

ON THE QUESTION OF DEFINING THE OBJECT-SUBJECT COMPOSITION OF ENVIRONMENTAL CONSTITUTIONALISM

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The article examines the theoretical issues and problems of defining the object-subject composition of ecological constitutionalism, as an actual, qualitatively new phenomenon of international legal life and national constitutional-legal reality, systemic and complex phenomenology, which is the result of an integrative and synthetic combination of various factors-tendencies of national constitutional and international legal regulation in conditions of legal globalization. Such an approach is seen as a rather difficult task within the limits of both the modern theory of constitutional law and the modern theory of international law, which operates with a number of new concepts and definitions that indicatively and identifiably reflect the latest trends in state and international development - "human rights in their national and international measurement" , "international legal standards of human rights and freedoms", "global legal trends - trends of state and international development", "soft law", "fundamental principles of international public law and the expansion of their number", "dichotomy of local and global development", finally, "constitutionalization of international law and internationalization of the constitutional legal order of states." It is noted that this is determined, first of all, by powerful horizontal-vertical connections of a managerial nature that arise within the state and its society, functioning in the conditions of global constitutionalism, that is, in the conditions of the presence of general methodological approaches, principles and norms, management paradigms that determine the prospects for the general and further development of the fundamental subjects of general international law, as well as the same functional and methodological approaches to the implementation of domestic and international legal activities of public authorities in relation to the fundamental dominants of the development of statehood - the priority of human rights over the rights of the state, recognition of human rights as fundamental indicators democratic activity of the state and the international community, the principle of the rule of law as the fundamental basis of the connection of the state and its public authority by law, etc. It is proved that solving the question of determining the object-subject composition of ecological constitutionalism is characterized by a number of methodological difficulties. These include, first of all, the issue of clear understanding, interpretation and identification of the categories "object of legal regulation" and "subject of legal regulation". It is also complicated by the innovative and synthetic nature of environmental constitutionalism, which is independently determined by international legal institutions on the basis of relevant identification features. Taking into account the system-complex nature of profile phenomenology, its object is a set of social relations related to the protection and protection of the environment, as well as the rights of a person to the environment, which has an appropriate and safe condition for his life activities. The subject of legal regulation of environmental constitutionalism is social relations that are directly or indirectly related to the environment. Based on the fact that the environment is the fundamental natural space of human life, such relations can be characterized as global, but with the obligatory local, local-regional, regional, state-wide, interstate, macro-regional, global understanding, measured and implemented.

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