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## Organisation of local self-government in the Republic of Azerbaijan

**Sahil Zahir Huseynov**

National Aviation Academy of the Republic of Azerbaijan, Baku, Azerbaijan, <https://orcid.org/0009-0003-0732-7110>

**Corresponding author:** [sahilhuseynov@naa.edu.az](mailto:sahilhuseynov@naa.edu.az).

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**Abstract:** The relevance of the study lies in the fact that local self-government is the foundation of the life of the citizens of the Republic of Azerbaijan and one of the main foundations of any democratic system. This study aims to establish the constitutional and legal content and forms of interaction between the state authorities and local self-government at the present stage of the Republic of Azerbaijan's development. This article employs literature review methods and an analysis of regulatory documents to study the organisation of local self-government in the Republic of Azerbaijan. The literature review was conducted through a systematic search of scientific publications and reports from international organisations published between 2010 and 2023. The analysis of legal acts included an examination of the Constitution of Azerbaijan, laws on local self-government, and other legal documents regulating the activities of municipal bodies. The main result of the study is the argumentation of the position that interaction between public authorities and local self-government should be considered a joint activity based on the provisions of the Constitution of the Republic of Azerbaijan, its laws and by-laws, and carried out in specific directions and forms. The conclusion of the study is the argumentation of the position that in Azerbaijan, as in other post-Soviet countries, the problem of relations between state and municipal authorities is quite relevant since local self-government has always been an attribute of a democratic society and a form of self-organisation of the population to solve local problems. In addition, local self-government in Azerbaijan is recognised as an equal and independent form of government, confirmed by the study results. The study also substantiates specific proposals for improving the functioning of the local self-government system in the Republic of Azerbaijan, which will contribute to increasing the efficiency of its implementation at the regional level.

**Keywords:** local level, municipality, public authority, governance, regions, civil society.

## Introduction

Undoubtedly, achieving a new quality of local self-government is impossible without fundamental changes in approaches to understanding the institutional and procedural foundations of political and administrative processes of local democracy at the local self-government level (Gulay & Hrynoch, 2020). Therefore, there is no doubt that the main prerequisite for the democratic development of any country is the establishment and successful development of local self-government. At the same time, the practice of reforms in the Republic of Azerbaijan at the turn of the XX-XXI centuries clearly showed that without the creation of a strong state, this goal seems unlikely to be achieved, and in such a situation, the task of identifying the essential characteristics of local self-government and studying the main components of its successful development by borrowing positive foreign experience in this area becomes fundamentally important and relevant.

It should be emphasised that the issues of local self-government are more relevant than ever at the present stage. The transition of the Republic of Azerbaijan to a new model of local self-government and the departure from the one that prevailed during the Soviet Union requires close attention and detailed study, as the largely unsystematic, ill-conceived, and theoretically poorly justified practice of reforming the administrative-territorial organisation of Azerbaijani society in the post-Soviet period has led to obvious negative consequences.

The political component of the problem, which is the subject of this study, is related to the need to ensure the unity of the three levels of public authority. The object of management influence of each of them is one or another aspect of society's life. Disunity in the activities of authorities of different levels is primarily harmful to local self-government, as it generates interdepartmental competition among employees and blocks the possibility of rational management of local affairs. Such disunity is also dangerous for the state, as it tends to split society, causes uncontrollable processes, and undermines the national system of government and administration.

Local self-government, as well as various aspects of its functioning and activities, have been the subject of research by many scholars. Thus, Zahumenna and Lazarev (2020) note that local self-government is an integral part of a democratic society, as it actively influences the political and socio-economic conditions for the development of civil society and becomes an important prerequisite for the creation of a democratic and legal state. According to the scholar, the development of the legislative framework of local self-government is influenced by the experience of Western standards of local self-government, the practice of state-building in Eastern European and other countries. As the scientist notes, an important factor for the development of self-government institutions is the process of globalisation, which significantly changes socio-political relations, changes the principles of interaction between territorial communities, political organisations, and local governments.

According to Fluit et al. (2023), a comprehensive tool for assessing the self-sufficiency of larger groups of citizens using a small number of indicators is important for the effective exercise of local self-government powers at the local level. According to the scientist, local and regional authorities can use this tool to effectively assess the level of self-sufficiency of their population and signal potentially vulnerable groups that require more attention than other representatives of a particular territorial community. Thus, the researcher concludes, this tool makes determining the self-sufficiency levels of a larger population more feasible and effective, and it can be widely used in different contexts to ensure the interests of the population in a particular territory.

