culture, sometime between the 8<sup>th</sup> and 16<sup>th</sup> centuries, the Caddo chiefdoms may have numbered as many as 250,000 people—about the population of Texas in the 1850s.

Unlike the nomadic tribes that arrived in Texas later, the Caddo chiefdoms were settled in cities and towns, and relied mainly on farming corn, squash, and beans, the “three sisters” that were the principal crops of agriculture-based Native American groups across the entire US. As in early farming cultures in Europe, Asia, and the Middle East, deploying labor in an organized way for clearing land, planting, irrigation, harvesting, and the preservation of food required significant authority and the power to



command large groups of people.

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Unsurprisingly, this meant a very hierarchical society to control the land and people, with very little opportunity for the majority to voice their preferences.

Among the Caddo, power was held based on noble lineage, much as in medieval Europe, and there was a chief, or *caddí* over every Caddoan community or tribe, who governed the main town, as well as the outlying villages, some as many as five or ten miles away.

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A Caddo town probably looked much like this, an image of a similar community from the mound-building culture of Illinois. At the center, a great mound or raised area would be constructed, where the leader and his family lived, and religious rites were carried out. The route to power was by birth, and so the most likely person to succeed one *caddí* was his son—or daughter; there are reports of women serving as *caddí*, as well as men.

The *caddí* settled disputes and punished lawbreakers, but for any major decision, was obliged to consult a counsel of nobles, the *canahas*, wise elders from the town and representing the outlying villages over which the *caddí* held sway.

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Ruling over a larger area of multiple towns was a king or high priest-chief, who held the title of *xinesí*. As in ancient Israel and Egypt, as well as medieval Europe and Puritan New England, political and religious power were closely intertwined among the Caddo. Like the *caddís*, the *xinesís* came to their position by birth, and indeed were believed to be descended from the sun. A large part of the power of their position was exercised through religious rituals. These rituals were believed to guarantee good harvests, and often used ceremonial items made from materials that the Caddo traded for with other groups from far-flung parts of North America. Trade routes extended to the Atlantic coast of Florida for seashells, the Great Lakes for copper, the Appalachian Mountains for marble, and the Great Plains for hides, and even as far south as Central Mexico, where the Aztec empire had its base.

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This rich and complex society in Eastern Texas and the Mississippi valley was a kind of cross-roads for trade across North America, all of which was enabled by the stability of the strictly hierarchical governing system of noble birth and religion used to control and mobilize labor for large-scale agriculture. Although there was some consultation among the powerful nobles, the *caddís*, and the *xinesís*, representation was practically non-existent for anyone but those at the top of society. The slave-labor based agriculture of the American South, including East Texas, that arose after the Caddo had long since passed from the scene, gave rise to a very similar society, where often only wealthy white landowners had much of a voice in government—and the more the land, the louder the voice. Women, people of color, and white men who did have large holdings could expect little or no representation of their views and needs in government, much as among the Caddo.

## **POLS 2306 Unit 5 History—Text**

### **The Texas Legislative Branch-- Historic Legislators**

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While you might imagine that the Senate and House of Representatives in the Republic of Texas and the state of Texas would be filled with famous names from Texas history, many of the individuals who served in Texas's legislature are relatively obscure.

Sterling C. Robertson was one of the individuals who served in the legislature during Texas's tenure as an independent country. Robertson was from Tennessee, but moved to Texas when it was still part of Mexico. Robertson was an *empresario*, someone who in the Spanish colonial system of settlement was simply given huge tracts land in a Spanish territory in exchange for guaranteeing to recruit new settlers to the area. Robertson's land was granted to him in 1824, and his colony was large, with hundreds of family settling in the territory.

Robertson was an active participant in the Texas revolution, signing both the Declaration of Independence and the Constitution. He served as a Senator during the first two sessions of the Congress of the Republic of Texas.

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In the 20<sup>th</sup> century, African American Barbara Jordan was a historic figure in the Texas and U.S. legislatures. Back in 1882, Walter Burton, a former slave, left the Texas Senate, and the chamber did not have a single African American member from that time until 1966, when, Houston attorney Barbara Jordan successfully campaigned for election in the Texas Senate's 11<sup>th</sup> district, her attempt at election to the Texas legislature. She was the first black woman to serve in the Texas state senate. She served until 1972, when she was elected to the US House of Representatives, where she served for three terms.

Jordan was well known for her skills as an orator, and was highly successful in debates on the Senate floor. She even served one day as the acting governor of Texas, when both Governor Preston Smith (after whom Lubbock named its airport) and Lt Governor Ben Barnes were traveling out of state.

