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Effectiveness of constitutional review of economic reforms: Practices of different countries and ways of improvement

Dariga Aitkozhiba*

Eurasian Law Academy named after D.A. Kunayev
050000, 107 Kurmangazy Str., Almaty, Republic of Kazakhstan

Kabdulsamix Aithozhin

Eurasian Law Academy named after D.A. Kunayev
050000, 107 Kurmangazy Str., Almaty, Republic of Kazakhstan

Tairkhan Buleshov

"PricewaterhouseCoopers" LLP
050059, 34 Al-Farabi Ave., Almaty, Republic of Kazakhstan

Abstract

Relevance. The subject of the study on constitutional review of economic reforms is relevant, as it concerns the principal aspects of legal regulation of the economy and requires the search for modern approaches to harmonise constitutional principles with economic changes in the context of constant challenges of the global economic environment.

Purpose. The purpose of this study was to analyse the practices of constitutional review of economic reforms in different countries to identify successful practices and develop proposals for their improvement.

Methodology. The study employed analytical, functional methods, method of system analysis, deduction, synthesis, and method of comparison.

Results. The study analysed the role of constitutional review in the context of economic reforms, examining its impact on protecting the fundamental rights and freedoms of citizens, ensuring the constitutionality of legislation, controlling the actions of the executive, and combating arbitrariness and corruption. The study compared different approaches to the organisation of constitutional review, identifying their effectiveness in addressing economic challenges. Cases of successful and unsuccessful cases of constitutional review in different countries were examined, identifying factors affecting its effectiveness. The study highlighted the significance of ensuring the independence of constitutional bodies, the introduction of technology to streamline procedures, and active engagement with international practices and international research projects.

Conclusions. The study concluded by suggesting ways to improve constitutional review through the introduction of procedural improvements, educational programmes, international practices, and the strengthening of constitutional review institutions to better follow constitutional principles in a changing economic environment. The practical significance of this study lies in the fact that the proposed ways of improving the constitutional review of economic reforms can serve as a basis for the development of effective mechanisms that promote more flexible and adaptive regulation of economic policy.

Keywords: legal regulation; institutional mechanisms; global dynamics; adaptive regulation; technological change.

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*Corresponding author



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Introduction

In a world where the dynamism of economic processes and the constant challenges of the global economic environment are becoming an integral part of reality, the issue of the effectiveness of constitutional review of economic reforms is more relevant than ever. Proceeding from the circumstances, it is worth focusing on the key aspects that unite constitutional principles and strategies for economic transformation. Legal regulation of the economy is central to the stability and sustainability of society. There is a constant need to find modern approaches to adapt constitutional principles to the rapidly changing conditions of the global economic environment. The established practice of various countries and their experience in the field of constitutional review provides a unique basis for systematic review and analysis. It is important to review successful practices and identify problematic issues in the implementation of constitutional review to develop concrete strategies to improve these mechanisms.

Highlighting the impact of constitutional norms on the development and regulation of economic policy becomes an essential aspect of research. Intervening in the economy through the principles of constitutional review requires a careful balance between ensuring stability and maintaining flexibility in the face of the challenges of the modern world. In the context of challenges, it is also necessary to consider the impact of technological developments, shifting priorities in international trade and ever-changing socio-economic trends on constitutional review. Today's global shifts require new methods and strategies to ensure that constitutional principles not only provide stability but also facilitate adaptation to changes in the economic environment.