In turn, Dou et al. (2019) draw attention to the difference in needs among territorial communities depending on whether the population lives in urban or rural areas, which should be taken into account by local governments. In particular, the researcher notes that there is a relationship between the reliability of local authorities and the decision of individuals to become self-employed: thus, the reliability of local authorities plays a statistically significant role in people's decision to become self-

employed and that the marginal impact on self-employment depends on the context and increases with the quality of institutions. The researcher points out that trust in local authorities promotes self-employment in provinces with well-developed market institutions and suppresses it in other regions, and there is some heterogeneity in needs between rural and urban areas, as well as across generations.

A similar opinion is supported by Warner and Aldag (2023), who has studied the impact of the COVID-19 pandemic on the functioning of self-government in the United States. Thus, the scholar notes that COVID-19 funding by the federal government, especially the State and Local Fiscal Responsibility Funds (SLFRF) under the American Recovery and Reinvestment Act (ARPA), passed in 2021, has encouraged communities to invest in infrastructure, resilience, and equity. The researcher points out that there are differences between rural and urban authorities: rural authorities were more likely to hire expert consultants, develop special ARPA plans, and engage in regional cooperation. According to the scientist, regression models show that these features of community capacity also led to an increase in resilience-related investments, it was local governments that were transformative in addressing equity, and these models indicate that community engagement is key to such transformational change. In turn, the scientist summarises that to move from resilience to transformation, both community capacity and citizen engagement are needed.

A similar research topic has attracted the attention of Love et al. (2023), who note that communication played a crucial role in the first response to the COVID-19 pandemic, and communicators had a particularly difficult task of convincing different types of audiences to follow the constantly changing rules. According to the scholar, it is local governments that play a crucial role in recontextualising national messages for local audiences and encouraging the public to follow the rules, and more attention should be paid to local communicators who play an invaluable role in encouraging the public to follow national measures during the crisis.

According to Chang et al. (2023), it is important to take political countermeasures based on the relationship between population changes and the degree of financial independence of regions: regional disparities in Korea are gradually increasing along with changes in regional demographic characteristics. According to the researcher, despite the implementation of various policies, progress in decentralisation and financial independence of local governments has not been very effective, and the widening gap between regions is due to changes in the regional population. Based on the results of the study, the researcher concludes that demographic characteristics, such as the share of the elderly population, population size, and population growth rates, have various links to the financial independence of local authorities. In addition, as the researcher notes, local governments with a high proportion of the elderly population are likely to face low levels of financial independence and high dependence on central government subsidies, so it is important to consider the criteria that worsen the financial conditions and sustainability of local governments.

According to Sørensen (2022), it is important to study the impact of the level of education of politicians on government efficiency: using data on local authorities in Norway, the researcher measures efficiency using DEA productivity indicators and comprehensive service production indicators. The results of the study show that better-educated politicians contribute to a higher level of efficiency of local governments in solving their statutory tasks, especially for elderly care services. At the same time, the researcher notes that distortions in education have a moderate impact on budget allocations and are largely offset by the increased efficiency of local governments themselves.

In his research paper, Hörcher et al. (2023) investigated fiscal federation and studied the consequences of the decentralised provision of loss-making public services with benefits transferred to other regions, using the provision of public transport across administrative boundaries as a prototype. The researcher concludes that local governments may be better off when a higher-level government or a neighbouring region provides these services, and even privatisation to a monopolist may be an

advantage over decentralisation. At the same time, the researcher notes that these results are subject to the variant of the tax export mechanism that applies to subsidised services, i.e., the possibility that local consumers can use additional benefits without contributing to the subsidy burden of the service. At the same time, the researcher concludes that public transport provision is one of the large public policy sectors where decentralisation can provide social benefits, although the need for subsidies creates a real conflict of interest between the governments involved.

According to Cleave et al. (2023), for cities, immigration is now considered an important part of local economic and community development, as over the past half century, many cities have faced a number of challenges caused by the effects of the demographic transition in the last stage; the slow movement of skilled domestic workers to large metropolitan areas; and the decline of traditional economic sectors. As a result, according to the researcher, local governments prioritise attracting and retaining highly skilled and well-educated immigrants through place-based policies, so statistical analysis should be used to determine whether there are differences in policies across different types of cities. As the researcher concludes, based on such an analysis, local governments can develop a coherent place-based policy, but there will be differences in approaches in cities of different sizes and geographies, but those policies that represent the interests of communities in specific places build on local assets and benefits (i.e., existing migrant communities local amenities and attractions; economic and educational opportunities), and aim to strengthen local capacity (i.e., networking and immigration partnerships; training for employers and city workers).

