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MODERN AZERBAIJANI

CONSTITUTIONAL LAW AS AN AXIOLOGICAL PARADIGM IN GLOBAL CONSTITUTIONALISM

EL DERECHO CONSTITUCIONAL MODERNO DE AZERBAIYÁN COMO PARADIGMA AXIOLÓGICO EN EL CONSTITUCIONALISMO GLOBAL

Rustamzade Aykhan Xankishi ^{1*}

Email: RustamzadeAX@hotmail.com

ORCID: <https://orcid.org/0000-0002-9410-960X>

Gadimaliyev Araz Raguf ¹

Email: arazgadimaliyev@mail.ru

ORCID: <https://orcid.org/0000-0001-9437-8466>

Davudov Davud Rasim ¹

Email: ddavudov@naa.edu.az

ORCID: <https://orcid.org/0009-0009-2691-2378>

¹ National Aviation Academy, Baku, Republic of Azerbaijan.

* Author for correspondence

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ABSTRACT

The doctrine of modern constitutional law in Azerbaijan holds significant importance as an axiological phenomenon within the global constitutional paradigm, influencing the development of the country's legal system. However, despite its relevance, there is a noticeable research gap in the comprehensive evaluation of its scientific and methodological foundations, particularly regarding constitutional amendments and their practical implications. This study seeks to fill that gap by defining the scientific underpinnings of Azerbaijan's constitutional law doctrine, offering a thorough evaluation of its constitutional bases, and analyzing relevant theories to assess their real-world applications. Both local and international experiences were examined, leading to a clearer understanding of the challenges and advancements in Azerbaijan's constitutional reforms. The research also scrutinizes constitutional amendments and associated normative legal acts, contributing valuable insights for future legal reforms. The implications of this study are profound, as it not only informs ongoing legal debates but also offers concrete recommendations for enhancing the effectiveness of Azerbaijan's constitutional framework, situating it within the broader context of world constitutionalism.

Keywords: Constitution, constitutional law, legal reform, human and civil rights, rights and freedoms.

RESUMEN

La doctrina del derecho constitucional moderno en Azerbaiyán tiene una importancia significativa como fenómeno axiológico dentro del paradigma constitucional global, influyendo en el desarrollo del sistema jurídico del país. Sin embargo, a pesar de su relevancia, existe una notable brecha de investigación en la evaluación integral de sus fundamentos científicos y metodológicos, en particular en lo que respecta a las enmiendas constitucionales y sus implicaciones prácticas. Este estudio busca llenar ese vacío definiendo los fundamentos científicos de la doctrina del derecho constitucional de Azerbaiyán, ofreciendo una evaluación exhaustiva de sus bases constitucionales y analizando las teorías relevantes para evaluar sus aplicaciones en el mundo real. Se examinan experiencias tanto locales como internacionales, lo que condujo a una comprensión más clara de los desafíos y avances en las reformas constitucionales de Azerbaiyán. La investigación también examina las enmiendas constitucionales y los actos jurídicos normativos asociados, lo que aporta información valiosa para futuras reformas jurídicas. Las implicaciones de este estudio son profundas, ya que no solo informa los debates jurídicos en curso, sino que también ofrece recomendaciones concretas para mejorar la eficacia del marco constitucional de Azerbaiyán, situándolo en el contexto más amplio del constitucionalismo mundial.

Palabras clave: Constitución, derecho constitucional, reforma jurídica, derechos humanos y civiles, derechos y libertades.

INTRODUCTION

A constitution is the fundamental law of the judicial system of a state and it functions to control political power and delineate the rights and freedoms of a country's citizens. It is also regarded as principles and norms that set the functioning and organization of the state and the relations between public institutions and individuals. A constitution's importance is that it is the higher law in court. It means that all laws and state actions must be conducted within the frame of the constitution. In addition, a constitution ensures social order, community life, and protects individual and collective freedoms. In fact, it is that constitution that recognizes and protects basic human rights so crucially essential in the functioning of a democratic society (Sajó, 2019). In this context, constitutional law refers to the body of public law dealing with the basic laws of a given state. The idea rests on a number of key concepts, including the following: fundamental norm, fundamental rights, state structure and formal and material approaches. In a nutshell, the conceptual framework of constitutional law is necessary in understanding how power within a state is kept organized and regulated, how citizens' rights are protected, and how such principles guarantee that a democratic society will work properly (Chemersinsky, 2023).