Fondly referred to by the Washington Post as "the first black woman everything," Jordan's legacy for diversity and inclusion of minority groups in government inspires people from all backgrounds to participate in government today.

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The name Robert Duncan may be familiar to Texas Tech students, since this former state legislator was appointed chancellor of the Texas Tech University system in 2014. A Texas Tech undergraduate and law school alumnus, Duncan began his political career in 1992 when he was elected to serve in the Texas House of Representatives. He served until 1996, when he ran in a special election and won a state Senate seat.

Senator Duncan's time in the State Senate was productive, including service on several of the most important committees and working on many critical pieces of legislation. He resigned from the senate upon his appointment as chancellor to the TTU system.

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In political science, many times we focus on legislation or the legislative body as our unit of analysis, without taking much time to consider the role of individual personalities and accomplishments. It is

important to take a moment to look at the individuals who serve in these political institutions to see how they have shaped the outcomes that we observe.

As you explore this unit and learn about the legislative branch, consider the people who have served in both chambers the legislative branch, House and Senate, throughout history and the effects that these individuals have had on legislation and institutions in our state, and across the whole country.

## **POLS 2306 Unit 6 History--Text**

### **The Texas Executive Branch: Antonio López de Santa Anna: The Napoleon of the West**

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The Executive branch of government is charged with carrying out or “executing” the laws, which are adopted by the legislative branch. The executive of a government is the head of government, appointing people to administrative positions in the bureaucracy and ensuring the government runs smoothly. In the United States and the State of Texas, as in many other places, the executive controls the military, as the formal commander in chief of the armed forces.

Sometimes, the powers and limits of the executive branch are a bit difficult to discern, especially when individual executives begin expanding their own power over time.

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An example of this from Texas—and Mexican—history is Antonio Lopez de Santa Anna. He began his career in the military as a teenager, fighting in the Mexican Army in the war for independence from Spain. He served in what would later become Texas, fighting in the Battle of Medina in 1813 to help free Mexico and Texas from Spanish rule. He was cited for bravery, and over the course of his military career, rose to prominence and was given command of the Mexican port of Veracruz.

The early years of Mexican independence were tumultuous—it was briefly governed as an Empire, then became a Republic, with competing factions trying to gain control over the government. Santa Anna’s allegiance during this time was opportunistic: he initially seemed to back a conservative rebellion, but when the rebellion seemed to be failing, he threw his support to the liberals, and after the liberals put down the rebellion, Santa Anna became the governor of the Mexican state of Veracruz.

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The governorship of Veracruz was Santa Anna’s first experience as an executive head of government, but it wouldn’t be his last. In 1833, he was elected president of Mexico. However, many sources say that Santa Anna had little interest in the day-to-day duties of a political executive. During Santa Anna’s term, his vice president took a highly active role, due to Santa Anna’s lack interest, and implemented a number of sweeping radical reforms, including beginning to dismantle the power of the army and the Catholic Church.

After a time, Santa Anna began to take renewed interest in governing, and strengthened the army, but completely disarmed the civilian militia. He then dissolved the Congress in what’s known as a “self-coup” or *auto-golpe*, and formed a new government completely under his control. He revised the Constitution of the country and formed a military dictatorship.

Santa Anna has become known as the Napoleon of the West for his use of political and military power to create an empire for himself.

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While many Mexican states revolted against Santa Anna’s policies, it was Texas that would be his undoing. The Texans started their revolutionary war in 1835, and declared independence in March of 1836.

Santa Anna marched his armies northward to defeat the rebellion, but his march was hampered by logistical problems, including difficulties with supplies and strategy. His army was underfed and had minimal access to medical care. Despite these challenges, Santa Anna posed a strong military threat to

the rebelling Texans. After Santa Anna's decisive victory at the Alamo, where heroes like William Travis, Jim Bowie, and Davy Crocket gave their lives, Santa Anna felt he was on the verge of defeating the Texas rebels, despite his army's beleaguered spirits.

But General Sam Houston used the defeat as an opportunity to rally Texas soldiers, and in April of 1836, the Texian army, led by Houston, cavalryman Juan Seguin, and future Texas Vice President Mirabeau Lamar defeated Santa Anna at San Jacinto. Santa Anna was captured by the Texians when they discovered him dressed as a common soldier trying to escape.

Defeated, he was held captive in Texas for some time.

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Santa Anna was allowed to return to Mexico in 1837, and soon after, he found himself in politics again. He served once again in the military against a French invasion, and was later asked to serve another term as president. Santa Anna's political administration soon turned to dictatorship once more, and he was eventually imprisoned and exiled to Cuba.