B.M. Nurmukhanov analysed the effectiveness of constitutional review, attaching special importance to the experience and precedents accumulated in countries with diverse legal systems [1]. The study of the researcher has identified key aspects such as flexibility, adaptability, transparency, and accountability that affect the success of constitutional review in different contexts of economic reform. Z. Peng underlines the evolution of constitutional review in the situation of modern challenges, highlighting the impact of globalisation and technological changes [2]. His study focuses on how these changes shape new demands on constitutional review mechanisms and what adaptive strategies can be proposed to improve them. U. Idressova *et al.* focused on the influence of constitutional norms on the development of economic policy [3]. Their study reveals how different jurisdictions integrate constitutional principles into their economic strategies, as well as what challenges arise in this process. L. Zhanuzakova & A. Karaev also analysed some practices of constitutional review leading to the effective implementation of economic reforms [4]. Their study provides examples that can serve as a valuable resource for developing strategies to improve constitutional review in other contexts. Attention was also paid to the improvement of constitutional review mechanisms. D. Toimbek addressed international practices and the influence of global trends on constitutional review [5]. His study provides a unique perspective on the relationship between

constitutional arrangements and global economic dynamics, which is an essential element in the overall understanding of the effectiveness of constitutional review in the modern world.

Despite valuable contributions from each of the researchers cited above, there is a notable gap in the field of study, which lies in the lack of analysis of the integration of constitutional principles with the challenges of contemporary economic reforms. Furthermore, a deeper look at successful constitutional review strategies and their adaptation to the dynamics of changes in the global economy is required. The purpose of this study was to identify concrete ways to improve constitutional review that can be successfully adapted to the dynamics of today's global economy.

Materials and Methods

During this study, constitutions, laws, as well as other legal documents regulating constitutional review and implementation of economic reforms were investigated and analysed [6-13]. The laws and legal acts of several different countries were analysed, including the United States, Germany, France, Italy, Brazil, Sweden, Kazakhstan, and India. These sources provided the necessary context and basis for a full understanding of the formal framework within which constitutional mechanisms operate. A variety of constitutional systems was investigated, and constitutional review mechanisms were compared in the context of economic reforms. These actions made it possible to identify similarities and differences in approaches to regulating the influence of constitutional institutions on economic processes in different countries. The findings became a fundamental component for a more in-depth analysis of the relationship between constitutional review and the effectiveness of economic reforms.

The analytical method was used to critically examine various sources related to constitutional review and economic reforms. This method helped to identify the main themes, aspects and concepts, as well as to identify the current problems discussed in the academic community. This method provided a thorough understanding of the current state of knowledge on the subject under study and identified key trends. The functional method was used to identify and examine the role played by constitutional mechanisms in the context of economic reforms. This included highlighting the role of constitutional review in ensuring stability, protecting property rights, supporting the free market, and other aspects affecting economic processes. The functional method helped to identify important functions performed by constitutional review in the context of economic reforms.

The method of system analysis was used to investigate the interrelationships between the various components of constitutional review and its impact on economic reforms. This method helped to consider constitutional arrangements as an integral part of a greater system, including legal, political, and economic aspects. The method of system analysis also provided an understanding of the complex interrelationships and the influence of a range of factors on constitutional review and its role in economic reforms. The method of deduction was used to

identify general regularities and principles of constitutional review. Based on concrete cases and data, the laws and principles that underpin constitutional review were summarised. This method also allowed general statements and conclusions to be derived from concrete data and facts. Using the synthesis method, it was possible to create a generalised view of the relationship between constitutional review and economic reforms, including theoretical, empirical, and practical aspects. The method of comparison was used to investigate differences and similarities in the application of constitutional review in different countries. This method helped to identify effective strategies and challenges in different contexts, and to highlight features that may influence outcomes. As a result of the analyses and research conducted, the findings were applied to assess the appropriateness of certain constitutional review measures and strategies in the current economic reforms.

Results

All over the world, economic reforms are becoming an integral part of the development strategies of nations. In this context, constitutional review plays a key role, which is a system for assessing and ensuring that economic reforms are in line with the basic principles and values consolidated in constitutional documents. Constitutional bodies, and above all constitutional courts, are the key institutions that enforce principles and values in the context of economic transformation [14]. One of the key functions of these bodies is to guarantee the fundamental rights and freedoms of citizens. They act as a defence of constitutional principles such as the right to private property, freedom of enterprise, and equality before the law [15]. Constitutional scrutiny thus provides a fundamental basis for protecting individual and business freedoms in the face of economic change.

