

# What Are The Fundamental Principles And Values Of American Political And Civic Life?

Political and civic life in the United States rests on a set of fundamental principles and values including equality, rule of law, limited government, and representative government. What do those principles and values actually mean? The modules for this standard explore that question by examining each in more detail, reviewing the importance of the 14th Amendment to the Constitution, and outlining the boundaries of student rights at school.

## FUNDAMENTAL PRINCIPLES AND VALUES OF AMERICAN LIFE

Equality, rule of law, limited government, and representative government are examples of fundamental principles and values in American political and civic life.

## EQUITY

The word "equality" did not appear in the Constitution of 1787 or the Bill of Rights of 1789. While the Constitution guaranteed rule of law to all citizens and provided security of liberty under the law, the existence of slavery and inequalities in the status of women contradicted the idea of equal rights.

It was not until after the Civil War that equality was deliberately addressed in the Constitution through a series of amendments:

- The 13th Amendment (1865) banned slavery.
- The 14th Amendment (1868) guaranteed equal rights of citizenship to all Americans, with the special intention of protecting the rights of former slaves.
- The 15th Amendment (1870) provided voting rights for all (male) citizens.

## THE RULE OF LAW

The concept of the rule of law is taken from Alexander Hamilton's Federalist 33, where he wrote: "If individuals enter into a state of society, the laws of that society must be the supreme regulator of their conduct." According to the United States Courts, "the Rule of law is a principle under which all persons, institutions, and entities are accountable to laws that are: Publicly promulgated, Equally enforced, Independently adjudicated, and consistent with international human rights principles" ([Administrative Office of the U.S. Courts, n.d., para. 5](#)).

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## JOHN ADAMS, THE BOSTON MASSACRE, AND THE RIGHT TO AN ATTORNEY AT TRIAL

The **right to a trial** when accused of a crime is one of the foundations of the rule of law in United States society. Guaranteed to all by the **Sixth Amendment** to the Constitution, it means that defendants have:

- the right to speedy trial,
- the right to a lawyer to defend them,
- the right to an impartial jury, and
- the right to confront their accusers and to know the charges being brought against them (National Constitution Center).

Before the Constitution and its Sixth Amendment was passed, the right to trial and the right to have a lawyer for those charged with a crime faced a stern test in the aftermath of the events of March 5, 1770 on King Street in Boston, Massachusetts when British soldiers fired their guns into a crowd of protestors, killing 5 people in what has become known as the **Boston Massacre**. One of those who lost his life was a Black man, Crispus Attucks, who is regarded as the first person killed in the Revolution. What actually happened that night and why is still debated by historians and the event has parallels to modern-day responses by police officers to Black and Brown Lives Matter protestors.

In colonial Boston, immediately afterwards, popular emotions were high and people wanted instant punishment for the soldiers and the commander. John Adams, a 34 year-old Boston attorney and later the second President of the United States, agreed to defend the soldiers despite possible threats to himself and his family. Adams believed every person deserved a trial in court and a lawyer to defend them, no matter how clear and obvious someone's guilt may seem.

Going against the immense pressure of popular opinion, John Adams took a courageous action, one that helped establish the concepts of what would be the Sixth Amendment in American law.

Adams's efforts resulted in acquittal of the British commander, Captain Thomas Preston and six of the soldiers; two others were convicted of the lesser crime of manslaughter. Of his legal work, Adams later said, "It was, however, one of the most gallant, generous, manly and disinterested Actions of my whole Life, and one of the best Pieces of Service I ever rendered my Country."

Still, it took till the 1963 landmark Supreme Court case *Gideon v. Wainwright* to ensure that the state must provide an attorney to any defendant who cannot afford to hire their own lawyer, thereby guaranteeing the right to counsel to anyone accused of a crime.

## LIMITED GOVERNMENT

In the United States political system, the national government is given limited but not supreme or total powers. After the struggle of the American Revolution to be free from rule by a king, people in the colonies were very wary of a tyrannical ruler or an overbearing government. In the Constitution, limited government relates to free markets and classical liberalism, drawing on Adam Smith's philosophy of the "invisible hand" and self-regulating economies. The Ninth and Tenth amendments of the Bill of Rights further express the concept of limited government. Those amendments state that the rights of people do not have to be expressly written in the Constitution and that delegated powers of the Federal government are only to be performed if expressly mentioned in the Constitution. The Constitution also limits government intervention in other key areas of political life, including thought, expression, and association.

## REPRESENTATIVE DEMOCRACY

Representative democracy is the principle that people elect individuals to represent them in the government. This is a fundamental element of the governmental system of the United States. Voters elect representatives to a ruling body (the Congress) who acts on behalf of the people's best interests.