### ***Research Problem***

Despite a significant number of publications on local self-government, the problem of the role of local self-government in the political system of society and the management of municipal communities remains poorly understood. This is due, firstly, to the underestimation of the processes taking place at the local level as important factors influencing the development of the political system of society; secondly, to the need for constant scientific reflection on the processes taking place at the lower levels of public power, which is especially relevant in the context of incomplete formation of the institution of local self-government and its reform; thirdly, to the need to improve the methodological tools for studying this phenomenon and to distinguish municipal governance as an independent phenomenon.

In addition, a new concept of local self-government reform in the Republic of Azerbaijan has now begun to be implemented, which provides for the strengthening of local self-government in two areas: the first is the formation and functioning of local authorities throughout the country; the second is a clear definition of the powers of municipalities, with the transfer of funds necessary for them to perform the tasks stipulated by law and their separation from the powers of other levels of government. The successful reform and establishment of the local self-government institution in Azerbaijan is of particular social and political importance.

### ***Research Focus***

Local self-government is one of the most important institutions of modern society. Today, it is both a form of self-organisation of citizens and, in this sense, a component of civil society, a level of public authority (a tool for democratic participation of citizens in the management of common affairs), and an element of the market economic system (filling in market gaps in terms of providing services to residents and coordinating economic activities).

At the same time, the challenges facing local governance are far from being addressed in the Republic of Azerbaijan. The way out of this situation is to clearly understand the functions of governance at different levels and define their specificity and areas of interaction in order to improve the quality of life of citizens. In addressing these issues, all elements are important: both state and regional governance, but of particular importance is local or municipal governance, whose system and

functionality are still being formed. Its essence and functions are blurred, despite the fact that it is in local communities that the most essential needs of people are met, and most of the issues that directly concern everyone are raised and resolved.

In this regard, there is an objective need to study the process of reforming the territorial, financial, and economic foundations of local self-government in the Republic of Azerbaijan in comparison with similar experiences in foreign countries.

### ***Research Aim and Research Questions***

In this context, the purpose of this study is to investigate the institution of local self-government as a mechanism for the development and strengthening of the state system in the Republic of Azerbaijan. To achieve this goal, the task is to analyse the content and modern concepts of local self-government, as well as the interaction of state authorities and local self-government. The objective of the study is to examine the processes of transformation of the issues of municipal governance in the Republic of Azerbaijan and to identify the structural and functional characteristics of political and legal regulation of the organisation and functioning of local governments.

### **Research Methodology**

A literature review is a qualitative research method that allows for the analysis of patterns and trends in scientific studies. In the context of organizing local self-government and its further interaction with central authorities, this method enables the identification of development trends in local self-government in various countries. This contributes to a deeper understanding of the issue and can provide valuable insights for reforming local self-government bodies in the Republic of Azerbaijan.

The search for relevant literature was conducted using Google Scholar, Scopus, and Web of Science from 2010 to 2018. The search strategy focused on selecting the most pertinent academic works based on the following keywords: "local self-government in the Republic of Azerbaijan," "local self-government," "local public authority," and "local self-government and civil society." Sources not published in English were excluded from the selection. As a result, a sample of 112 publications was formed. To identify the most valuable and relevant works, those with fewer than 20 citations were excluded, reducing the sample to 26 scientifically valuable publications.

A qualitative content analysis of these 26 academic publications was conducted during the study.

### **Research Results**

When studying the problems of local governments, it is important to take a systematic approach to existing problems, learn from the experience of other countries, and share knowledge in the field of local governance, while identifying and assessing the potential resources of municipalities, and effectively using the human capital available locally is a matter of great importance (Chichinadze, 2020).

First of all, it is worth considering those features that are characteristic of local self-government and that distinguish "central government" from "local government":

1. *Subordination of local self-government.* Local self-government is an equivalent level of public power in the state, but at the same time, it is a subordinate power. The essence of this property is that local self-government cannot reform itself due to the lack of relevant legislative functions.
2. *"Framework" independence of local self-government.* The state creates certain boundaries for the activities of local self-government. The scope of powers of local self-government bodies is based on the division of competence and subjects of jurisdiction between the state and municipalities. Local self-government acts independently within the framework of issues of local significance specified by the legislator, but local self-government cannot exist without state administration.
3. *Economic nature of local self-government activities.* Local self-government is a predominantly economic authority, i.e., its activities are aimed primarily at improving the living conditions of the population of the municipality by addressing issues of local importance, ownership, use, and

disposal of municipal property. However, it is worth noting that there is still a political emphasis in the activities of local self-government. For example, local self-government bodies participate in the state national policy on the exercise of powers exercised in accordance with the legislation of the Republic of Azerbaijan.

