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THE VALUES OF THE UNITED STATES IN THE CONSTITUTION

This article was written specifically for today, a time when new democracies are in a time of reassessment of values, a period of learning new, democratic values and establishing them in their lives. It is this need to make us think about the values reflected by the constitution of a country that is exemplary in world history in terms of its significance and content. Therefore, there is no doubt that we should once again take a practical look at the values of the exemplary constitution and consider it valuable to us.

We live in the 21st century, in an era of global challenges and conflicts, when it is important to preserve and uphold democratic values for any state to prevent global conflict. Our state is a young democracy, which started building an independent state after the 90s of the 20th century and has done a lot for the development of democracy. But the geopolitical challenges of the 21st century, regional and global factors still pose a great threat to the preservation of democracy, especially in young democracies.

The Covid-19 pandemic has once again put on the agenda the need to uphold democratic values around the world. Especially today, when the most devastating war, unheard cruelty and extremely grave war crimes are taking place in Ukraine and the democratic world is trying to appropriately respond to the occupation of Ukrainian territories by Russia. Today we must speak loudly about the universal and democratic values that are common to all civilized countries of the modern world and civil societies, as well as the development of democratic states. Civil society contributes to the development of democracy. Citizens in such a community unite around issues that are important not only to them but also to the development of the communities at large. The development of democracy is directly related to the existence of active citizens in the country. The more citizens participate in democratic processes, the more responsibility the government has to run the country. It is important to feel for all of us today values that are well established in the constitutions of Western states, especially the United States, always a model for any state of building democracy. We think that reminding all this will help our societies to take into account and implement in life the values that have emerged in the base of a successful country.

In the United States Historical Document, the Declaration of Independence, best express the meaning of the word "democracy." From the adoption of the declaration until today, the citizens of this country believe that their state allows the realization of these words in life, although this has not always been the case for everyone. Americans have fought for these rights for a very long and selfless time and continue fighting till Today. The American Declaration of Independence is a concentrated expression of the spirit of all human history, of the greatest religions, of the brightest-minded thinkers. Neither before nor since has any political document better assessed the place of man and his right in the world. The declaration embodied the ideas embedded in it as state policy. This happened in 1776, when almost the whole world was feudal and monarchs had no ridiculous talk about human rights.

The declaration emphasizes that the abuse of power and the manifestation of despotism force the people to put an end to such a government and that it was its right and duty.

One of the hallmarks of American history is that it is marked by a red line of tradition of inheritance, continuous connection between generations when the successes of one generation are built on the foundation created by the previous generation. And this is not an accidental necessity for the sustainability and development of the state. Hence-heredity!

America is not the unity of the conquered nations. They came to America of their own free will (except for African slaves) in order to voluntarily become Americans, American citizens. Consequently, the power and difference of these people were also expressed in their freedom, and where there is freedom, the quality of creativity is also higher. America has become a perfect example of multiethnic unity, where everyone could become an equal citizen of America and gain personal and creative freedom here.

U.S. Constitution 1787. It was created in a very short time, but its ideology, like all great events, has deep roots in the past. The US Constitution is considered the pinnacle of the Enlightenment. He attributed the achievements and thoughts of this grand 18th-century endeavor to the field of human relations in Western science. The works of Locke, Montesquieu, Hume, Burmalak, and even Polybius himself are undoubted.

The guiding principle in the US Constitution is the principle of democratic governance. Equality is the most important for the democratic development of the country! Also important is the active participation and involvement of the public in public and political processes, political pluralism, free and fair elections and the redistribution of power.

Each of them represents the fundamental values of democracy and without them the existence of democratic governance in the state is inconceivable. The US Constitution is built entirely on the principle of the rule of law. The latter is one of the key elements of modern democracies, which in a broad sense includes not only the establishment and management of the state by well-meaning laws; but also, that the laws adopted must be rational and substantively relevant to the basic law-constitution of the country. Another important segment of the US Constitution is social protection and its guarantees. Among the obligations of the state to the society is to ensure the social security of the society. It is for this purpose that social protection systems are established in the state, which tries to ensure the established standards of living and quality of life of the population through the distribution of national income.

Had a major impact on shaping the American worldview of the 80-ies of 18th century.

The most characteristic sign of American self-consciousness was the Republican aspirations – a mixture of ideas and spiritual values – the main task of the American Revolution.