Although constitutional legal thought was once primarily grounded in the works of the state itself and examined by a small group of scholars through comparative studies of state-legal regulations, the current political and legal landscape presents a fundamentally different reality. Today, the doctrine of constitutional law extends into the realm of broader ideas, which are dispersed across various disciplines such as political and legal theory, philosophy of law, historical analysis, economics, and more (Stephenson, 2019; Wurman, 2024). This interdisciplinary expansion makes it increasingly difficult to pinpoint a precise definition of the subject and method of modern constitutional law. The variety of viewpoints, along with a rapidly growing body of new information linked to significant changes in state-legal regulation, calls for a re-evaluation of the fundamental axiological content of modern constitutional law. This redefinition clearly extends beyond the traditional boundaries of constitutional law, challenging the established understanding and diachronic interpretation of its subject matter and methodology (Gerber, 2008).

Formally, axiology is the theory or discipline in philosophy that concerns the study of values. As it pertains to the legal profession, axiology refers to legal axiology - that which

studies the moral and legal values supporting a particular legal system. The discipline needs to determine what value should serve as a guideline in the formulation and application of laws. Of these values, one of the most important is justice. Its relevance in constitutional law emanates from the fact that axiology brings into perspective certain principles and values upon which the application and implementation of the constitution would lie. A person is able, through axiology, to specify values which are key in social coexistence or protection of human rights, something that is of prime importance since as legal persons they have to be conscious of the values which guide judicial and legislative decision-making. Therefore, axiology provides not only a theoretical framework in which law is comprehended but also plays a critical role in ensuring that laws and the application thereof reflect the basic values of society (Indriati et al., 2022).

In modern constitutional law, the focus on axiological and methodological approaches, as well as the conceptual and fundamental categorical frameworks derived from them, is of paramount importance. This emphasis stems from the unique nature of the subject matter of constitutional law, the distinctive patterns through which it manifests, and the complexities it presents. The significance of this field does not lie merely in its connection to the continuous process of political and legal construction or the reconstruction of a state's legal system. Rather, it is evident in the fact that, despite specific exceptions, there is an observable evolutionary uniformity in the development of legal systems when they are compared (Edelheim et al., 2022). A systemic approach to analyzing the constitutional concepts of different nations helps to uncover regularities, indirectly affirming the influence of history and culture on the structure and evolution of law. Moreover, a critical examination of constitutional law phenomena through axiological and methodological lenses provides a clear understanding of the current state of this legal field within a country's public-private system. As modern states undergo significant transformations, driven by global phenomena, it becomes increasingly important to recognize how constitutional systems reflect and separate various values. For individual states, a critical task is to assess their relationship with the pool of global values and align these values with their own social and national interests. This alignment is essential for navigating the dynamics of contemporary political and legal developments (Leszczyński, 2020).

Regarding Azerbaijan, the Constitution adopted on November 12th, 1995, as the first Basic Law of the independent state, was a new impetus for the establishment and development of modern Azerbaijani statehood, as

well as the evolution of the constitutional law of the country. Undoubtedly, the Constitution has given a powerful impetus to the development of the entire legal system of the country and the legislation of the Republic of Azerbaijan, as well as created favorable conditions for the development of constitutional law in the light of new legal values. As in the developed countries of the modern world, constitutional law in the Republic of Azerbaijan is a leading area of law. Constitutional law encompasses all directions of state building development without exception. Its provisions are an important ideological support for the development and improvement of the socio-economic, political, legislative, legal, and judicial systems of the country. Constitutional law, being the leading legal sphere, forms the basis of theoretical and practical measures taken in all other areas of law to strengthen statehood in the country. Then, the objective of this research is scientific and methodological assessment of modern constitutional reforms, studying theories of constitutional reform, ante the generalization of results of scientific research connected with their application in practice, considering specifically the case of the Republic of Azerbaijan.

DEVELOPMENT

The constitutional law of the Republic of Azerbaijan constitutes the most basic complex of public relations, which includes the constitutional structure of the state, the forms and methods of implementing state power in the country, the basis of the legal status of individuals, the rules for formation and system of state power and local self-government (including voting rights), and the principles of their organization and operation. The constitutional law of the Republic of Azerbaijan regulates the social relations mentioned above and promotes their development. Constitutional law is legally the driver of the doctrine of state administration.