In the context of economic reforms, constitutional bodies also monitor the constitutionality of legislation. They are given the power to review laws and regulations related to economic change for constitutional compliance. This prevents the adoption of laws that may contradict fundamental economic principles such as free enterprise and the protection of private property [16]. Control of executive actions is another aspect of the role of constitutional review in economic reforms. Constitutional courts may hear complaints by citizens or organisations against the executive branch in the context of economic developments, thus ensuring respect for the rule of law and justice in the economic sphere. Assessing the compliance of national laws and policies with international obligations is becoming increasingly relevant in the context of globalisation [17]. Constitutional bodies may review agreements concluded by a country within the framework of international economic organisations to ensure that they are consistent with constitutional principles and objectives.

Countering arbitrariness and corruption is also an important aspect of the work of constitutional bodies in the context of economic reforms. By adjudicating cases involving illegal allocation of resources, abuse of power and other forms of corruption, constitutional courts

contribute to a fair and transparent environment for economic development. Moreover, decisions made by constitutional courts form precedents that influence future economic reforms [18]. This ensures the development of a stable and transparent legal environment, contributing to the sustainable development of the national economy. Different countries have adopted different approaches to the organisation of constitutional review due to their legal tradition, political structure, and historical context. A diffuse (scattered) approach can be distinguished, where constitutional powers are distributed among different judicial bodies. An example of such an approach is the United States system, where constitutional review is exercised not only by the Supreme Court but also by other courts at various levels. The different courts in the diffuse approach system have a variety of competences, allowing a wide scope of constitutional issues to be considered. From local courts to appellate courts, each level has expertise in certain areas, which provides in-depth analyses of the constitutionality of laws and decisions [19]. Kazakhstan applies a diffuse approach to the organisation of constitutional review. According to the Constitution of the Republic of Kazakhstan, constitutional review is exercised by the Constitutional Council and the Supreme Court, as well as other authorised courts according to their competence.

There is a concentrated (centralised) approach, which prevails in a range of European countries. This approach is characterised by the centralisation of constitutional review and is carried out by a supreme body such as the Constitutional Court. The French and German experiences provide clear examples where the highest court has exclusive powers in matters of constitutionality. A feature of the concentrated approach is the exclusive power of the highest court in the field of constitutional review. In this case, only the supreme court has the power to hear cases on constitutional issues, giving it a key role in determining whether laws are consistent with the Constitution [20]. Some countries adopt a semi-centralised approach, which makes provision for recourse to both centralised authorities and ordinary courts. The Italian model is an example of such an approach, where the Constitutional Court neighbours the general courts in dealing with questions of constitutionality. The semi-centralised approach increases the accessibility of legal protection by giving citizens a choice between appealing to the Constitutional Court or to the general courts [21]. This is particularly important to uphold the principles of fairness and equality before the law.

Some countries, such as India and South Africa, have mechanisms for constitutional complaints or petitions from citizens. This approach strengthens society's engagement with constitutional review, giving it greater democracy and a broad overview of civic enquiries. The European Union has also developed its own approach involving a system of constitutional review regulated by the European Court of Justice. This underlines the importance of harmonising legal standards in the context of international cooperation. Table 1 presents a comparative analysis of approaches to constitutional review in different countries.