In 1791 a whole series of amendments were added to the United States Constitution, the first ten of which are a list of civil and political rights. The amendments are known as the Bill of Rights of the United States and the Universal Declaration of Human Rights, along with the Universal Declaration of Human and Civil Rights of the French Republic. The Bill of Rights protects rights such as freedom of thought and expression, freedom of religion, a fair trial, the principle of separation of powers, and so on. As in the case of France, the Bill of Rights is still an integral part of the US Constitution, and citizens often use it to defend their rights.

U.S. history spans just 250 years and is considered by many to be a young state. The achievements of the American state are the result of the quality of the existing years and not the formal quantity. American history has not diminished either confrontation or sacrificial battles, but even then, the ideological foundation of American society was based on human rights, tolerance, and mutual respect. The winner did not oppress and defeat the loser, but reconciled and facilitated his successful inclusion in the new reality created by the battle. We are not talking about changing the government only through elections. The American Constitution, unlike formal democracies, actually operates.

- The main novelty of the American Constitution is the division and balance of power, according to which none of the three branches of government has an absolute advantage. . And this is the most acceptable form of state regulation, when everyone can equally control any branch of government, and that is precisely the achievement of American democracy.

- Equality is crucial for the democratic development of the country. It was this equality that led to the formation and development of American society, as well as the formation of a separate American nation.
- The US Constitution is built entirely on the principle of the rule of law. Over time, the notion of the state has undergone a transformation. Along with progress, the standard of human needs also increased. Political and economic views in the world were changing, consequently the forms of government and the content of laws and rules were changing. Eventually, a significant number of countries in the world underwent a transformation and emerged as a state governed by the rule of law, with a high legal culture and governed by the rule of law.
- An important segment of the US Constitution is also social protection and its guarantees. The aim of social policy is to promote the creation of a political, economic and social system based on the principles of social justice, equality and solidarity.
- America has become a perfect example of multiethnic unity, where everyone could become an equal citizen of America and gain personal and creative freedom here. Diversity is based on the fact that different people recognize the uniqueness and individuality of each person, respect and get to know each other despite differences, resulting in wider participation of society in the political and social life of the country, which is an integral part of a democratic state. A country is racially and ethnically diverse, inhabited by people of different races and ethnicities, of which one race or ethnicity may be the majority, although society recognizes and respects people of other ethnicities as equals. The best example of racial and ethnic diversity are the United States, where people of almost every race and ethnicity in the world live without any discrimination.

The United States still maintains the values that are expressed in its main document. Moreover, these values have become a marker of American civil society, its core principles are part of the everyday life of the average American citizen, and ignoring them is tantamount to a crime. If a person wants American citizenship, membership in American society, he or she must recognize and embrace those values. That is why American society is bound by these very values and it is very difficult to dismantle it. That's why the United States, with its republican form of government, is a strong and prosperous state.

American values are now transcended by the United States and are being studied and viewed as a formula for success by leading states and even emerging democracies. Our interest in this issue is not accidental. For the young democracies of the post-Soviet space, where civil society is being built and state institutions are being developed, it is time to focus on these values and study them more carefully, which will be the key to future success.

Finalizing suggestions we want to underline that values are very important for every epoch of history. They make a big impact on societies and states and their further development. And achievements and successes depend on the choice of states and societies regarding values they prefer.

Keywords: Values, Constitution, Human rights, Declaration of Independence, United States, Bill of Rights.

We live in the 21st century, in an era of global challenges and conflicts, when it is very important to preserve and uphold democratic values for any state to prevent a global conflict. Our state is a young democracy, which started building an independent state after the 90's of the twentieth century and has done a lot for developing democracy.

The geopolitical challenges, regional and global factors of the 21st century still pose a great threat to the preservation of democracy, especially in the countries with young democracies. That's why we decided to bring this issue to the forefront as an issue that needs constant observation and deepening.

The Covid-19 Pandemic has once again put on the agenda the need to uphold democratic values around the world. Today for all of us it is important to feel and meet the values that are well established in the constitutions of Western states, namely the United States of America, being always a model for any state willing to develop state and non-state democratic institutions.

"... all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness" – The Declaration of Independence, 1776. These words from the Declaration of Independence, the historical document of the United States, in a best way expresses and set values for the meaning of the word "democracy". From the adoption of the Declaration till today, the citizens of this country do believe that their state allows the realization of these values and rights in their life, although this has not always been the case for everyone. Americans have fought for these rights for a very long and selfless time and continue to fight up to today¹.