Later, a desperate Mexican Army turned again to Santa Anna for help in the Mexican American war, but instead of providing the promised help, he simply declared himself president. He eventually gave himself the title of "His Most Serene Highness," intending to serve as a dictator for life, but in 1854, Santa Anna was removed from office and exiled again.

While most executives who serve as head of the executive branch do not have such a colorful and fascinating career, the history of Antonio Lopez de Santa Anna shows what happens when the executive is allowed to take too much power for himself.

## **POLS 2306 Unit 7 History—Text**

### **World Legal History: The Earliest Courts**

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Even in some of the earliest societies, the need for a legal system was understood. A legal system, whether simply a set of codes or rules that will then be enforced by the sovereign, or whether a complex system of courts, judges, and trials, serves the purpose of systematizing the settlement of disagreements. This means that when someone violates rules, codes, or norms, there is a predictable way to solve the problem. Legal systems are also tasked with interpreting what laws mean, how they apply to specific situations, and deciding how violators of the laws will be punished.

In a democracy, the legal system also often engages in judicial review, which is the practice of determining whether particular laws are consistent with the overall rules and norms of the government. In the United States, for example, the judicial system must determine whether laws are constitutional or not.

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One of the most famous early legal systems was the Code of Hammurabi of Babylon, written in 1760 BC. King Hammurabi inscribed the laws of his society into stone, including the rules, and the punishments for breaking them. The code served the very purpose of a legal system: to ensure that the rules, and the punishments for violating those rules, were known and systematized, making a predictable way to adjudicate disputes and disagreements. The Code included elements such as what would happen if a doctor killed a patient, or setting the minimum wage. The Code of Hammurabi also may have established the idea of the presumption of innocence, because the code allowed for both parties in a dispute to provide evidence.

Other early legal systems can be found in Ancient Egypt, dating back as early as 3,000 BC. Though little evidence of the contents of legal documents from ancient Egypt exists, archaeologists believe that the ancient Egyptians used a system based in a combination of tradition and divine principle.

Ancient legal texts from China and India have also been discovered. Many of the legal systems of antiquity had their basis in religion, such as India's legal documents, which were based on Hindu religious teachings. Similarly, the Israelites of Ancient Judea also based their laws on religion. Religious texts taught that God required justice, so this led to a system that mandated retribution for wrongdoing.

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The origins of Western democracy have their roots in Ancient Greece and Rome. Therefore, it's no surprise that many of our legal traditions can be traced back to Greece and Rome as well.

There is no written record of the laws of Ancient Greece, but we can use literature and historical writings from the time to get a picture of what the legal system of the time looked like. Plato and Aristotle both wrote about law in their famous philosophical works.

Greece was an interesting case. Because of the mountainous terrain, there were limited options for farmland. This actually created a very egalitarian society. Without the ability to create and maintain massive farms, it was difficult for anyone to build wealth, so there were few opportunities for anyone to be extremely rich or extremely poor. This is contrary to societies like Egypt and China, hierarchical societies in which a few families amassed tremendous wealth.

The egalitarianism of the Greeks fostered a culture that allowed for democratic rule. Athens, often considered the earliest democracy, had a constitution in which the general rules and institutions of the democratic society were outlined. Athenian institutions focused on how the legal system should work, rather than what the laws should be or what crimes should be punishable.

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Like much of Roman culture, religion, and politics, the Roman system of law owed much to the Greek system, but there is more historical evidence available to inform our understanding of the Roman legal system. There are historical documents from the Roman Empire that outline the laws and procedures created by the government. Originally, Roman law was heavily based on religion, as many of the ancient legal systems were, but secular legal texts were developed over time that outlined the possible rules and legal solutions that could apply to various situations in which disputes existed.

One important legacy from the Roman legal system is the frequency of Latin phrases used in modern law. Phrases like habeas corpus, de facto and de jure, and stare decisis are all legal terms borrowed from Roman culture.

Roman law remained largely the norm in Europe for many centuries, with heavy use of Roman legal principles through the Middle Ages. Roman law focused on protection of property and also allowed for sovereigns to be exempt from some rules, an idea that was very popular in the monarchies of the day.

But even after most societies abandoned traditional Roman law, its influence can be seen beyond just the terms used in legal systems today. The procedural solutions that were the centerpiece of Roman law still exist, which why, even in modern law school programs, students are often still required to study Roman law.

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Common law was the system that dominated in Great Britain, and it is the basis for much of the U.S. Legal system as we know it. Common law refers to a legal system based not just on a formal code of written law, but also heavily on legal precedent (what came before). Much of the law is created by judges who adjudicate disputes, and then their decisions are used to inform future disputes.