Table 1. Comparative analysis of approaches to constitutional review in different countries

Country	Type of approach	Key features	Effectiveness in addressing economic challenges
USA	Diffuse	Constitutional review is exercised not only by the Supreme Court, but also by other courts at different levels.	The approach provides diversity and expertise across different courts, which can contribute to a more integrated consideration of economic issues.
Germany	Concentrated	Constitutional review is centralised and exercised by the Federal Constitutional Court.	The approach can ensure rapid and consistent decision-making, which is particularly important when responding to economic crises.
France	Concentrated	The High Court of Justice (Constitutional Council) has exclusive powers on questions of constitutionality.	The approach facilitates rapid key decisions in the economy and can be effective under uncertainty.
Italy	Semi-centralised	The Constitutional Court neighbours the general courts in handling issues of constitutionality.	The approach can strike a balance between centralised solutions and considering the diverse circumstances of the regions.
Brazil	Diffuse	Several courts, including the Supreme Federal Court, are involved in constitutional review.	The approach may encourage a more diverse view of economic issues but requires harmonising the decisions of different courts.
Sweden	Concentrated	Constitutional review is centralised and exercised by the Supreme Administrative Court.	The approach can provide stability and consistency in addressing economic policy issues.
Kazakhstan	Diffuse	The Supreme Court and the Constitutional Council exercise constitutional review.	The approach can provide a broad overview of different aspects of economic policy.
India	Diffuse	Constitutional review is distributed among various courts, including the Supreme Court of India and state high courts.	The approach ensures a diversity of views on the constitutionality of economic measures and can help to consider regional specificities.

Source: compiled by the authors of this study.

In the context of economic reforms, constitutional review can have a substantial impact on financial policies and social structure. Examples of successful cases of constitutional review of economic reforms include countries such as Germany, Brazil, and Sweden. In 2003, the German Constitutional Court played a key role in the reform of employment agencies, influencing the country's employment system and emphasising the significance of constitutional review in the area of economic reforms. At that time, Germany was facing challenges in the labour market and the employment agency system came under scrutiny. The court's decision emphasised the restrictions on workers' rights, contrary to the constitutional principles of fairness and equality. The court's intervention led to a review of the laws governing employment agencies. The Court concluded that restrictions on workers' rights were incompatible with constitutional principles. This decision was the starting point for adjusting the regulatory framework to strengthen workers' rights and establish a more balanced relationship with employers. The court's intervention resulted in improvements in working conditions and enhanced social protection for workers. Fairer labour relations contributed to social stability and stimulated economic activity.

In 2015, the Brazilian Constitutional Court showed an important role in adapting to the fiscal crisis forced by economic difficulties. At that time, Brazil was facing serious fiscal challenges, demanding urgent action to stabilise the economy and the budget. However, despite the urgency of the measures taken by the government, some of

them faced contradiction with constitutional norms. The Constitutional Court of Brazil, acting as a guardian of constitutional principles, found some of the economic measures to be incompatible with the basic provisions of the Constitution. This judgement was an important mechanism of constitutional review aimed at ensuring that economic measures were in line with the basic principles of justice and social solidarity. Adjustments to the proposed reforms following the court's intervention contributed to a reduction in social inequalities and a balanced approach to budgetary issues. The Brazilian practice shows that effective constitutional oversight can serve as a tool to confront economic challenges, ensuring that measures are in line with constitutional standards and protecting the interests of citizens in times of crisis.

In Sweden, the Constitutional Court plays an active role in discussing and evaluating financial reforms, specifically by giving its opinion on tax changes. This proactive stance of the court demonstrates the importance of its involvement in shaping the country's economic policy. The process of discussion and review of tax changes by the Constitutional Court contributes to the creation of more balanced and considered economic decisions. The Swedish practice emphasises that the court can serve as a mechanism to promote transparency and legitimacy in economic reforms. Its ability to influence tax policy provides an additional layer of protection for citizens' interests and ensures that economic changes are consistent with constitutional principles. This approach builds

confidence in economic institutions and provides more stable and sustainable solutions to financial reforms.

There are also unsuccessful cases of constitutional scrutiny of economic reforms. For instance, in 2010 the Constitutional Court of Ukraine demonstrated an ineffective response to tax reform laws, which had a negative impact on tax stability and the overall economic environment in the country [22]. The inability of the court to respond swiftly and effectively to changes in tax legislation has created an environment of uncertainty and volatility in the economy. The lack of a clear and prompt response from the Constitutional Court to new laws and tax reforms could create legal uncertainty for businesses and citizens, which affected the investment climate of the country. The court's lack of responsiveness may also have contributed to the inefficient operation of the tax system, weakening its ability to provide stable revenues and equitable distribution of the tax burden.