It's widely believed that the history of the United States is much shorter in comparison to e.g. European countries. The history of USA spans just 250 years and is considered by many to be a young state. One may ask: What should this young state teach us, who have gone through millennium? Such a discourse still exists among those unfamiliar with the history of the United States. The history of USA is quite complicated and full of contradictions, although it had a great influence on the fate of the whole world.

Why do many consider the United States as the best example of a democratic state? Can we really think so? How the American democracy was established and developed and why did it survive? Why has it become a model for many countries in the world? These are the main questions to be discussed.

One of the hallmarks of American history is a red line of tradition of inheritance, a continuous connection between the generations when the successes of one generation are built on the foundation created by the previous one. And this is not an accidental necessity for the sustainability and development of the state. Hence – heredity!

USA is not the unity of the conquered nations. People came to the US of their own free will (except slaves from Africa) in order to voluntarily become Americans, citizens of USA. Consequently, diversity of people and the power they gained was expressed in their freedom with a high quality of creativity. America has become a vivid example of multiethnic unity where everyone could become an equal citizen of the USA and gain a personal and creative freedom there.

The Declaration of Independence of the USA is a concentrated expression of the spirit of all human history of the greatest religions and the brightest-minded thinkers. Neither before nor since that time has any political document better assessed the place of a man and his rights in the world. The declaration embodied the ideas set in it as a state policy. This happened in 1776, when almost the whole world was feudal and monarchs had ridiculous talks about human rights.

The declaration emphasizes that the abuse of power and the manifestation of despotism force people to put an end to such a government and this is their right and duty.

The second step of the young American state also turned out to be of world importance. It was the Constitution that is the oldest one that is in force, with only 27 amendments. The main novelty of the American Constitution is the division and balance of a power, according to which none of the three branches of the government has an absolute advantage. Hence – a system of equilibrium was established.

Also of great interest is a system of American federalism – the redistribution of power between federal, state, and local governments. This Constitution is most often used for other countries' constitutions as a role model. This Constitution, unlike formal democracies, actually operates².

In 1887 the Constitution was adopted and established the United States as a federal constitutional republic. That time the Constitution founded the domination of bourgeoisie and planters in the form of bourgeois democracy. The first President of the United States J. Washington became the Commander-in-Chief of the American troops in the war for independence.

American history has not diminished either confrontation or sacrificial battles, but even then, the ideological foundation of the American society was based on human rights protection, tolerance, and mutual respect. Traditionally a winner was not oppressing or defeating a loser, but reconciling and facilitating their engagement in the new reality created by the battle. And the government always was changed only through elections³.

The guiding principle in the US Constitution is the principle of democratic governance. Equality is the most significant for the democratic development of the country. Also, the active participation and involvement of the public in public and political processes, political pluralism, free and fair elections and

¹ Materials on the History of the Patriots (2014). *Mayflower Agreement, 1620*. Tbilisi.

² Ibid.

³ Voice of America (2017). *The American Constitution and its amendments*

<<https://www.amerikiskhma.com/a/amending-america-constitution-amendments/3927616.html>> (2021, December, 20).

the redistribution of the power is of vital importance. All standards listed represent the fundamental values of democracy without which the existence of democratic governance of the state is inconceivable.

The US Constitution is built entirely on the principle of rule of law, which is one of the key elements of modern democracies. The rule of law in its broad sense includes not only the establishment and management of a state by well-meaning rational laws relevant to the basic, supreme law of the country – a constitution.

The principle of a just state is closely related to the rule of law. This principle guarantees that the state government to be bound by applicable laws and the protection of human rights and thus will not have a possibility of arbitrariness, unjustified interference in realization of human rights.

Another important segment of the US Constitution is the social protection and its guarantees. Ensuring social security of the society is among the obligations of the state. The social protection systems of the state ensure established standards of living and quality of the life of the population through the distribution of national income and implementation of the principle of social solidarity for the disabled and low-income part of the population. Social insurance and social assistance are integral parts of the social protection system. The first one mainly includes health and unemployment insurance; Is intended to reduce the risks associated with joblessness, health problems, disabilities, entrepreneurial injuries, old age, and so on. As for the social assistance, it involves the transfer of monetary resources from the state budget to individuals or socially vulnerable families. This group includes single parents, the sick, etc¹.