It has been acknowledged that constitutional legal relations or constitutional-political relations are matters of constitutional law in the Republic of Azerbaijan. These are the basic relationships for society, the state, and all other public relations and are distinguished by their importance. The constitutional law of the Republic of Azerbaijan is the area of law through which the basic principles of human and civil life are defined in society and the state, and the effective management of public affairs and state affairs is ensured. The following tasks of constitutional law draw attention:

1. Defining the basics of society and state structure, the nature of power in the country, and the status of individuals;

2. Providing the most detailed regulation of the basic mechanisms of state government and local self-government.

Consequently, many of the social relationships that constitute the subject of constitutional law are related to state establishment, the legal status of the state, individuals, and the exercise of state power. Additionally, one of the main directions is the efficient use and application of the assurance system in implementing the aforementioned tasks. It is through the system of assurances that the most important constitutional directions of state policy find their vitality and reality.

The constitutional law of the Republic of Azerbaijan studies constitutional law, in other words, the field of constitutional law. Constitutional law is a field that is more closely related to politics than other legal sciences and is influenced by ideologies that dominate society. It is no coincidence that the constitution of each state is a political and legal document. This also stems from the peculiarities of its subject. Constitutional law defines the directions of political and legal development for all other legal fields in the country (Aliev, 2016). Based on the provisions of constitutional law, fundamental provisions in all other areas of law are prepared. These principles cannot conflict with the provisions of constitutional law.

Since the constitutional law of the Republic of Azerbaijan is fully independent at the doctrinal level, we think it is advisable to directly focus on the notion of law. Law is a very complex and multifaceted social phenomenon, and its analysis is also multifaceted. In the broadest sense, law is understood as both a means of regulating social relations (as a set of norms) and a fundamental science that studies this tool of social regulation. More precisely, law is regulated and enforced by legislation, and it is studied and taught.

In a broader sense, law is a philosophical category that directly affects human freedom and thought. Law is a combination of norms and rules that, in the context of philosophical problems, define people's behavior as a means of social regulation, generally give legal support to the progress of humanity, and in some political regimes slow down progress and bring misery to people. In real life, law acts as a rule that is defined in necessary documents, enforced by the power of the state, and sanctioned and ideologically regulated by the state. These rules define the factors that determine a person's freedom and liberty, the existence of a person as a social individual and a member of society.

When law is positively enforced by the state, it acts as a whole system of rules that interact with each other. These

rules affect all spheres of public and state life without exception. Such power is one of the inherent qualities of law. Otherwise, law would not be different from other social norms operating in society such as ethical, religious, technical, and corporate norms.

The original cell of law is the norm. The state creates norms of law, not the law itself, for its activities. These norms accumulate over the years and can create a certain area of law after a certain period. Of course, this is a long process. Legal norms are concentrated in normative acts, which are a form of law, and as a result, the legislative system is created. Characteristics of relevant issues also pertain to the rule of law and regulatory acts. The norms of law differ sharply from one another because of their structure, act (legal force), and content. As a result, there is a specialization of law in separate relations, and, ultimately, the horizontal relations of the legislative system are formed.

As already noted, constitutional law has a certain subject and method. As a legal area, constitutional law regulates the interrelation of individuals, society, and the state. However, this is a general guideline. More precisely, constitutional law regulates different groups of relations. These groups of relationships include:

- Social bases of the state and society;
- Economic bases of the state;
- Political system and legislative system;
- The main socio-political and legal processes in the state and society;
- A number of spiritual and ideological relationships (ethics, religion, education, culture, etc.)

These relationships are further divided into smaller and more precise subgroups. All these relations involve the state and state bodies, citizens and their various associations (political parties, public organizations, social and political movements, non-governmental organizations, etc.), and various societies. In constitutional law, these relations are governed by the following aspects:

- Fundamentals of state management - basic state bodies, principles of their organization, power organization;
- Fundamentals of the legal status of individuals - the basic rights and obligations of a person and citizen;
- Local self-government - basics of self-organization of society;

- People's authority - the relationship between society and the state.

It is important to note that constitutional law does not regulate these relations in their entirety or in detail. It regulates the core of the relationships, which are especially vital to individuals, society, and the state, while the rest of the relationships fall under other areas of law. This is a feature unique to constitutional law.

Constitutional law and its norms thus regulate the basics and basic framework of the most important relations. It has become clear that the constitutional law of the Republic of Azerbaijan, unlike other legal spheres of the country, regulates only the most fundamental relations. These relationships are primary and basic compared to other legal relationships. This, in turn, creates certain features that distinguish constitutional law from other areas of law as an independent legal field.