4. *Responsibility of local self-government bodies and officials.* In accordance with the legislation of Azerbaijan, local self-government bodies and officials are responsible both to the state and its state bodies, and directly to the population of the municipality, individuals, and legal entities.
5. *The fullness of people's representation reflected in local self-government.* The fullness of people's representation is manifested through the exercise of local self-government. Representative bodies occupy the main place in the system of local self-government bodies, they express the will of the population of the municipality, exercise power on behalf of and for the benefit of the population.
6. *Independent local budget.* Municipalities independently form, approve, and execute the local budget. However, for the purpose of co-financing expenditure obligations arising in the course of exercising their own powers, as well as in the course of exercising certain state powers, local self-government bodies are provided with financial support in the form of subventions, subsidies, grants, and other inter-budgetary transfers from the budget of the Republic of Azerbaijan.

Based on the above, two approaches to understanding local self-government can be distinguished. According to the first approach, local self-government is a symbiosis of state and public principles, in which the state is manifested in the only source of power - the people; in participation in the implementation of a single state policy, in the presence of power powers of local self-government bodies and officials. The civic element is manifested in the fullness of people's representation, in the decision by local self-government bodies on issues directly related to the interests of the local community. The core of society is located at the local level: in the village, neighbourhood, city district, where the community first develops collective rules that should ensure its further existence (Krüger et al., 2023).

According to the second approach, local self-government as a public legal institution is seen as the basis of civil society and an institution of democracy. As an element of civil society, the institution of local self-government has common tasks with the institution of civil society, namely, the realisation of the interests of individuals and/or certain groups. The higher the level of satisfaction of the interests of the local community, the more developed and stable civil society and local self-government are.

Conversely, the population's dissatisfaction with their basic interests (low level of infrastructure, ignoring the opinion of municipal residents on various social issues, lack of measures aimed at improving the livelihoods of the population, etc.) leads to destabilisation of civil society, undermining trust in public authorities, and lack of interest of local residents in the implementation of local self-government. In addition, to effectively address community problems, it is important to organise a community in which community resources are used efficiently and citizens are also motivated to help improve the local situation (Ohta et al., 2021).

Thus, the very term and concept of local self-government primarily relates to the exercise of power by the authorities in a certain territory and can be seen as the initial stage of democracy, as it is the main way through which citizens can access public services (Kamberi & Hashani, 2023). Local self-government is exercised by municipalities, which are formed on the basis of elections, the basis of the status of municipalities is established by the Constitution of the Republic of Azerbaijan, and the rules of elections to municipalities are established by law (Constitution of the Republic of Azerbaijan, 1995). As an institution of people's power, local self-government forms its basic level and serves as an institutional basis for the shared enjoyment of many rights and freedoms, which are largely realised at the place of residence.

We believe that each of the above approaches has the right to exist and reflects different aspects of the functioning of the local self-government institution in the Republic of Azerbaijan.

Thus, local self-government can be viewed as a form of democracy and an element of public authority that is organisationally separate, has a certain level of freedom in making power decisions, the boundaries of which are determined by the state, acting within the framework of a single state policy for the benefit of the entire population. The similarity between state power and local self-government is evidenced by the following common features:

- 1) organisation on a territorial basis;
- 2) the possibility of applying coercive measures;
- 3) the right to set taxes and fees;
- 4) adoption of binding legal acts in the relevant territory;
- 5) The channels of implementation are bodies and officials.

The analysis of state power and local self-government in the system of public power allows us to formulate certain conclusions. Public authority is one of the forms of people's power, and therefore it is derived from the people and is intended to govern on their behalf and in their interests while being "above society". Public authority in the broad sense is a power derived from the people and constitutionally empowered by the people to exercise powers on their behalf. In the narrow sense, it is the power of state authorities, local self-government bodies, and their officials, which form a single system of public power.

Local self-government bodies, as well as state authorities, are involved in the implementation of a unified state policy, solving problems related to the sphere of joint competence, such as healthcare and medical care, preschool, general and secondary vocational education, the right to housing, road maintenance, etc., which indicates the constant interaction of state and municipal authorities. In addition, the constitutional provision on the interaction of state and local authorities as elements of a unified system of public authority indicates the purpose of such interaction - the most effective solution of problems for the benefit of the population living in the respective territory.

Interaction between state authorities and local self-government is one of the key areas of implementation of the entire state policy. It is the coordinated functioning of the public authority system that determines the quality of development of democratic institutions and all spheres of life. In addition, the growth of civic engagement becomes organised with the creation and expansion of self-organisation bodies (Zakharchenko, 2020).

