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REFORMS IN THE PUBLIC ADMINISTRATION OF THE SOUTH CAUCASUS COUNTRIES AFTER THE DISSOLUTION OF THE SOVIET UNION

Abstract. The South Caucasus has been part of many countries for centuries, and the peoples living here have had many independent states. This beautiful region of the world has always been in the center of attention in terms of geostrategic importance. Located on the historic Silk Road, the South Caucasus has long been in the geopolitical interests of major powers, and over the past two centuries, the region’s natural resources, such as oil and gas, have increased the region’s importance. In different historical periods in the South Caucasus, kingdoms, sultanates, kingdoms, principalities, empires, khanates, principalities, etc. state structures existed. Many of the material and cultural monuments created by these traditions of public administration still exist today. It discusses the legal status of modern administrative structures of the South Caucasus republics, the content of their existing forms and methods. The article proposes a number of political reforms based on experience, relevant normative material, legal and other social literature, the implementation of which in a strategic plan has a role in further improving the organizational and legal activities of the administrative bodies of the republics. The article can serve as a source for a comparative study of scientific research centers interested in the study of political and administrative management in the South Caucasus.

Keywords: South Caucasus, public administration, political reconstructions, division of power.

The South Caucasus, which became part of the Russian Empire in the 19th century, sought to restore a number of principles of independent statehood after the collapse of the empire. In just two years before the Soviet occupation, several national independent states were established in the region. The Transcaucasian
Federal Republic was first established, but the existence of the first federal state in the history of the South Caucasus did not last long (April 22 - May 26, 1918). The Democratic Republic of Georgia (May 26, 1918) was first established on the territory of this state, and then on May 28, 1918, the Azerbaijan Democratic Republic declared its independence. On the same date, the Democratic Republic of Armenia was established. All three states were parliamentary republics. It should be noted that the first democratic Muslim republic in the East was the Azerbaijan Democratic Republic. It was the first republic in the Muslim East to recognize women's suffrage, based on the provisions of the United States Declaration of Independence [1, p. 970, list 1, case 13, p. 9]. Ethnic and national conflicts, a legacy of the Russian Empire, have largely hampered the strengthening of the region's ideas of national independence. Prior to joining the Soviet Union, all three states were recognized independently by a number of international unions and states. The governance of all three republics and the structure of the cabinet were almost the same. The parliamentary factions included several political parties. The emergence of the first state attributes, army building, education and health care system proved in a short time how the peoples of this region could develop. However, the occupation of the Soviet Union put an end to the existence of these independent states.

Originally declared independent socialist republics, these states were united for the second time in 1922-1936 as part of the Transcaucasian Socialist Federal Soviet Republic. The main administration here was under the authority of the Council of People's Commissars. The main purpose of the unification of the South Caucasus as a federation was the centralized management of the region and the elimination of the ideas of national independence, the dominance of a single communist ideology in the region. According to the Soviet Constitution adopted in 1936, this Federation was divided into three Soviet Republics within the Soviet Union. Respectively, the Soviet Socialist Republic of Azerbaijan, the Soviet Socialist Republic of Georgia and the Soviet Socialist Republic of Armenia were established, and territories with the status of autonomy were organized within these republics [2, pr.2]. This status of autonomy has led to bloody conflicts in the recent past since the collapse of the
Soviet Union. The Soviet Union was defeated in a power struggle created by the Cold War and faced an economic and political crisis. With the rise of national independence, the country was divided into independent states in the late twentieth century. Three independent republics - Azerbaijan, Georgia and Armenia - were also established in the South Caucasus. In the first years of independence, these republics applied the forms of public administration of the USSR. However, after the adoption of the national constitutional act, all three republics moved to a different governing structure and became a presidential republic. Today, all three republics are unitary, secular states. In all three republics, power is represented in three different branches: the executive, the legislature, and the judiciary. However, due to geopolitical changes in the world in the late twentieth and early twenty-first centuries, a number of political reconstructions took place in the South Caucasus. Let's look at these changes separately.