Constitutional law plays a key role in transforming constitutional law into the leading field of law, though not all constitutional legislation does this. It should be noted that constitutional law is a broader concept compared to constitutional legislation. Additionally, the highest level in the legislative system is not any constitutional act, but the constitution itself as the fundamental law. Several aspects of the 1995 Constitution are reflected in the constitutional law doctrine of the Republic of Azerbaijan. It would be advisable to review them.

First, the new Constitution of the Republic of Azerbaijan is the first major law of a young independent republic. Previous constitutions were adopted during the existence of the USSR and were developed under the influence of a completely different ideology. Therefore, these earlier constitutions of Azerbaijan did not pay enough attention to local features, national-moral values, and customs of the people. In this regard, the 1995 Constitution draws attention because of its innovations and more detailed inclusion of national-moral values and local characteristics inherent to the Azerbaijani people. First, in the preamble of the Constitution, there are remarkable provisions unique in reflecting the principles of democracy and humanism. The preamble of the Basic Law states (Constitution of the Republic of Azerbaijan, 1995):

The Azerbaijani people, continuing their centuries-old traditions of statehood, based on the principles reflected in the Constitutional Act 'On the State Independence of the Republic of Azerbaijan,' wishing for the well-being of the whole community and everyone, desiring to establish justice, freedom, and security, recognizing their responsibility to past, present, and future generations, solemnly declare the following intentions, using sovereign rights:

- To protect the independence, sovereignty, and territorial integrity of the Azerbaijani state;
- To guarantee the democratic structure within the Constitution;
- To achieve a stable civil society;
- To create a legal, secular state that will ensure the rule of law as an expression of the people's will;
- To ensure decent living standards in accordance with fair economic and social policies;
- To live in a friendly, peaceful, and tranquil environment with all the peoples of the world and adhere to this purpose, adhering to universal values.

Secondly, the 1995 Constitution of the Republic of Azerbaijan has led to qualitative changes in the state's social policy, as in all spheres of life of the country and its population. The current Basic Law of the Republic of Azerbaijan eliminates the class approach to different segments of the population. At present, terms such as "the workers," "the peasants," and "the intelligent class" are not used in Azerbaijan. There is only one approach: "Citizen of the Republic of Azerbaijan."

Thirdly, the Constitution of the independent Republic of Azerbaijan established the institutions of private property and free enterprise. Undoubtedly, this is a typical provision for an economy based on a free market system. Additionally, the state guarantees the protection of private property and the smooth development of free enterprise. Article 13 of the Constitution of the Republic of Azerbaijan states:

1. Property in the Republic of Azerbaijan is inviolable and protected by the state.
2. Property can be state, private, or municipal.
3. Property cannot be used against human and civil rights and freedoms, the interests of society and the state, or against the dignity of the individual (Milli Mejlis of the Republic of Azerbaijan, 2018).

Fourth, it is noteworthy that the rights and freedoms of persons and citizens are recognized and guaranteed not only in accordance with the Constitution of the Republic of Azerbaijan but also in accordance with generally accepted norms and principles of international law. Part II of Article 12 of the Constitution defines the provision of decent living standards as the highest priority of the state (Aliiev, 2010).

The constitutional law of the Republic of Azerbaijan defines the theory of separation of powers as a principle. This

principle is the entry point for administrative law that regulates administration, functioning of the executive branch, and defines the scope of relations and issues governed by administrative law.

The Constitution of the Republic of Azerbaijan directly states that the heads of local executive authorities are appointed by the President of the Republic of Azerbaijan. Administrative law can no longer define any other procedure for the formation of executive authorities, and hierarchical relationships must be studied and improved within the framework of these provisions.

The constitutional law of the Republic of Azerbaijan considers the protection and guarantee of human rights and freedoms as one of the priority tasks of the state. Particular emphasis on individual rights is a striking example of the Constitution's democratic and humanistic position. Additionally, constitutional law considers the protection of individual and civil rights and freedoms an important duty of public authorities. Thus, pursuant to Article 71 of the Constitution of the Republic of Azerbaijan, it is the duty of the legislative, executive, and judicial authorities to maintain and protect human and civil rights and freedoms. This provision ensures alternative and effective ways to protect human rights and freedoms in the activities of executive power.