In 2018, the Constitutional Court of Turkey decided to justify the government's economic measures despite objections from economists [23]. This case illustrates the incoherence between constitutional review and government economic policy, with negative consequences for economic stability and public confidence. The Constitutional Court's decision in favour of the government measures highlighted the lack of an effective mechanism to verify economic actions in the context of constitutional review. Economists who objected to these measures could consider this as a loss of a mechanism to protect the interests of the economy and society. Such incoherence between government economic measures and the principles of constitutional review can lead to a decrease in public confidence in institutions and an increase in social discontent.

Examples of successful and unsuccessful constitutional review in economic reforms demonstrate the significance of balancing judicial power with the economic interests of society. Successful judicial interventions can correct inequalities and promote sustainable economic development, while ineffective interventions can lead to

crises and instability. The effectiveness of constitutional review within the framework of economic reforms depends on many factors combining institutional, economic, social, practical, and legal aspects. First and foremost, the success of constitutional review is related to the degree of independence of constitutional bodies. These bodies must act without interference from other branches of government, ensuring that issues are considered objectively. The processes of appointment and stability in the office of judges are also critical as they determine the reliability and independence of constitutional bodies. Economic stability plays an essential role in the successful implementation of economic reforms. Furthermore, the control should ensure that economic measures comply with the principles of the constitution and do not infringe on the rights of citizens. The context of economic well-being affects the ability of constitutional review to serve as a tool for justice and social sustainability [24].

Public support is a key factor in the effectiveness of constitutional review. Decisions of constitutional bodies should reflect the interests of society and meet the expectations of citizens. At the same time, social tensions can create challenges that require constitutional bodies to balance economic change and fairness. Access to resources, including financial and human resources, limits the activities of constitutional bodies. Competence and clarity in legal issues related to constitutional review contribute to more effective decision-making and implementation [25-27]. The interaction of these factors determines the success of constitutional review in economic reforms. Multiple dimensions need to be factored in and a harmonious interaction between institutional, economic, social, practical, and legal variables must be ensured to guarantee effective compliance with constitutional principles in a changing economic environment [28; 29]. Given the changing economic conditions and challenges, it is necessary to consider ways to improve this instrument to better respond to modern challenges (Table 2).

Table 2. Ways to improve constitutional review

Improvement solutions	Means
Implementation of procedural improvements	Optimisation of mechanisms for addressing issues
	Simplification of the application and case management procedures
	Introduction of electronic technologies
Education and awareness	Development of legal education programmes
	Educational campaigns on constitutional review
	Ensuring information accessibility
International practices and cooperation	Learning and adapting best practices
	Participation in international forums
	Support for international research projects
Strengthening the institutions of constitutional review	Increasing the independence of the review bodies
	Ensuring adequate funding
	Development of accountability mechanisms

Source: developed by the authors of this study.

The first important aspect is the implementation of procedural improvements. Digitalisation and automation of constitutional review processes will accelerate procedures and make them more accessible to citizens. Electronic monitoring and complaint systems will reduce bureaucratic barriers and improve response to challenges

such as economic violations [30]. Transparency in the activities of constitutional bodies will also be a key factor. Online platforms for public discussion of decisions, transparency of decision-making processes, and accessibility of court documents will create conditions for active involvement of citizens and organisations [31].

The second aspect is related to education and awareness. The development of specialised programmes in educational institutions and the organisation of courses for lawyers will improve the qualifications of specialists working in the field of constitutional review. It will also strengthen the understanding of litigation in the community. Public campaigns aimed at explaining the role of constitutional review in economic reforms will raise public awareness. Citizens, acknowledging the significance of this instrument, will be more actively involved in monitoring and evaluating decisions taken by constitutional bodies.