The role of a judge is significantly more important in Common Law than in (a system used in continental Europe, and in other parts of the world). Under Common Law, individual judges make decisions that can have sweeping consequences for the future of the legal system. And since judges are often unelected, this is sometimes seen as undermining democratic principles. But Common Law also allows the legal system to evolve with the community standards of the time, rather than being held to a specific code that might become outdated and be difficult to change.

The U.S. legal system has evolved from several millennia of legal traditions, customs, and practices. As you learn more about the U.S. system of law, consider how historical legal systems have had an influence on the way our system looks today.

## **POLS 2306 Unit 8 History—Text**

### **History of Currency: Currency in the Republic of Texas**

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Originally, financial systems were often barter-based. In a barter system, a person with a one good can trade that good for something else, for which that person has a need. For example, someone with excess cheese but no wheat might trade cheese for wheat. While these systems worked in simple societies, they were imperfect, because everyone has a different perspective on what an item is worth, and without an agreed-upon standard by which to measure what something is worth, it could be very difficult to determine just how much cheese should be exchanged for how much wheat.

There were also problems determining what goods might be wanted or needed in the market. It is certainly possible that someone with excess cheese would be unable to find anyone with an excess wheat who ALSO needed cheese.

This led to the introduction of currency. Standardized currency, often in the form of coins, has an objective value, can be used to purchase anything, and is usable by anyone, rather than being subjective in value and limited in use to people who wanted whatever good an individual had to barter. Coins could be weighed and measured, and compared to set standards that established their value. Currency provides stability and objective value for the exchange of goods and services.

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Coins and money have existed as far back at 1000 BC, when the Zhou dynasty of China used bronze coins as money. Throughout history since then, coins were minted in most civilizations. Ancient Athens used silver coinage to pay its soldiers.

In fact, most historical societies used gold or silver for coins. Why were gold and silver the most preferred metals? Why not another element in the periodic table? When examining the periodic table for elements that could be used as currency, it's clear that gold and silver are most suitable. First, any element that exists as a gas at room temperature wouldn't make a good currency. There are also an additional 38 elements that are too reactive: that is to say, they explode or catch fire under circumstances as simple as exposure to air, and others are radioactive or poisonous. Obviously this isn't a good solution either.

This leaves us with a few remaining elements. But another characteristic is important as well: rarity. One wouldn't want the chosen material for their currency to be too common, or else it would be too easy for everyone to obtain more and more. This is why Ancient Sparta's use of iron for coinage was problematic. On the other hand, you wouldn't choose something too terribly rare, or no one would have it.

The remaining elements, after eliminating those that are gaseous, reactive, poisonous, too rare, or not rare enough, are the precious metals: Rhodium, Palladium, Silver, Platinum, and Gold. Rhodium and Palladium were not discovered until the 1800s, and Platinum's melting point is a 3,000 degrees Fahrenheit, meaning that ancient civilizations would not have had the technology to melt it into coins.

This leaves only silver and gold. And, while silver has commonly been used as currency, the gold standard was created because gold is a bit rarer, and unlike silver, doesn't tarnish. It is very stable.

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Speaking of the gold standard, what does the gold standard mean and how does it relate to today's paper money?

Fiat money is money that has value only because it has been assigned value by a government or society. By itself, it has no value. This is distinct from a precious metal like gold or silver, which has objective value on its own. A piece of paper printed by the U.S. Treasury only has value because our government and society agree that it does.

The value of fiat money can be pegged to an objective measure, such as gold. Under the gold standard, the value of the British pound or U.S. dollar were fixed to a certain amount of gold: at any time, an individual could bring dollars to the Treasury and exchange them for gold. While this helped with stability and establishing an objective value of currency, it was also problematic: it limited the amount of money that could circulate at any given time, even while an ever-growing population needed more money in the economy.

So, the gold standard was abandoned and the value of money was allowed to fluctuate with supply and demand for dollars *themselves*.

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The republic of Texas had fiat currency, printed money known as "Redbacks" that were assigned value by the government. These redbacks were printed between 1839 and 1840, and they were issued in order to help pay the national debt that the Republic of Texas incurred.

With fiat money, governments are able to print more money in order to either pay their debts or to increase the supply of money in the economy, so that businesses and individuals have more money to spend. Printing money can be a great way to "charge up" an economy during periods of sluggish growth. But, the downside of printing more money is inflation. Think about it: if the government were to print boatloads of cash and dump them into the economy, people would have lots more money to spend on goods and services. But, the economy hasn't had a chance to increase its ability to produce those goods and services: production is still happening at the same rate.

