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analysis**

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**ABSTRACT:**

This article is devoted to the comparative analysis of doctrinal approaches concerning the determination of national interests in the US and Russia, their legal consolidation and implementation practice in modern conditions. The features of the North American and Russian approaches to the issues of strategic planning and the development of program documents in the field of national interest provision are established and systematized. The content of the United States and the Russian Federation National Security Strategies is compared in terms of national interests and the spheres of their implementation consolidation.

**Key words:** nation, state, national interest, national security, concept, strategy, the threats to national interests, strategic documents



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### **1. INTRODUCTION.**

Starting to analyze the national interests of the US and Russia in the theoretical and legal perspective, it should be noted first that the term "national interest" has entered the scientific circulation relatively recently: in 1935 it was first included in the Oxford Encyclopedia of Social Sciences. At the same time, the priority in the development of "national interests" notion is traditionally recognized by the famous American Protestant theologian R. Niebuhr [1] and the historian Ch. Beard [2]. In its turn, the concept of national interest in its most detailed form was formulated in G. Morgenthau's book "For National Interest Defence," in which the author considered interest as "a multi-year standard for the evaluation and the direction of political actions." G. Morgenthau as the representative of political realism, perceived national interests as an objective and universal category, defending, first of all, the sovereignty of the state within the framework of world politics and its advantageous position within the system of its relations [3].

In general, national interest is the category of abstract and subjective, since its parameters are determined by the picture of the world and the value system that prevails in a given society and a state. J. Rosenau noted that "the definition of national interest can never be anything else than a system of inferences originating from the analytical and the value basis of politics" [4].

In this regard, it seems necessary to understand what national interest is in the theoretical and legal context and what are the laws of its legal consolidation and practical implementation in the public policy of the USA and Russia.

### **2. METHODOLOGY.**

The methodological foundations of the study include the system-holistic approach to legal phenomena, which allows them to be viewed as the systems that have not only internal but also external links; the sociological approach to law, its research in action and evolution (functioning); the comparative legal approach that involves the exchange of information at the level of the world legal science and the search for new parameters on this basis to compare the phenomena of legal reality of different countries.



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### **3. DISCUSSION AND RESULTS**

It should be noted that the definition of the concept "national interests" has been a controversial issue traditionally in the socio-political vocabulary and the legal system of civilized states.

Moreover, some foreign scholars generally question the objectivity of "national interests" notion. Thus, according to R. Aron, "the danger consists in the inevitability of slipping into the path of arbitrary "construction" of interests for the scientist who proceeds from an objective interest in explaining the behavior of people and social communities" [5].

A similar position is held by the French expert in international relations Zh.B. Durozel, when he notes the following: "Of course, it would be good if there was an opportunity to determine an objective national interest. Then it would be quite easy to study the international relations through the comparison of the national interest offered by the leaders and an objective national interest. The trouble, however, is that any reflection on objective national interest is subjective one" [6].

It is noteworthy that even in the cases when national interests are recognized as an "engine" for the development of a country state policy, controversial issues arise during the determination of this category essence and content.

First of all, they are conditioned by the accuracy of the phrase "national interest" translation, the most common Russian analogue of which is the notion of "national (national-state) interest" [7].

Besides, the content of national interest concept has never contained the ethnic content in Anglo-American and European political science. For example, any citizen who has an American passport and is no longer burdened with his original history, ethnic culture, or ancestral traditions is recognized as a US citizen. Such a concept was called a "melting pot," according to which the formation of American national identity was based on the formula of cultural and biological "fusing", the "mixing" of all peoples in a single American nation. According to the American researcher A. Mann, "the very phrase "melting pot" has become a national symbol of this century" [8].



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In modern Russian legal tradition, the concept of a nation is based on the provisions of Russian Federation Constitution, the preamble states that it is adopted by the multinational (stressed by us - auth.) people of Russia, "affirming human rights and freedoms, civil peace and harmony, preserving the historically established state unity ... reviving the sovereign statehood of Russia and affirming the inviolability of its democratic foundations, striving to ensure the well-being and the prosperity of Russia, based on responsibility for its Motherland before present and future generations, recognizing itself as the part of the international community" [9]. Proceeding from this, it can be concluded that the main and unchanging national interests for Russian Federation are the provision of human rights and freedoms, the preservation of sovereignty and state unity, the development of civil society and democracy, the solution of economic problems, the strengthening of Russia position and its authority on the international arena. Thus, the conclusion is possible that the development of national interests is a long evolutionary historical process taking place in a complex intertwining of economic, social, national, psychological and other factors that determine together the content and the character of the national historical experience of this people. In this capacity, national interests are a socio-historical phenomenon and can not exist independently of their bearer (a particular nation) consciousness.

It is noteworthy that there are entire directions on the basis of the national interest understanding within philosophical and legal science, that interpret the content and the significance of this concept differently, also depending on the ideological positions of scientists and researchers of different states. One thing is common for them: the national interests represented in the form of a hierarchical structure are divided by the spheres of distribution into political, military, economic, ideological, cultural and other spheres; by the time of action - into immediate, short-term (up to 5 years), medium-term (from 5 to 20 years) and long-term (from 20 to 50 years) ones; by the degree of importance for society and the state: vital (strategic), important (tactical) and peripheral (operational).

In this regard, the national interests should represent a harmonious balance of individual and state interests in all spheres of social relations (the society life), fixed at the highest legislative level.



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Now let us consider the features of the regulatory and legal consolidation and the realization of the US and Russia national interests.

First of all, the national interests of the US are fixed in the doctrinal document of strategic management - the US National Security Strategy, which is adjusted every 5-6 years as a rule. The national security strategy in this state is a kind of intellectual product, a set of interrelated ideas in the field of trend management, real and predictable ones, to protect the constant interests of society and a state.