The constitutional law of the Republic of Azerbaijan consists of a real set of legal norms as an independent area of law. As in all other areas of law, constitutional law has some similarities with the norms of other legal fields. However, constitutional law differs in some original ways. These are some of the areas that are not covered by other legal norms.

In general, there are the following features and types of constitutional legal norms in the Republic of Azerbaijan:

1) Constitutional law norms are constitutional (i.e., they are basically the only norms stated in the constitution). The constitutional norms determine the basis of the sphere or issue to which they apply. The constitution establishes the basis for any matter governed by law, defines its general parameters and limits. All other norms act according to the guidelines of these norms and regulate other issues. The constitutive norms regulate the relations between the people and the state, determine the fundamental rights of individuals along with the system of state bodies and the legislative system. The constitutive norms also include requirements for other acts in the legislative system.

2) Constitutional norms usually do not have a traditional "three-element structure." As is known, legal norms by their structure consist of the following:

- a) Disposition of norm,
- b) Hypothesis of norm,

c) Sanction of norm (Melikova, 2019, p. 56).

Not all norms of the Constitution of the Republic of Azerbaijan contain these elements. Some norms contain only disposition and hypothesis, but not sanctions. However, there are norms where all three elements are present. There are norms whose elements cannot be distinguished. For example, Article 1 of the Constitution states that “the sole source of state power in the Republic of Azerbaijan is the Azerbaijani people.” It is difficult to say whether this is a disposition or hypothesis of the norm. Sometimes it is possible to distinguish that the constitutional legal norms provided by current legislation are three-dimensional in terms of structure.

3) The constitutional norms are definitive and defining principles. A certain part of constitutional law sets out the principles concerning particular issues. These principles apply to all current legislation, and all legal norms must adhere to them strictly. For example, Article 149 of the Constitution states that “Regulatory legal acts must be based on law and justice (in the same way as equal interests).” Regardless of the area, all other legal provisions must comply with these principles.

Norms in many cases require the submission of numerous legislative acts and the implementation of large-scale measures by the state. For example, the election principles enshrined in Article 83 of the Constitution must be implemented not only by law but also through a number of organizational measures.

4) Constitutional norms are often norms with specific mechanisms of implementation. Some constitutional legal norms, as in other areas of law, are not directly enforced in specific laws. The implementation of such norms requires extensive multidisciplinary action. Some of these norms are directly related to the state structure and the level of democracy in the country. For example, Article 83 of the Constitution provides that “no one has the right to represent the people, to speak on behalf of the people, or to act on behalf of the people, except the authorized representatives of the people” (Milli Mejlis of the Republic of Azerbaijan, 2018).

Thus, to enforce this norm, a representative body should be established, its powers must be defined, cases in which it contravenes the law must be established by criminal law, and a theory of representation must be developed and implemented in practice.

5) Constitutional norms differ according to the source of their identification. The main constitutional legal norms are reflected in the Supreme Law of the Republic of Azerbaijan - the Constitution. These norms are more important than other constitutional law norms because the most promising and basic issues are governed by them and are directly based on the will of the people.

6) Constitutional norms differ in their legal force. The highest legal standards are enshrined in the constitution. Then come norms prescribed by law. The norms stipulated by legal acts cannot contradict the laws. Such acts are either changed or amended, or when desired results are not achieved, those acts are revoked.

7) Constitutional legal norms are subdivided into authoritative, compulsory, and forbidding norms according to the nature of the instructions given therein. As the name implies, authoritative norms are those that allow the subject of law to take certain actions (or inaction). For example, Articles 94, 95, and 109 of the Constitution are authoritative norms. Compulsory norms define an active duty as an obligation for a subject to carry out a particular act of conduct. The subject must enforce the rule set in the norm. The constitutionally mandated duties of citizens are compulsory norms. Forbidding norms prohibit the subject from doing certain actions. For example, Article 6 of the Constitution prohibits the exercise of power by unauthorized entities.

8) Constitutional norms also differ in the rules for giving the subject freedom to act. On this basis, norms are divided into dispositive and imperative norms. Imperative norms do not give the subject any independence in relation to the behavior prescribed by the norm, and the subject does not have the opportunity to choose an additional behavioral option. For example, Article 145 of Part III of the Constitution directly states that “local taxes and payments decisions are made by a two-thirds majority of municipal members.” This norm clearly defines the rules for municipalities to make local payments and tax decisions. Any decision of the municipality related to local taxes and payments that excludes or disregards these norms is considered illegal.