So, people are spending more money, but there aren't any more goods or services to go around. This leads prices to increase, which is known as inflation. This is why just printing tons more money isn't a satisfactory long term solution for growing the economy.

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Well, try telling that to Mirabeau Lamar, who followed Sam Houston in the office of president of the Republic of Texas. He decided to print redbacks to pay the national debt, and this massive influx of new currency into the republic of Texas led to rampant inflation. The redbacks became nearly worthless.

The Republic of Texas had incurred over \$10 million of debt, equivalent to over \$200 million dollars today. As the political leadership of the republic began to realize there would be no way to overcome the debt, regardless of how many redbacks they printed, they made the decision to be annexed by the United States in 1845.

The "redback" currency of the Republic of Texas was discontinued in the mid-19<sup>th</sup> century, so the existing supply is quite small—but demand by currency collectors is great, so a genuine 10 dollar Texas "redback" note can today be traded on the free market of the internet for hundreds of dollars!

## **POLS 2306 Unit 10 History--Text**

### **Identity/Nationalism: What Makes a Texan?**

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Although many people in common parlance use the terms “country” “nation” and “state” interchangeably, political science has specific meanings for each of these. As you have learned, in political science, a “State” is an entity that has sovereignty over its territory. “Country” is really the territory itself: a piece of land, but it’s also used as a catch-all, imprecise word used to describe a state. And a “nation” is a group of people who share a common identity that may have a combination of ethnic, linguistic, cultural, racial, or religious aspects.

Often, a nation and a state amount to the same thing. In the United States, even though we have many ethnic groups and languages, we tend to share a common national identity as Americans. In Belgium, there are two very distinct ethnic and linguistic groups, the Walloons and the Flemings, but they share a national identity as Belgians.

With some groups this is not the case. The Kurds are a specific national and linguistic group that do not have a sovereign state to call their own – they are scattered among Syria, Turkey, and Iraq, but tend not to identify themselves as Syrians, Turks, or Iraqis.

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Texas, perhaps moreso than any other state in the United States, has a very unique and special identity. This is partly due to Texas’s history, especially its decade as an independent republic. But of all states, Texas may be the one most likely to be noted as having its own particular national identity, which in some Texans complements or even supersedes the identity of being American.

You’ve learned throughout this course about the history, the culture, and the institutions of Texas and its government. This shared history, culture, and tradition gives Texas a uniqueness that could be defined as a national identity.

But Texas culture is not a single, homogeneous one. It is diverse, and influenced by dozens of different cultures that have all meshed together to create the Texan identity.

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Texas is a large and diverse state. It shares much of the traditionalistic values of the American South, but also has some Spanish influences from the American Southwest. Texas has influence from Native American history, from German and Czech immigrant groups, and from French and Cajun or Creole culture borrowed from Louisiana. Mexican tradition and culture is also highly visible in Texas, and from the food we eat to the traditions we celebrate, it is one of the strongest elements.

Because of these broad and diverse influences, it is difficult to put Texas into any one cultural region of the United States. It shares elements of the South, the Southwest, and the Midwest, but it doesn’t fit into any of these geographic and cultural regions. Texas is a cultural identity all its own.

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From families who can trace their Texas roots back 8 generations, to those who have just arrived in Texas, there are elements of Texas national identity that engage all Texans.

Some of the national identity of Texas reflects and informs the political culture: the rugged individualism that makes up the cowboy and frontier culture of Texas, coupled with the traditionalism that values hierarchy and long-established practices.

Some elements of Texas national identity center around language and food. Words and phrases like “y’all” and “fixin’ to” are the Texas equivalent of “you guys” and “about to.” Texas culinary traditions borrow from all of the cultures that have made Texas so unique. Tex-Mex is an adapted form of Mexican food, integrating beef and wheat flour into traditional dishes to make a new version of Mexican food native to Texas. Texas cuisine also borrows from Czech and German immigrants, with kolaches and bratwursts popular in the Hill Country, and a strong and deeply appreciated legacy of brewing beer. And, of course, the tradition of Texas barbecue, smoked over native Mesquite wood.

These cultural elements come together to make Texas a unique identity all its own.

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There are still a few today who advocate for Texas secession, arguing that their identity as Texans is so strong and so much more important than their identity as Americans that Texas should become its own independent Republic once again. While secession is not permitted under the U.S. Constitution, there are those who argue that Texas is simply too distinct as a national identity to remain part of the United States. But big talk is also a traditional part of Texas culture

Overall, many elements of Texas identity are values shared with the rest of America. The assimilation of many different cultures and influences from different immigrant groups, the frontier spirit of the American West, and the tradition of the deep South – all these elements are shared with the national identity of the United States, and not just unique to Texas.