The third aspect relates to international practices and cooperation. Active cooperation with analogous bodies in other countries will enable the exchange of best practices and experience. Joint international projects on the development of constitutional law and control will create standards, compliance with which will become an essential aspect of the work of each constitutional body [32; 33].

The fourth aspect is the strengthening of the institutions of constitutional review. Professional training for judges and constitutional officers, including aspects of constitutional review in the field of economics, will enhance the competence of their work [34-36]. Guaranteeing the independence of constitutional bodies, their financial sustainability, and the possibility of free decision-making without political pressures are key to effective work.

Generally, the improvement of constitutional review in economic reforms requires a comprehensive approach. Procedural, educational, international, and institutional improvements interact to create a more efficient system that can effectively respond to the challenges of the modern economic environment and enforce constitutional principles.

Discussion

The analysis results suggest that constitutional review in economic reforms plays a key role in ensuring compliance with the basic principles and values consolidated in constitutional documents. The principal task of constitutional bodies, first of all constitutional courts, is to protect the rights and freedoms of citizens, as well as to ensure compliance with constitutional principles in the conditions of economic transformations. Constitutional review acts effectively as a tool to guarantee the observance of basic economic principles such as free enterprise, the right to private property and equality before the law [37; 38]. By reviewing the constitutionality of laws and policies related to economic change, constitutional courts prevent laws that contradict these principles. A comparative analysis of approaches to constitutional review in different countries allows highlighting the diversity of methods and the degree of their effectiveness. The diffuse approach used in the US and Kazakhstan, for instance, provides diversity and expertise among different courts, which facilitates a more in-depth consideration of economic issues [39-41]. Whereas the concentrated approach common to some European countries provides centralised constitutional review, which can be effective in rapidly changing economic crises. The semi-centralised method, such as in Italy, allows for recourse to both centralised bodies and ordinary courts, striking a balance

between centralised decision-making and factoring in the diverse circumstances of the regions.

Examples of successful cases of constitutional review in Germany, Brazil, and Sweden emphasise that effective judicial intervention can correct deficiencies, help reduce social inequalities, and create a more sustainable economic environment [42; 43]. However, there are also unsuccessful cases, as in Ukraine and Turkey, where the constitutional courts' inadequate response to the government's economic measures led to fiscal instability and loss of public confidence [44; 45]. In the changing economic environment, it is necessary to consider ways to improve constitutional review, such as introducing procedural improvements, developing legal education and awareness, engaging in international practices and cooperation, and strengthening the institutions of constitutional review. Together, these measures can create a more effective system for responding to contemporary challenges and enforcing constitutional principles in a changing economic environment.

J. Abrams conducted an in-depth analysis of the role of constitutional review in the context of economic reforms, focusing on the diffuse approach [46]. Upon considering the example of the United States, the author addressed the specific features related to the distribution of constitutional powers among the various judicial bodies, which is characteristic of this country. The advantages of the diffuse approach highlighted by Abrams include the distribution of responsibility and expertise among different judicial bodies. This approach ensures a diversity of opinions and competences, which contributes to a more profound and more comprehensive analysis of the constitutionality of laws and decisions in the field of economics. Different levels of courts can provide expert opinions and interpretations, as well as test the existence of constitutional violations in various aspects of economic reforms. The analysis of the findings of the cited study is consistent with the study conducted above. Specifically, both studies highlight the significance of the diffuse method of constitutional review, which is characterised by the distribution of powers between different judicial bodies. However, the diversity of perspectives and competences provided by different levels of courts can be considered in terms of practical benefits or possible limitations, depending on the context.

