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FREEDOM, ELECTION AND MORALITY AS A BASIS OF CONSTITUTIONAL ECONOMICS¹

***Abstract:** The aim of this paper is to demonstrate the bases of the constitutional economy. Freedom, free will, morality are the resources of each social-economic system. The morality and the ethics should be superior to the legislation. The written laws should be made for the society, common people, not for the thin group of politicians, businessmen or lobby. The constitutional economy is part of the theory of public choice. Its main representatives are G. Tullock and J. M. Buchanan. The message of the constitutional economy is to encourage exchange and dialogue extending across a range of social sciences, including law, philosophy, political science and sociology. It explains the choice of the alternative sets of legal, institutional and constitutional rules that constrain the choices and activities of economic and political agents.*

***Keywords:** Buchanan, constitution, constitutional economics, constitutionalism, ethics, government authority, morality, public choice theory, freedom, elections*

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1 Introduction

Evolution as an aspect of theoretical analysis as well as observed reality, leads economists to admitting mutual addiction among economic, ethic and political environment where people are dealing with each other. (J. M. Buchanan)

Civil freedom and the economic and political freedom, which is derived from it, should be the fundamental prerequisite of each individual, so that they could meaningfully exist in society. Freedom necessitates rights and duties (responsibilities), it is impossible to exchange it for arbitrariness. There are certain barriers in our actions, which should not be exceeded by any individual (in relation towards others), and thus not to cause a pressure or even a brisk disruption in interpersonal and social relations.

In each society, regardless of its cultural background is, there exists a certain code of “what should be.” The purpose and “what should be“ are inseparably coupled and

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