The foundations of statehood in the Republic of Georgia are the manifestation of the traditions of historical statehood in the context of modern political realities. Georgia is a parliamentary unitary republic. The basic law of the state is the constitution adopted on August 24, 1995. It is based on the millennial statehood of Georgia and the basic principles of the country's constitution adopted in 1921. In mid-October 2010, the country's parliament adopted a draft law on amendments and additions to the Constitution of Georgia, which was approved by the President in early November of that year. In March 2018, amendments were adopted confirming the transition of the Republic of Georgia to a parliamentary form after the 2018 presidential elections. The President of Georgia is the head of state in accordance with the Constitution. The executive power is concentrated in the hands of the Supreme Commander-in-Chief of the Georgian Armed Forces, the President, who is Georgia's highest representative abroad. It ensures the country's international relations, its unity and integrity, the work of the government and all other bodies. The President of Georgia is elected by the 300-member Election Commission for a term of 5 years, the composition of which is approved by the Central Election Commission of Georgia. The supreme executive body implementing the country's domestic and foreign policy is the Georgian government headed by the Prime
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Members of the government are appointed and dismissed by the Prime Minister. The prime minister's candidacy is nominated by the political party with the best results in the parliamentary elections and approved by parliament. The country's legislature is represented by Georgia's unicameral parliament. The parliament is the highest legislative body and consists of 150 deputies. 77 deputies are elected from lists, 73 deputies from single-mandate constituencies. All deputies are elected on the basis of universal, equal and direct suffrage by secret ballot for a term of 4 years [3].

According to the Georgian constitution, the legislative powers of the parliament are limited to the legislative powers of the parliaments of the autonomous republics - Abkhazia and Adjara. The subordination of the autonomous republics in Georgia to a centralized system of government is limited by very complex political processes. The first multi-party elections were held on October 28, 1990. Until 1995, the functions of the parliament were performed by the State Council of Georgia. Then national elections were held and the Georgian parliament was established. On November 23, 2003, a change of government took place in the history of the Republic of Georgia. Various factions in the Georgian parliament have united to form a single ruling party. Since then, a number of political reforms have taken place in Georgia. In 2011, the parliament adopted the Law on Economic Freedom of Georgia [3]. As a result of this law, state intervention in the economy has been significantly reduced. With this law, the change of taxes in the country began only through a referendum. Currently, the Georgian parliament is convened in two sessions: spring (February-June) and autumn (September-December). Plenary meetings and committee work weeks’ alternate. The third branch of government in Georgia is the courts. Georgia has a three-tier judiciary. The lowest level of the judicial system is the city and district courts, which are the courts of first instance. They are overseen by appellate courts in Tbilisi and Kutaisi, which consist of three judges hearing appeals from district (city) court decisions. The third and highest court is the Supreme Court of Georgia. Judges of the Supreme Court of Georgia are elected by parliament on the proposal of the Supreme Council of Justice. From among the judges, a chairman is elected by the parliament (at the suggestion of the Supreme Council of Justice). Georgia is a member of the International Criminal Court.
The Republic of Armenia is a unitary republic. The main institutions of the Armenian statehood were formed in the first years of the country's independent development. After gaining independence, the Republic of Armenia was governed by a mixed system of government (semi-presidential system)*. However, after the referendum on December 6, 2015, the state structure became a parliamentary republic. Thus, a number of changes took place in the country's public administration, and in 2018, this state of the South Caucasus also managed to change the political regime in the country with a revolutionary coup.

In Armenia, the president is elected by the country's parliament for a seven-year term. The same person cannot hold the presidency for more than one term. Upon the expiration of the term of office of the newly elected National Parliament, the President of the Republic shall appoint the candidate nominated by the parliamentary majority to the post of Prime Minister. In other cases, the president immediately appoints a candidate elected by the parliament to the post of prime minister. In the Armenian government, the president appoints and dismisses members of the government at the suggestion of the prime minister. Under a law passed in May 2019, the government consists of a prime minister, two deputy prime ministers and 12 ministers. The supreme legislative body in Armenia is the National Parliament. The National Parliament is elected by popular vote for a term of five years. A citizen of the Republic of Armenia who has been permanently residing in its territory for at least three years prior to the election day and who is at least 25 years old may be a deputy. In this country, the dominance of parliament in public administration is aimed at optimizing democratic reconstruction. However, there is much to be done in the country in the field of human rights and political democracy. The Supreme Judicial Body of the Republic of Armenia is the Court of Cassation, which ensures the uniform application of the law, except for issues of justice. Constitutional justice in the Republic of Armenia is administered by the Constitutional Court. The independence of the judiciary is guaranteed by the

* In a mixed republic, the head of state is elected by the people, but although the government is appointed by the president, it is accountable to the legislature, and the parliamentary can dismiss the government. (author).
constitution and laws. The Council of Justice is established and operates in accordance with the Constitution and the law [4].