Public functions of state authorities and local self-government bodies are their powers, which these bodies have the right to exercise in cooperation with state authorities. There are a number of conditions for such interaction. Firstly, there are powers that can be exercised exclusively by public authorities or local self-government bodies. This includes, for example, law-making activities of state authorities or issues of local importance of municipal authorities. Therefore, the interaction between state and local authorities should not contradict the law. Secondly, the powers exercised in the interaction between state and local authorities should not contradict each other.

In addition to the functions that are common to public authorities and local self-government, it is worth highlighting their basic principles of social interaction: expediency; mutual efficiency and reasonableness; adherence to common values; the principle of differentiation; and the principle of balance or stability of the system. We believe that these principles may well be applicable to the characterisation of state-municipal interaction since state authorities and local self-government operate in a single social field. Let us consider these principles in more detail (Table 1):

**Table 1***Principles of Social Interaction Between Public Authorities and Local Governments*

| <b>Name of the principle</b>  | <b>Characteristics of the principle</b>  |
|---|--|
| <i>Relevance</i>  | It implies adherence to a common goal - the most effective solution of problems for the benefit of the population living in the respective territory. In practice, this principle is expressed, for example, in the vesting of local governments with certain state powers, in the redistribution of powers between levels of public authorities for the most effective solution of tasks in the interests of the population by one or another level of public authorities. These are positive examples of the principle of expediency, but there are also cases when the interests of the population living in the relevant territory are not always or not fully taken into account when building interaction between state and municipal authorities. |
| <i>Mutual efficiency and reasonableness</i>                                     | In the context of state-municipal cooperation, this principle implies that any activity of state authorities and local self-government bodies in their interaction should bring the greatest benefit to the population and be within the limits that exclude the possibility of abuse of each other's rights by the interacting entities. Such limits should be established by law, for example, by prohibiting the redistribution of powers of local self-government bodies in certain areas.   |
| <i>Adherence to common values in relation to the interaction under analysis</i> | It means adherence to the democratic ideals laid down by provisions of the Constitution of the Republic of Azerbaijan. A human being, his or her rights and freedoms are the highest value, and, accordingly, state authorities and local self-government bodies should be guided by this postulate in their interaction. The ideal result of a democratic state is the realisation of human and civil rights and freedoms guaranteed by law.  |
| <i>Differentiation in relation to the interaction analysed</i>                  | The principle of differentiation in relation to the interaction of bodies of state and local self-government should be manifested in the distribution of public powers in such a way that the principles of efficiency, reasonableness, and expediency of exercising such powers are not violated.   |
| <i>Balance and stability</i>  | It is manifested in the continuity and sustainability of interaction between state authorities and local self-government bodies, taking into account the balance between the interacting subjects, expressed by direct and feedback. The stability of interaction between state authorities and local self-government bodies is evidenced by the fact that virtually any decision of state authorities affecting human rights and freedoms will in one way or another affect local self-government bodies as a public authority that is closest to the population. That is why public authorities and local self-government bodies are in constant interaction.  |

*Source:* Developed by the author.

Municipalities are the public administration institutions that are closest to the people, so the local level of government is very favourable for the development of public administration (Kiuriené, 2020). Any interaction is an active process that involves direct and reverse links between elements. In the case of public authorities, the interaction of its elements implies not only the governing influence of the state authorities on local self-government due to the latter's subordinate nature but also their organisational cooperation, which ensures targeted and effective solution of tasks for the benefit of the population.

The history of mankind shows the gradual emergence and evolution of local government structures in different countries of the world, with a complex interaction between local communities

and central government (Chertkov, 2020). At the present stage, successful interaction between the state authorities and local self-government is reduced to achieving their effective cooperation in solving common problems, which directly depends on the consistent and purposeful development of a model of interaction between levels of public authorities. They can be conditionally divided into three: administrative, decentralised, and dualistic.

The administrative (centralised) model of building relationships is reduced to the strict subordination of local self-government to the state. In this model, local government is a continuation of the state government, and local self-government is actually replaced by local state administration. This model was inherent in the Soviet period of interaction between state and local authorities. It is worth noting that the Soviet model of local self-government retains scientific value and is interesting from the point of view of studying totalitarian, overly centralised systems of public administration (Marchenko, 2023).