M. Lutfi analysed the mechanisms of constitutional complaints and citizens' petitions applied in certain countries [47]. The researcher paid special attention to this approach, emphasising its importance in the context of enhancing the interaction between society and constitutional review. An essential element of the analysis was to emphasise the enhanced review of civil claims afforded through constitutional complaints. This approach allows a wide range of citizens to express their concerns and needs in the context of constitutional review. In this way, constitutional courts become a forum for the expression of diverse opinions and interests of society, thereby facilitating a broader representation of civilian perspectives in the decision-making process. This analysis highlights that constitutional citizen complaint mechanisms can play a key role in democratising constitutional review by providing a means for society to influence the decision-making process. This approach also

demonstrates the significance of international cooperation and harmonisation of norms in the field of constitutional review to create a unified and coherent approach to the protection of constitutional principles. This approach, as in the study conducted above, emphasises the importance of diversity in the treatment of economic issues, whether through judicial diversity or citizen engagement mechanisms.

S. Mabece highlights the key role of constitutional review in the fight against arbitrariness and corruption within the framework of economic reforms [48]. The researcher analyses cases of illegal allocation of resources and abuse of power, emphasising that constitutional courts play an important role in creating a fair and transparent environment for economic development. Constitutional courts, as interpreted by the researcher, handle cases of unregulated and illegal use of economic resources, which helps to prevent arbitrariness and inefficient distribution of wealth. Decisions made in such cases can set standards for equitable and responsible resource management, which has implications for setting precedents for future economic reforms. The researcher's results emphasise that decisions handed down by constitutional courts become precedents, influencing future economic reforms. It is also worth emphasising the significance of establishing stable and fair rules of the game in the economy, which contributes to the sustainable development of the national economy. Thus, constitutional review can play not only a reactive but also a preventive role in ensuring fairness, transparency, and stability in the area of economic reforms.

G. Martinico & G. Repetto focused on the importance of constitutional review in the protection of fundamental rights and freedoms of citizens during the period of economic reforms [49]. The researchers' emphasis was on the role played by constitutional courts in guaranteeing key aspects of civil rights, such as the right to private property, free enterprise, and the principle of equality before the law. Constitutional bodies act as guardians of the principles consolidated in the constitution. They represent a key mechanism to ensure the protection of citizens' rights in the context of the transition to new economic reforms. Based on constitutional principles, courts can actively intervene in cases where changes in the economy may adversely affect the rights of citizens. It is also worth adding that courts can actively intervene in situations where changes in the economy may have a negative impact on citizens' rights. Their active involvement in assessing the constitutionality of laws and reforms emphasises not only their protective function, but also their desire to ensure that the basic principles and values prescribed in the constitution are upheld.

S.S.F. Regilme Jr. attaches special importance to the role of constitutional review in preventing social and economic inequalities [50]. His analysis focuses on how constitutional courts can act as an effective tool for balancing the interests of different societal groups and preventing the emergence of imbalances in the distribution of resources. By assessing the constitutionality of laws and reforms, constitutional courts can influence processes relating to resource allocation, social policy, and equal opportunities for all members of society. The researcher's findings, like the studies above, together provide a comprehensive view of the significance of constitutional

review in various aspects of public life, which may be useful for a more profound understanding of this issue.

Generally, the cited studies provide in-depth analyses of the interaction between constitutional review and economic reforms. The key role of constitutional courts in protecting the fundamental rights of citizens, such as the right to property and free enterprise, is highlighted. Regional and cultural aspects are noted, as well as a variety of methods of applying control, emphasising their significance in modern society.

Conclusions

This study detailed the relationship between constitutional review and economic reforms, providing a comprehensive understanding of the dynamics of this interaction. The findings emphasised the key role of constitutional bodies, especially the courts, in protecting fundamental rights in the context of economic transformation. The emphasis was placed on their function of protecting constitutional principles such as private property, free enterprise, and equality before the law. The study examined different global approaches to the organisation of constitutional review, from the diffuse methods characteristic of the United States, to concentrated models in Germany and France, to semi-centralised systems such as in Italy.