The Republic of Azerbaijan is a presidential republic. The state structure of Azerbaijan is determined by the Constitution of the Republic of Azerbaijan. According to the constitution adopted on November 12, 1995, Azerbaijan is a democratic, secular, unitary republic. State power in the Republic of Azerbaijan, as in other South Caucasus countries, is based on the principle of separation of powers. In Azerbaijan, on the basis of the division of state power, the executive power belongs to the President of the Republic, the legislative power to the National Parliament (Milli Majlis), and the judicial power to the courts. The Cabinet of Ministers is the highest executive body of the President of the Republic of Azerbaijan. Local governments are subordinated to municipalities, and they are also implemented through a nationwide vote. The government of Azerbaijan consists of ministers and chairmen of state committees and is headed by the Prime Minister. According to the Constitution of the Republic of Azerbaijan, the President of the Republic of Azerbaijan is the head of state and has the executive power. The President of the Republic of Azerbaijan represents the country in domestic and foreign affairs. The President of the Republic of Azerbaijan ensures the independence and territorial integrity of Azerbaijan and guarantees the observance of international agreements. The president is elected by popular vote on the basis of universal suffrage for a seven-year term and appoints all public officials. If the conduct of hostilities in a state of war does not allow for the conduct of elections of the President of Azerbaijan, then his term of office shall be extended until the end of hostilities. The decision on this shall be made by the Constitutional Court on the basis of an application of the state body ensuring the conduct of elections (referendum). The supreme legislative body of Azerbaijan is the unicameral National Parliament (National Parliament of Azerbaijan (125 deputies)) elected by popular vote in single-mandate constituencies for a term of 5 years. The first parliamentary elections in the history of independent Azerbaijan were held in 1995.

A citizen of the Republic of Azerbaijan who has the right to vote, has lived in the territory of Azerbaijan for more than 10 years, has a higher education, has no
dual citizenship and no obligations to other states, and has not been convicted of a crime may be a presidential candidate. The decision on dismissal of the President of the Republic of Azerbaijan shall be submitted to the National Parliament on the initiative of the Constitutional Court on the basis of the opinion of the Supreme Court. The decision to dismiss the President shall be made by a majority of votes of the deputies of the National Parliament (95/125) and shall be signed by the Chairman of the Constitutional Court within 7 days. The president has the right to immunity. The President of the Republic of Azerbaijan has political powers. The Republic of Azerbaijan has also implemented a number of political reforms since independence. During the constitutional referendum held in Azerbaijan on September 26, 2016, a number of changes took place in the institution of public administration. The term of office of the President was extended from five to seven years. According to the first Constitutional Act (1995), the powers of the President of the Republic of Azerbaijan were to be exercised by the Speaker of the National Parliament and then by the Prime Minister when the President was unable to do so. After this referendum, a new vice-presidential institution was established. According to the new constitutional amendments, the First Vice-President and Vice-Presidents are appointed and dismissed by the President. In the event of new elections being held within 60 days of the early resignation of the President, the powers of the President shall be exercised by the First Vice-President of Azerbaijan. The First Vice President of Azerbaijan enjoys immunity; may not be arrested, prosecuted or searched, except in cases of detention at the scene of a crime. Any citizen of the Republic of Azerbaijan with higher education, who has the right to vote and has no obligations to other states may be the Vice-President of Azerbaijan. Vice-presidents have the right to immunity. The constitutional referendum has been praised or criticized by a number of international organizations. Although it limited the powers of the National Parliament in the division of state power, in fact, the creation of a more flexible and mobile system of executive power made this referendum necessary for the country to become economically sustainable. The National Parliament of Azerbaijan is a unicameral parliament of the Republic of Azerbaijan. This is the body that exercises legislative power in the Republic of Azerbaijan. The parliament
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consists of 125 deputies. The National Parliament is convened every 5 years, and its composition is determined on the basis of universal suffrage. Elections are held every 5 years, on the first Sunday of November. Regular meetings of the National Parliament are held twice a year: in spring and autumn. Extraordinary sessions shall be convened by the Chairman of the National Parliament at the request of the President of the Republic of Azerbaijan or at least 42 deputies of the National Parliament. Any citizen of the Republic of Azerbaijan, religious leaders, persons engaged in paid activities (except for scientific activities) who have the right to participate in elections, do not have dual citizenship and obligations to other states, do not work in the executive or judicial bodies of the country may be candidates for the National Parliament. According to the September 26, 2016 referendum, the president can leave the National Parliament and appeal for a referendum on reorganization [5].