The decentralised model is characterised by a complete separation of local government from the state, with local governments dealing only with issues of local importance. In addition, citizens of decentralised communities have more trust in local authorities and are more likely to participate in local elections, so the most likely mechanism is a democratic amalgamation process to build new local communities (Arends et al., 2023). However, in practice, it is difficult to find a decentralised model of interaction between state and local authorities in its pure form, precisely because local authorities are derived from and dependent on the state.

The dualistic (mixed) model of building relations between state and local authorities provides for the independence of local self-government within the limits of a specific competence defined by law. When using this model, local self-government acquires a dualistic nature, it is a state and public institution at the same time.

What the above models have in common is that local self-government bodies are those elected directly by citizens, and local administration is those appointed by the central government. This is also their main difference: self-government is the body that is elected, while management is the body that is appointed. However, it is fair to say that electedness is not the only feature of local self-government bodies. Local self-government bodies should not only be elected but also have a certain set of powers, a certain independence, i.e., have real rights.

Local self-government is one of the main institutions of civil society, and most democratic countries have a developed system of local self-government, which is delegated a number of state functions (Perezhniak et al., 2021). The powers of local authorities are usually enshrined in special regulations. A number of foreign constitutions contain either chapters or separate articles dedicated to the regulation of local self-government. As a rule, such chapters are small in size and contain references to the current legislation of a particular state. For example, the Constitution of Japan contains Chapter 8 “Local Self-Government”, which includes only four articles (Articles 92–95).

This chapter contains only the basic principles and provisions relating to local self-government. In particular, it states that there are such bodies in the country and their work is established by law, the main officials of public authorities are elected by the population, and local authorities have the right to manage their property. A special law that applies to a particular local authority may be passed by the parliament only with the consent of the majority of voters residing in the territory of the local authority. In this case, the parliament, a national body, must take into account the opinion of the residents of a particular area if the law concerns their interests.

The Italian Constitution includes Chapter 5 “Regions, Provinces and Communities” 2. This section is mainly devoted to the regulation of the legal status of regions. The status of Italian regions is quite specific. A region is a large region, and there are regions in Italy with autonomous status and with ordinary status. This unit does not quite fit the concept of a “local” administrative-territorial unit, and

the authorities here have a more significant status. As for the bodies of provinces and communes, the Italian Constitution says very little about them: “Provinces and communes are autonomous entities within the principles established by the general laws of the Republic” (Article 128); “provinces and communes are also territorial units of the state regional division” (Article 129). It is also stated that detailed legal regulation is established by laws.

Finnish legislation governing local self-government is in line with the articles of the European Charter of Local Self-Government. In general, although local government in Finland is protected by the constitution and law, it is highly dependent on the state and limited in many ways. The current governmental reform challenges local self-government by establishing a new regional level of government, changing the Finnish local government system. The burden of public services puts local governments under pressure to reform, which in turn affects the relationship between central and local governments. In Finland, the biggest challenges to complying with and implementing the principles of the Charter are related to the broad powers of municipalities, financial constraints, and strong public administration (Brezovnik et al., 2021).

The institution of local self-government can help to establish and deepen the democratic process and practice, as well as to ensure the development of the state with the participation of territorial communities (Fakhrul, 2015). For example, German legislation regulates the issues of local self-government and governance in a fairly detailed manner. Several articles devoted to this issue are contained in the Federal Constitution - the main law of Germany. In particular, it is worth noting Article 28, which states that in the Länder, districts, and communities, the people must have representation established by general, direct, free, equal, and secret elections. This legal act also states that communities should be granted the right to regulate, within the framework of the law, under their own responsibility, all affairs of the local community.

In this case, communities are understood as territorial units of the local level, i.e., those that are smaller than the federal subjects of the land. Communities and associations of communities are also referred to in paragraph 3 of Article 1055 of the Federal Constitution. However, according to German law, local self-government issues are regulated in most detail at the level of the Länder. Each state in Germany has its own constitution, and each state has special laws on local self-government. For example, there is a comprehensive regulation on communities in Baden-Württemberg. This regulation consists of five parts and includes 147 paragraphs. Undoubtedly, such a voluminous regulatory act regulates the issues of local self-government in great detail.

One of the democratic European countries, the French Republic, has developed a capable and effective model of local self-government and has accumulated a legal framework on these issues. The Constitution of France regulates the issues of local authorities in a very concise manner, it contains Section 12 “On Territorial Collectives”, which mentions only two administrative units of France that can be classified as local authorities. Thus, the territorial collectives of the Republic are communes, departments, and overseas territories. Any other territorial collectives are created by law. These collectivities are freely governed by elected bodies, subject to the conditions provided for by law (Article 72). The French Constitution only defines what administrative units exist and establishes the principle of elected bodies that should be in these units, and also refers to the law: issues of French self-government are regulated by law.