In general, the doctrinal vision of national security and, correspondingly, of national interests has the following structure in the United States developed for more than 200 years: fundamental (permanent) national interests; the provision of security, prosperity and freedom for the American people; the corresponding mission of the country at this historical stage (subject to the adjustment by each newly elected US president).

It is characteristic that the American liberal system of values, embodied in doctrinal state-forming documents, such as the Declaration of Independence [10], the US Constitution [11] and the Bill of Rights [12], is the fundamental basis for the development of the US National Security Strategy.

The national security strategy is being developed by the US National Security Council, designed for the highest level of state policy and is designed to solve global problems. It reflects the interests of the state and the directions of their implementation.

The last active (updated) version of the National Security Strategy (NSS) was made public by the administration of US President Donald J. Trump on December 18, 2017 [13]. As before, this document is devoted to the analysis of existing and potential challenges concerning country security, as well as to the ways of existing threat counteraction. The main leitmotif of this document was reflected in the words of the US President presenting the following strategy: "The primary duty of our state to the people is to serve its interests, to ensure its security, to uphold its rights and to protect its values" [14].

The analyzed Strategy has four vital national interests (the so-called "pillars"): the protection of the United States territory, American citizens and the American way of life; America prosperity promotion; the preservation of peace through force; the expansion of American influence. Besides, the main challenges and trends are outlined affecting the



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situation in the world, including the revisionist powers (also China and Russia); the regional dictators; the terrorists from jihadist organizations.

In addition to the external threat counteraction, a considerable attention is paid to the development of American welfare - the maintaining of a strong economy that protects the American people, strengthens its way of life and supports American power.

They also speak of the need for the leadership in research, technology and innovation and American energy superiority.

In general, one can talk about the continuity of the new US National Security Strategy in relation to previous legal documents in this area and the traditional American national values enshrined in the US Constitution.

In its turn, the national interests are also enshrined in the National Security Strategy of Russian Federation, the basic document for long-range planning, which should be scheduled every six years, which is similar to American practice in this area.

The current National Security Strategy of Russian Federation in 2015 [15] is based on the norms of Russian Federation Constitution, current legislation, it determines the national interests, the goals, the objectives of Russia in the field of domestic and foreign policy, the strategic national priorities of the state at the current stage and measures to ensure national security.

According to the text of RF National Security Strategy, the national interests of Russian Federation are defined as objectively significant needs of an individual, society and the state ensuring their security and sustainable development. Thus, the national interests are related to national security directly, since, according to paragraph 6 of the mentioned Strategy, the provision of national security is the implementation of political, military, organizational, socio-economic, information, legal and other measures aimed at the counteraction of national security threats and national interest satisfaction by federal and local authorities together with civil society institutions (underlined by us - auth.).

In this case, the provision of national interests can be presented as a general criterion to determine a safe (a dangerous) position according to which a nation (a state) is in a state of security when it does not have to sacrifice its national interests and when it is able to protect these interests by the means of political, economic, military and other actions.



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Let us emphasize that correctly recognized and fixed interests can ensure the national security of a state, its steady, progressive development, and incorrectly formulated interests may disorganize, disorient and lead to a crisis and stagnation.

The study of RF National Security Strategy text (paragraph 30) shows that national interests are formulated as the trends of needs, priorities and activity guideline satisfaction. These include: the strengthening of the country defense, the provision of the constitutional order inviolability, sovereignty, independence, RF state and territorial integrity; the strengthening of the national consensus, political and social stability, the development of democratic institutions, the improvement of interaction mechanisms between the state and civil society; the quality of life improvement, the strengthening of the population health, ensuring a stable demographic development of the country; the preservation and the development of culture, the traditional Russian spiritual and moral values; the increase of the national economy competitiveness; the consolidation of the status of one of the leading world powers for Russian Federation, whose activities are aimed at strategic stability and mutually beneficial partnership relation maintaining in a polycentric world [15].

Thus, the national interests of modern Russia have their own specifics, conditioned by the economic, political, social, ethnic, cultural and geopolitical features of Russian society and constitute the basis for the functioning of both the state mechanism as a whole and the mechanism of national security provision. Economic and political programs are created on their basis, plans and concepts are formed, laws and other normative legal acts are adopted. The purpose of the most important national interest is the preservation of national values and the reflection of emerging threats.

Thus, let's note that there are different traditions and perception culture, legal record and the practice of national interest realization in the modern world. At the same time, a single unifying origin is their understanding as a generalizing consolidating concept, objectively significant needs of an individual, society, the state as a whole, removing the contradiction between civil society state interests, without the regulatory and legal provision and state support of which a state can not exist as a sovereign organization on international arena.



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### **4. CONCLUSIONS.**

After the theoretical and legal analysis of understanding, the peculiarities of legal consolidation and the realization of the national interests of the US and Russia, the following conclusions can be drawn:

First, the issues of national interests and national security are prioritized and vital for both states, thus, their heads make significant efforts to ensure the sovereignty and the integrity of the military, economic and political systems.

Secondly, the activities of states related to the implementation of national interests and national security provision, the protection from internal and external threats, are carried out in accordance with strategic legal documents in this field, developed (and adopted in accordance with an established procedure) in accordance with the peculiarities of historical development and the priorities established in the given state.

Thirdly, a considerable attention in the state policy of both states is paid to internal national interests - the development of economic potential, scientific, technical and innovative progress and energy problems. At the same time, foreign policy remains a priority.

Fourthly, during the modern period, the military power in the foreign policy of the United States, Russia and other countries is perceived as the main means of national interest provision, which often leads to the interference in the internal affairs of individual states, the violation of their sovereignty, an unjustified restriction, the infringement of citizen rights and the democratic foundations of peaceful coexistence.

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