9) Constitutional legal norms are also divided into different groups according to their function in the mechanism of legal regulation. The norms are hereby subdivided into substantive law norms and procedural norms. Substantive legal norms directly determine the action itself and its content. The procedural norms, on the contrary, determine the procedure for the implementation of that action or any other provision in the norm. The freedom of assembly as defined in Article 49 of the Constitution of the Republic

of Azerbaijan determines the content of human rights (Jafarov, 2010). The procedure for exercising this right is provided by a special law. In order to hold a rally or a march, the relevant executive authority must first select an appropriate place. This is a procedural norm.

Constitutional legal norms unite in particular groups based on their own relations. The combination of norms in such a group is called a Law Institute. However, the mechanical union of legal norms does not create and cannot create an institution of law. To do this, these legal norms must unite similar, close relationships. These norms overlap with their subject matter in terms of regulatory features.

As is known, Parliament is formed on the basis of the majority system as the single legislative body in the Republic of Azerbaijan (Askerov, 2011). Of course, this does not mean that the law of the Republic of Azerbaijan studies only institutions and problems that are reflected in specific constitutional legislation. On the contrary, issues such as legal institutions, which can be applied in a comparative manner and in the perspective of improving the state system in the Republic of Azerbaijan, are studied by the scientific law of Constitutional Law of the Republic of Azerbaijan (Askerov et al., 2003).

The constitutional law institutions differ from each other in terms of the relationships they have created and in the nature of their implementation (Strashun, 2018). While some institutions are implemented at the level of the entire legal system and various legislative acts, others establish specific legal relationships. The main constitutional law institutes include the basics of the constitutional structure, the basics of the legal status of the individual, the management of state power, the management of local self-government, and the legal system.

Each constitutional law institute is closely linked with the others. Separating or isolating them can only cause negative consequences. Sometimes one principle is reflected in several constitutional law institutes. For example, the principle of separation of powers finds its expression in the institution of the foundations of the constitutional system by defining a compact basis. At the same time, this principle has already been developed and clarified in the form of government relations between state bodies.

Constitutional law institutes refer to different criteria when distinguishing them from others. This usually applies to the following criteria:

- Legal implementation mechanism of the Constitutional Law Institute.
- Subjects involved in legal relations.

- Functions implemented by the Constitutional Law Institute.
- The peculiarities of the norms of the constitutional law institute, etc.

Constitutional law institutions are dynamic. These institutions are constantly evolving and undergoing certain changes. The degree of their reflection in legislation and in separate legal acts is not the same. While some institutions are fully represented in the constitution (the foundations of the constitutional system), others are only partially reflected (local self-government). A number of institutions (for example, the basics of the legal status of the individual) are regulated mainly by law, and some, on the contrary, are implemented by means of more legal acts. An example of this is the institution of local executive bodies. The dynamics of development of the main institutions of constitutional law are not the same.

As with every area of Azerbaijani law, constitutional law is exercised through social norms governed by its rules. It is through these norms that mutual rights and obligations of the subjects of legal relations are regulated. Consequently, legal relations must be treated from the aspect of their structure. Each legal relationship, in its structure, has the following parts:

- The object of legal relationship.
- Subject of legal relationship.
- Content of legal relationship (Melikova, 2019).

The content of the legal relationship is usually understood as the rights and obligations of parties in the legal relationship. Each legal relationship arises from the combination of the above sections. Regardless of the area of legal relationship, the contents of the relationships also differ from each other. For example, civil law relationships, as a rule, involve to some degree or other tangible objects, while administrative legal relations mainly involve intangible assets - human activities or the behavior of a particular individual.

In contrast, the object of criminal law refers to the relationship between human beings and the inviolability of their health. Constitutional legal relationships, as well as other legal fields, have certain characteristics arising from the field (Strashun, 2018, p. 132). The constitution differs from the object of legal relationships in its breadth and absence of concessions. This set of relationships includes a wide range of issues that are reflected in the daily activities of people, from the specific set of measures required for the management and functioning of government agencies.

The rights and duties of a person and a citizen are also the object of constitutional legal relations. These rights and responsibilities constitute not only the content of constitutional law but also act as an object, being affected by the subject on account of other rights and responsibilities. The content of the constitutional legal relationship refers to the mutual rights and duties of the parties. These rights and duties are closely intertwined. It is traditionally accepted as such. The duty of one party is consistent with another party's rights. For example, a person's right to file a complaint corresponds to a state body's duty to review and respond to that complaint within the timeframe established by law, or, conversely, a citizen's duty to pay taxes in a timely manner.