Understanding how political change has occurred in Spain and Greece involves examining the characteristics of each transition process and the impact it has had on the construction of modern societies in these countries (Fytili & Cardina, 2023). For example, the constitutions of Spain and Greece do not use the term “local self-government”, but rather the category of “local administration” is used in these legal acts. Part 8 of Chapter 2 of the Spanish Constitution, “On Local Administration,” states that the Constitution guarantees the autonomy of municipalities, which have all the rights of a legal entity,

and their management is entrusted to the respective municipal councils, which include alcaldes and councillors. Councillors are elected by the population of the municipality by universal, equal, free, direct, and secret ballot under conditions established by law, and alcaldes are elected by councillors or by the population.

It is worth noting that the term “municipality” or “municipal body” in a number of countries is equivalent to the concept of a local self-government body - an elected body. In the United States and England, only city bodies are called municipalities, while in other countries, any elected body is called a municipality. Thus, it can be concluded that the terminology used in different countries of the world is quite peculiar. The same bodies can be called administration, management, and self-government bodies, but, according to the principles laid down in theory, they should be distinguished, since only representatives of the relevant bodies are elected.

The Constitution of Greece (Title F, entitled “On Administration”, Chapter 1 “Organisation of Administration”) states (Article 102) that the management of local affairs is vested in local authorities. According to Greek law, the concepts of local administration and local authorities are equated, as it states that local authorities enjoy administrative independence. Their authorities are elected by general and secret ballot, and accordingly, local administration and local authorities are elected bodies, in fact, they are self-governing bodies. The Greek Constitution (Article 102(5)) also provides for the possibility of state control over local government.

It is also important to note that on 15 October 1985, the European Charter of Local Self-Government was adopted, which is binding on the member states of the Council of Europe and sets out the most important constitutional and legislative principles of local self-government. It states that the principle of local self-government should be recognised in the country's legislation and, if possible, in the country's constitution. Local self-government, as enshrined in Article 3 of the Charter, means the right and real ability of local governments to regulate and manage a significant part of public affairs, while acting within the law, under their own responsibility, and for the benefit of the local population. This right is exercised by councils or assemblies composed of members elected by free, secret, equal, direct, and universal suffrage, and the councils or assemblies themselves may have executive bodies accountable to them.

It is also necessary to pay attention to a very important principle enshrined in the European Charter on Local Self-Government, the essence of which is that local governments, within the limits established by law, have full freedom of action to take their own initiatives on any matter that is not excluded from their competence and is not within the competence of another authority. Thus, the principle of exclusive competence is enshrined and a certain sphere of independent powers of these bodies is allocated (European Charter on Local Self-Government, 1985). Thus, we can name two main principles of local self-government bodies and self-government as a phenomenon in general: election and a certain set of rights. Local self-government bodies should have their own competence, have sufficiently real rights and opportunities.

## **Discussion**

The results show that the content of the management activities of local self-government bodies has a dual nature. It includes both the issues of general interaction of local self-government bodies with business entities of various forms of ownership operating on the territory of a municipal entity and the regulation of economic relations for municipal enterprises, institutions, and organisations. Management itself is a function of organised systems of different nature (biological, technical, social) that ensures their integrity, i.e., achievement of their objectives, preservation of their structure, maintenance of the proper mode of their activities, intra-system and inter-system interaction. The main goals of municipal activities include improving the living conditions of citizens and creating a favourable environment for the population of the municipality. An important role in achieving this goal is played by the activities of

local self-government bodies to meet the basic life needs of citizens, which involves the development of local infrastructure and the organisation of public services.

The theoretical concepts of the essence and specificity of municipal governance are reduced to the fact that local self-government is of great importance for the search for new models of society management, the formation of a new statehood, in which the pyramid of formation and satisfaction of needs is fundamentally inverted: it is not the state that determines what the local community needs and to what extent, but the population itself that sends impulses and demands to the local authorities, and they, in turn, to the state. This is also confirmed by the fact that the modern process of local self-government development in European countries is associated with the growing democratisation of power and the formation of models and technologies of public administration. This position is also confirmed in the following scientific works.

Thus, Papcunová et al. (2020) note that local self-government refers to specific institutions or organisations established by national constitutions (Brazil, Denmark, France, India, Italy, Japan, Sweden), state constitutions (Australia, USA), ordinary legislation of the highest level of the central government (New Zealand, United Kingdom, most countries), provincial or state legislation (Canada, Pakistan) or under the executive branch (China) to provide a number of specific services in a relatively small geographically defined area. Local governance is a broader concept and is defined as the formulation and implementation of collective action at the local level. Thus, it includes the direct and indirect role of formal local governments and government hierarchies, as well as the role of informal norms, networks, community organisations, and associations in neighbourhoods in the implementation of collective action through the definition of frameworks between residents and interaction between residents and the state, collective decision-making and the provision of local public services (.