Modern conventions and declarations of human rights have been preceded by the adoption of historical documents such as the English Charter of Freedoms (1215) and the Bill of Rights (1689), the French Declaration of the Rights of Man and of the Citizen (1789), and the United States Constitution (1787) and Bill of Rights (1791).

The U.S. Constitution 1787 was created in a very short time but its ideology had deep roots in the past. The US Constitution is considered as a pinnacle of the Enlightenment. He attributed the achievements and thoughts of this grand 18th century endeavor to the field of human relations in Western science. The works of Locke, Montesquieu, Hume, Burmalaki, and even Polybius undoubtedly had a major impact on shaping the American worldview in 80s of 18th century.

The hallmark of American self-consciousness was the Republican aspirations – a mixture of ideas and spiritual values – that was the main task of the American Revolution. The roots of these civic and moral values go deep into the depths of the centuries – in ancient Rome, in the great era of the Roman Republic, in the middle of the 2nd century, AD.

The widespread dissemination of republican ideas in the 18th century was facilitated not so much by John Locke's philosophical treatises as by journalists' widely available articles such as John Trenchard and Thomas Gordon. For example, John Gordon wrote about the necessity of freedom of speech and religion and translated the works of Salutes and Tacitus as well. These classical Republican values were not developed only by British radicals or the British world. They are so deeply ingrained in the minds of all educated people in the West. Even 18th century French aristocrats hailed the "Oath of Horace" image of Jacques-Louis David and admired the bravery and self-sacrifice of the Old World Republicans. At the same time French aristocrats were not clearly aware of the "dangerous nature" of their anti-monarchical and anti-aristocratic activities².

Public Welfare. What did these ideas really mean? First of all, the overthrow of the king's power and establishment of an elective system of the government. But these tasks were only an intermediate stage on the way to a more important goal – creation of a political system with a main focus on welfare of the public, the people, and the society. Liberal critics of the monarchical system of the 18th century thought that kings were overly selfish in the selfish interests of the dynasty and therefore indifferent to the welfare of the people. Liberal reformers hoped that by establishing a form of government in which the people would elect their own political leaders, would make possible welfare of the people³.

These civic ideas played a big role not only in politics. They have acquired an importance to public relations and morality in the world. The Republic definitely needed a type of humble and noble people:

¹ Voice of America (2017). *The American Constitution and its amendments* <<https://www.amerikiskhma.com/a/amending-america-constitution-amendments/3927616.html>> (2021, December, 20).

² Franklin, B., Adams, J., Jefferson, Th. and others (2013). *Political Essays*. Tbilisi.

³ CSS (2022). *Protestant Ethics and the Spirit of Capitalism* <<http://dictionary.css.ge/content/protestant-ethic-and-spirit-capitalism>> (2021, December, 20).

a variety of independent, property-owning citizens who were not divided by artificial, hereditary divisions; Who were willing to sacrifice their own personal interests for the benefit of the whole community. Due to the lack of such citizens, republics were often unstable and short-lived. Monarchies, on the other hand, were long-lived and were able to maintain order and rule from above based on the executive power of numerous, diverse, class-divided populations, inherited privileges, a permanent army, and a church. The existence of republics, on the other hand, depended on support from bottom, the readiness of the people, and sacrifices for him. And therefore, as Montesquieu and other theorists warned his followers, republics must have been small in size; their populations are uniform, with strong moral foundations¹.

The Netherlands and the city-states were just a few republics in Italy and Switzerland, which existed in the 18th century. All of them were small and compact. Every attempt to establish a republican system in large, class-divided states inevitably ended in one kind of military dictatorship, like the dictatorship of Oliver Cromwell. So, the Americans in 1776 were clearly aware that the experiment to establish a republican formation was extremely dangerous.

By 1787, Americans were increasingly concerned about the fate of their courageous initiative: by this time American's enthusiasm to establish republican formation had waned in compare to 1776. During this decade many Republican dreams and illusions have been visibly extinguished. The practice of governing by representatives of the people, especially in the legislative assemblies of the States, has raised serious doubts about the virtues and selflessness of the American people. Thus, in 1787, many politicians were ready for what James Madison called the "systematic change" of the government, which eventually culminated in the creation of a federal constitution².