The subjects of constitutional legal relations also have subjective rights and duties. These rights and duties mean the ability of individuals to behave in relation to a particular object and always have certain legal consequences. For example, the withdrawal of citizenship of the Republic of Azerbaijan causes the termination of an individual's rights and duties of citizenship. The rights and duties of the subjects of constitutional legal relations are not always as clear and concrete as in other relations. For example, many rights and duties arising from citizenship are reflected in the entire legal system. These are constantly evolving and undergoing change. It is not always possible to clearly define the rights and duties of the subjects.

It should be noted that legal relations arise, change, and terminate on the basis of certain legal facts. Legal facts, however, cover a fairly wide spectrum in constitutional law. This applies to many categories, from concrete cases to abstract concepts. The doctrine of constitutional law, which has its history from ancient times, refers to a guarantee of human rights and freedoms through democratic means, the establishment of higher authorities, balanced and mutual operation of their activities, along with the fundamental basis in the practice of power in all countries of the world in terms of the impartial functioning of the state mechanism. This importance is still manifesting itself today. Thus, the doctrine of constitutional law acts as a prerequisite for the rule of law.

Nowadays, the doctrine of constitutional law is developing in most countries of the world, including the Republic of Azerbaijan. The doctrine of constitutional law emerges in societies where elements of civil society exist and, in this case, where there is functional division and specialization of power. Realization of the organizational and legal potential of the general principle of power in society allows for defining the functions of public administration and creating and developing a system of state bodies that constitutes a single complex of state power. The doctrine of

constitutional law of the Republic of Azerbaijan is a clear indication of the current state of the country, including its development prospects for the near future. This doctrine is remarkable in its commitment to democratic and humanistic universal values. The goal here is to provide a decent standard of living for the people of Azerbaijan, to address socio-economic problems, and to implement the main directions of the state's domestic and foreign policy.

CONCLUSIONS

Modern constitutional law of Azerbaijan is pegged on several foundational principles and values, important for the successful work of the legal system of this country. One of the prime aspects is national sovereignty-it underlines that the power of the state comes from its citizens, which means the legitimacy of the government is based upon the consent of the people. By the same token, the rule of law should, and does, come into play through Azerbaijan's constitution in binding laws through which everyone is subject to one standard pertaining to the law. Besides that, human rights and fundamental freedoms are enshrined as one of the key principles in the constitution, which covers all civil, political, economic, social, and cultural rights to ensure that the rights of all citizens are protected and advanced. The constitution now embraces the import of political pluralism, promoting diverse viewpoints and multiple political parties for a democratic and representative atmosphere. Of equal importance is the encouragement of citizen participation through active political and social engagement to achieve democratic governance. These principles and values are the basis upon which a State founds its legal framework and, therefore, a guideline to the interpretation of laws in Azerbaijan, influencing the legal system to more democratic modeling with respect for human rights.

Moreover, constitutionalism in Azerbaijan is underpinned by a variety of axiological bases-that is, reflecting the substantive ethical and moral principles constituting the legal system of the country. Among them, one can quote human dignity as probably one of the most important values within the Azerbaijani constitution, since it means that all citizens are supposed to be treated with respect and their essential rights should be protected. In addition, social justice forms one of the bases on which Azerbaijani constitutionalism rests. It points to a particular development of equality and equal opportunities for all citizens, with special protection for the most vulnerable groups. The principle of solidarity shows how relevant social unity and social responsibility could be in policies for pursuing the common good while protecting those in inferior positions. Other ethical principles include citizen participation,

which strengthens democracy by design to create an atmosphere where people can have their say and become active participants in formulating decisions.

Thus, the current socio-economic and political situation of the Republic of Azerbaijan once again proves that our country is on the path to continuous development. With its achievements as a multicultural and tolerant country, the Republic of Azerbaijan can be an example for some of the most developed countries in the world. By establishing a rule of law in accordance with the norms of the era of globalization, Azerbaijan is one of the leading countries, including in the integration processes. The successes achieved in the scientific and cultural fields in Azerbaijan indicate that the future progress of the country will be even greater. Undoubtedly, the principles contained in the Constitution of the Republic of Azerbaijan in this regard will be a valid help for the successful realization of these perspectives.

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