In turn, Erlingsson et al. (2020) support a similar view and notes that arguments for increasing functional efficiency have had a profound impact on local government reforms in developed democracies over the past 60 years, and most mature democracies have introduced municipal consolidation reforms, often through top-down coercion. According to the scientist, in order to preserve the autonomy of local self-government as a civic institution, it is important to provide it with regulatory protection based partly on the values of individual autonomy and partly on human rights, since the said forced amalgamation contradicts these values.

An interesting study by Klimovský et al. (2019) note that in the 1990s, most post-Soviet countries introduced “new” democratic systems of local self-government. However, in some cases, this change may have been a kind of revival of democratic institutions, as the respective state had previously had a certain democratic system of local self-government. If this interpretation is correct, in this case, the concept of path dependence can help explain some of the developments, as any revival allows us to identify links between present and past events. The democratic revival in these countries after 1990 and the associated organisation of local governments had a greater impact on their early development path than on their recent ones.

According to K. Pachutski-Wlosek, the obstacle to the introduction of an effective system of local self-government in post-Soviet countries is, in most cases, the unresolved issue of changing the position of local governments in relation to the head of state. Another serious barrier is the lack of budgetary independence, which makes local authorities dependent on the central budget, from which subsidies are paid. In addition, the lack of regulation of public participation generates growing public discontent (Bitoleuova & Lavrovskiy, 2022).

As Gurdon-Nagy (2021) rightly notes, at the present stage, the relationship between the municipal system and the state has been rethought, and most countries have created a municipal system that is more integrated into the state organisational system, in which the instruments of influence on local self-government by central government agencies are strong and operational. At the same time, as the

scientist notes, the scope of rights of local governments and levels of local self-government have not actually changed, and the municipal responsibilities, scope of rights and external intervention determine the degree of autonomy.

## **Conclusions and Implications**

The following conclusions can be drawn from the study:

- 1) The future political stability of the state, as well as the effective functioning of local self-government, largely depends on the definition of the scope of powers and subjects of local self-government, as well as the possibility of their practical implementation. The degree of democratisation of the entire political system depends on the level of development of local self-government and local democracy.
- 2) Local self-government unites the state and society, its source is the power of the people, it embodies the unity of public law (political) and private law (social). Local self-government as a political institution is an organised system with a certain structure, functions, relations between the elements of the structure, and even the norms that regulate these relations.
- 3) The ratio of different forms of local governance, the combination of state administration, and local self-government in the organisation of local government is determined by the historical, geographical, and demographic characteristics of a country, its political regime, and even its legal system. For example, many foreign countries are characterised by a significant role of central government representatives in local governance, i.e., the so-called “direct local government” or “local government”.

## ***Suggestions for Future Research***

The scientific and practical significance of the study lies in the fact that its materials can be used for further study of theoretical problems related to the tasks of reforming local self-government in the modern Republic of Azerbaijan. The conclusions and certain provisions contained in the study can be used in the development and teaching of courses in political science and in political practice.

At the current stage of development of theories of local self-government, there is a tendency to synthesise different approaches, combining certain key points, including: the transformation of the institutional framework, expansion of central control in the legal and financial spheres, while maintaining a certain autonomy in the competence of local self-government, increasing the use of effective management technologies in the relations between the centre and local self-government and organisation of the service sector.

The peculiarities and specific characteristics of local self-government implemented in a particular country can be identified only on the basis of an analysis of the patterns of its historical development. In addition, the peculiarities of local self-government are determined not only by the historical traditions of the people, but also by the practical experience of the population in solving life issues, economic and social factors, and natural and climatic conditions. From this point of view, it is advisable to distinguish between self-government in the broad sense, as one of the ways of social self-regulation, truly universal and inherent in any public organisation, and local self-government in the narrow, political science sense, as a specific political institution that emerges in specific historical conditions, when the people become the subject of political relations alongside the state. Self-government in the broad and narrow sense can be the subject of further scientific research.

State power and local self-government are forms of exercising power by the people, and these bodies form a single system of public power. State power is the main one in relation to local self-government, creating a kind of “framework” for the latter's functioning. At the same time, state power and local self-government have both general and special properties that reveal their content and are important for further study of the directions and forms of their interaction.

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