Judicial power in Azerbaijan is exercised by the Constitutional Court of the Republic of Azerbaijan, the Supreme Court of the Republic of Azerbaijan, courts of appeal of the Republic of Azerbaijan, general and specialized courts of the Republic of Azerbaijan. Judicial power is exercised in constitutional, civil and criminal proceedings and other forms provided by law. The use of legal means not provided by law for the purpose of changing the powers of courts and establishing extraordinary courts is prohibited. The structure of the judicial system of the Republic of Azerbaijan is determined in accordance with the Law of the Republic of Azerbaijan dated June 10, 1997 “On Courts and Judges”. In accordance with Article 19 of this Law, justice in the Republic of Azerbaijan shall be administered by the following courts included in the judicial system: district (city) courts; Court of the Republic of Azerbaijan on cases of grave crimes, military courts, local economic courts, Courts of Appeal, Supreme Court of the Republic of Azerbaijan. Other courts may be established within the judicial system of the Republic of Azerbaijan in accordance with the procedure established by law [6]. One of the unique forms of governance in the South Caucasus is implemented by the Nakhichevan Autonomous Republic, an exclave of the Republic of Azerbaijan. Here, the Supreme Assembly of Nakhichevan has superior powers, and the attributes
of the internal statehood of the Autonomous Republic have turned Azerbaijan into a complex unitary state structure. Within the framework of national territorial autonomy, Nakhichevan has the Supreme Assembly (45 deputies), the supreme body of power, and legislative acts (the Constitution of the Nakhichevan Autonomous Republic). Within the autonomy of the Nakhichevan Autonomous Republic, there is a judicial system and executive power (ministries, committees). In this autonomous republic, the Prime Minister is appointed by the Supreme Assembly.

Political governance reforms in the South Caucasus since independence are a logical consequence of the political mentality and regional geopolitical processes. Although these reforms target certain democratic criteria, they also need to take into account national and cultural aspects. Although multicultural values prevail in the region, the concept of national identity and the traditions of historical statehood have a great impact on the functioning of governance institutions. For example, the naming of the legislative system in Azerbaijan and Armenia as the “National Parliament (Milli Majlis)”, Armenia's allocation of only four seats to ethnic minorities in its parliament as a mono-ethnic state (Yazidis, Russians, Assyrians and Kurds), and ethnic separatist tendencies in Georgia (Abkhazia and Ossetia) are clear examples. Foreign policy threats to the national security of the South Caucasus countries are related to both the tendencies of transformation of the modern world order and a number of "long-running" territorial disputes in the region. Thus, it is quite clear that the process of formation of a new - "postbipolar" world order is only at the beginning of its journey [7, 127-128]. Only with sufficient confidence can we assume that the world will be multipolar, with not one or two, but several centers of power, which in essence represent the emerging balance of forces. The objective approach of international human rights institutions and countries supporting the Venice Convention to the political process in the South Caucasus is important for the elimination of military and political conflicts in the region and internal stability. The unification of different ethnic, religious, national associations, different civilizations around common political values will play a key role in resolving the bloody conflicts in the South Caucasus. It is considered expedient to increase the
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objective activity of international institutions in this direction in order to compare with the political and administrative development of other states that separated from the Soviet Union and the forms of state structure and to eliminate negative geostrategic influences.

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