Despite the frustrations among most American politicians, none of them, not even Alexander Hamilton, who was more pro-monarchical than others, was ready to abandon the republican form of governance altogether. As James Madison noted, they knew that "... no other form is incompatible with the soul of the American people, with the basic principles of the revolution, with the noble courage which fascinates every proponent of freedom to build all our experiments on the talents of human self-government". The drafters of the new constitution therefore legitimized the need for periodic re-elections of those in charge of executive and legislature, and also made the federal government responsible for maintaining the republican form of governance in each state (Article IV, paragraph 4). At the same time, the nobility was banned in the United States Pillaring of titles (Article I, paragraph 9)³.

Nevertheless, the structure of the new federal government was so different from the government of Confederates and the United States that many doubted whether it was "Truly Republican." Such fears forced Hamilton, Madison, and John Jay to dwell on these issues in the Federalist Papers. (A collection of articles that first appeared in New York newspapers in the fall and winter of 1787-88 and that are considered by its authors to be the most important contributions to American political philosophy). In these articles, they argued that the Constitution was indeed "in line with the principles of a truly republican form of government". The authors of "Federalist" developed and formed American notions of the republican formation system⁴.

Civil Religion. It was necessary to create new symbols and forms of expression in order to unite the newly created nation. The result was a peculiar form of religious identity – civil religion, which expressed the common aspirations of the American Nation. The American civil religion was founded by George Washington, the first President of USA and became the cornerstone of this religion posthumously. G. Washington has promoted development of civil religion in the United States. The President was constantly emphasizing and attaching special importance to the religious factor as the foundation of "public morality, republican institutions, and the happiness of the nation". G. Washington has often argued that religion promotes morality, honesty, order, and the stability of the society. In his famous farewell address, the nation's civic leader called religion and morality the essential pillar of political success and the happiness of the people.

The credo of the United States' Civil Religion implied that God had chosen America to embody, incarnate, and promote republicanism to spread power throughout the world. According to civil religion, all Americans, especially political leaders, should strive to fulfill this mission. Thus, instead of state religion,

¹ Bakuradze, T. (2002). Civic Values of American Society. *Issues of American Studies*, TI, TSU, 29-33.

² Zakariadze, A. (2009). The Classical Paradigm of American Federalism. *Essays in American Philosophy*. Tbilisi, 84-95.

³ Franklin, B., Adams, J., Jefferson, Th. and others (2013). *Political Essays*. Tbilisi.

⁴ Ibid.

G. Washington established a civil religion that transcended confessional boundaries and stood above political or religious differences¹.

Balanced Government. In 1787, the classical republican system was the mainstay of American thought – the starting point for other ideas. But by revolutionary forms of governance – including the federal government set by the Constitution was not enough to develop a specific structure. An additional set of ideas contained a theory of balanced or mixed form of governance. This theory, too, was borrowed from ancient philosophy and has always been closely, whether continuously or not, related to the republican tradition. The classical theory of balanced governance in itself implied something more than the fundamental ideas used in the formation of governments in several states. The classical theory also included specific recommendations for the structure of government, consisting of an independent president, an aristocratic senate, and a house of representatives. Theorists, at least, started with Aristotle divided possible forms of government into three ideal types: as a monarchy, an aristocracy, and a democracy. The types of government varied according to the number of rulers: in a monarchy – one, in the aristocracy – a numerically limited privileged class, in a democracy – the whole people. Aristotle and other thinkers believed that each of these forms of government wielded full political power and tended to overstep the bounds and degenerate: a self-proclaimed monarchy would become a tyranny, an aristocracy an oligarchy, and a democracy an anarchy. Only by merging these types of governments into a single constitution, only by balancing the natural tendencies of each of them, would make it possible to maintain order and reveal the best aspects of each type of government. As a result, we get a balanced system – the very sustainable model that has fascinated the best thinkers of the Enlightenment².

The United States of America still maintains the values that are expressed in its main document. Moreover, these values have become a marker of the American civil society, its core principles are part of the everyday life of the average American citizen, and ignoring them is tantamount to a crime. If a person wants to be granted with American citizenship, a membership in American society, s/he must recognize and embrace those values. That is why American society is bound by these very values and it is very difficult to dismantle them. That's why the United States of America, with its republican form of government, is a strong and prosperous state.

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¹ Medzmariashvili, E., Barnov, M. (2019). *Lessons from Democracy. History of the United States, 1600-1877*. Tbilisi: TSU Publishing House, 69.

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