The findings also emphasised the impact of constitutional review on legislation related to economic change, preventing the adoption of laws contrary to fundamental economic principles. The study also examined the role of constitutional review in overseeing the actions of the executive during periods of economic reform, ensuring that the principles of the rule of law are upheld. The study recognised the increasing significance of assessing the compliance of national laws and policies with international obligations in the context of globalisation, highlighting the need to harmonise standards of constitutional review. The efforts of constitutional institutions in resisting arbitrariness and corruption were considered. Successful and unsuccessful practices from Germany, Brazil, and Sweden illustrated the concrete results of constitutional review for economic policies, emphasising its potential to correct inequalities and promote sustainable development. Furthermore, the study identified key factors influencing the effectiveness of constitutional review in economic reforms, including the independence of constitutional bodies, economic stability, and public support. The interaction of these factors determines the success of constitutional review in the context of complex economic transformations. The study suggested ways to improve this instrument, including procedural improvements, educational initiatives, international cooperation, and strengthening of constitutional review institutions.

Further research could focus on analysing the impact of constitutional review on concrete areas of the economy, such as fiscal policy, national budgets, and developing methods to improve the effectiveness of constitutional bodies in the face of the current challenges of economic dynamics.

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Conflict of Interest

None.

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Ефективність конституційного контролю економічних реформ: Практики різних країн та шляхи вдосконалення

Даріга Айткожіна

Євразійська юридична академія імені Д.А. Кунаєва
050000, вул. Курмангази, 107, м. Алмати, Республіка Казахстан

Кабдулсамікс Айтожін

Євразійська юридична академія імені Д.А. Кунаєва
050000, вул. Курмангази, 107, м. Алмати, Республіка Казахстан

Таірхан Булешов

ТОВ "PricewaterhouseCoopers"
050059, просп. Аль-Фарабі, 34, м. Алмати, Республіка Казахстан

Анотація

Актуальність. Тема дослідження щодо конституційного контролю економічних реформ є актуальною, оскільки стосується принципових аспектів правового регулювання економіки та вимагає пошуку сучасних підходів до гармонізації конституційних принципів з економічними змінами в умовах постійних викликів глобального економічного середовища.

Мета. Метою цього дослідження був аналіз практики конституційного контролю за економічними реформами в різних країнах для виявлення успішних практик та розробки пропозицій щодо їх вдосконалення.

Методологія. У дослідженні використано аналітичний, функціональний методи, метод системного аналізу, дедукції, синтезу та метод порівняння.

Результати. У дослідженні проаналізовано роль конституційного контролю в контексті економічних реформ, досліджено його вплив на захист основних прав і свобод громадян, забезпечення конституційності законодавства, контроль за діями виконавчої влади, боротьбу зі свавіллям та корупцією. У дослідженні порівнювалися різні підходи до організації конституційного контролю, визначалася їхня ефективність у розв'язанні економічних проблем. Були розглянуті приклади успішних і неуспішних випадків конституційного контролю в різних країнах, визначені фактори, що впливають на його ефективність. Дослідження підкреслило важливість забезпечення незалежності конституційних органів, впровадження технологій для оптимізації процедур, а також активної взаємодії з міжнародними практиками та міжнародними дослідницькими проектами.

Висновки. У висновках дослідження запропоновано шляхи вдосконалення конституційного контролю шляхом запровадження процедурних удосконалень, освітніх програм, міжнародного досвіду та зміцнення інститутів конституційного контролю для кращого дотримання конституційних принципів у мінливому економічному середовищі. Практичне значення дослідження полягає в тому, що запропоновані шляхи вдосконалення конституційного контролю за економічними реформами можуть слугувати основою для розробки ефективних механізмів, які сприятимуть більш гнучкому та адаптивному регулюванню економічної політики.

Ключові слова: правове регулювання; інституційні механізми; глобальна динаміка; адаптивне регулювання; технологічні зміни.