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Legal Regulation of Land Relations and Statehood Ideology in Azerbaijan During the Mature Feudalism Period

Authors Details

Gahraman Behbudov[1*]
Doctor of Philosophy in Law, Associate, Professor, Nakhchivan State University

Gozal Shahmammadova[2]
Lecturer, Nakhchivan State University

Corresponding Author: *Gahraman Behbudov*

Abstract: The formation and development of feudal relations during the Middle Ages exerted a significant influence on the substance of statehood institutions and legal systems. Particularly in the feudal states that existed on the territory of Azerbaijan, state governance, legal relations, and ideological foundations developed in close interconnection. In the modern era, studying the historical roots of legal systems, investigating the genesis of statehood traditions, and analyzing the stages of formation of legal doctrines hold substantial importance for legal science. From this perspective, the comprehensive examination of statehood ideology, legal norms, and governance systems during the feudal period constitutes one of the current scientific problems.

The conducted research demonstrates that the statehood and legal systems formed on the territory of Azerbaijan during the period of mature feudalism were closely tied to the socio-economic structure of society and acted as a legal expression of these relations. Feudal relations served not only as an economic model, but also as the primary foundation for the organization of political power and the formation of legal norms. In this regard, law and statehood developed in parallel, mutually conditioning one another.

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Research findings show that feudal statehood ideology played a decisive role in the formation of the legal system. The divine legitimacy of the ruler, the immutability of the social hierarchy, and the principle of obedience constituted the core of legal doctrines. This ideological framework defined the primary function of law: the preservation of the existing social order.

This historical experience carries major scientific significance for understanding the roots of the formation of modern legal systems.

Keywords: *Feodalism, century, law, property, mature, ideology, land, state, ruler, obligation, political power, statehood ideology.*

Introduction

In the developed stage of the Middle Ages, mature feudal law was not merely a legal expression of society's socio-economic structure, but also served as the primary mechanism for preserving this structure and ensuring its sustainability. This legal system was rooted in the land factor, which stood at the center of economic relations; land constituted not only a means of production, but also the foundation of political power, social status, and legal relations. For this reason, all core institutions of feudal law—including property, dependence, taxation, and administrative relations—were established directly upon land and determined by its distribution. In such a system, law operated not as an abstract set of norms, but as an instrument for regulating concrete socio-economic relations.The primary characteristic of mature feudal law was its reliance on social status and hierarchical position rather than individual legal subjects, which fundamentally defined the essence of legal relations. During this period, law no longer functioned simply as a collection of behavioral rules, but as a systematic mechanism that preserved and sustained the structure of feudal society. Legal relations were formed not on the basis of formal equality between individuals, but within the framework of dependency relations structured along the tiers of the feudal hierarchy. In other words, the law addressed not the question of "who did what?", but rather "who is who?".

In this system, the rights and duties of a legal subject were determined not by their personal qualities or contractual relations, but by their social affiliation. For instance, while the feudal aristocracy possessed extensive rights and privileges, the rights of the peasant

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class were severely restricted. Even the liability applied for the same legal violation varied depending on social status. This clearly demonstrates that the law was not an objective and universal norm, but rather bore a class-based and status-dependent character.

Land ownership was the central element of this hierarchy and acted as the primary factor defining all other components of the legal system. Land was not merely an economic resource, but simultaneously the principal indicator of political power, social influence, and legal status. Possessing land signified legal superiority, whereas being dependent on land meant legal limitation. For this reason, economic activity, tax obligations, military service, and even judicial relations were established through land-related status (Mammadov, Sh., & Ozturk, A. 2026).

For example, feudals rendered military service in exchange for land, while simultaneously demanding taxes and labor from the peasants under their authority. Peasants, on the other hand, were compelled to fulfill various obligations to obtain the right to use land, and these relations were legally not a contract, but a form of structured dependence. This state of affairs demonstrates that the law did not merely reflect social differentiation, but also actively reinforced it.

In fact, there is an important point here: although presenting this system as a "system of mutual obligations" is correct to a certain extent, this does not signify a balanced relationship. This is because the real division of power in legal relations was unequal, and the advantage was clearly on the side of the feudal estate. The law functioned not to regulate this inequality, but to normalize it.

In the feudal states that existed on the territory of Azerbaijan, general principles of feudal law were applied not mechanically, but in a form adapted to specific historical, political, and geographical conditions, and this adaptation defined the specific characteristics of the legal system. Particularly during the period of the Shirvanshahs state and the Atabegs state, land relations became the primary pillar not only of the economic system, but also of the legal and political systems. At this stage, the separation of ownership rights from usage rights formed no longer as an accidental occurrence, but as a systematic legal principle.

The *iqta* system, which was widely applied in the Atabegs state, was the most explicit and institutional expression of this principle. In this system, it was impossible to speak of full

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and independent ownership rights over land; the supreme right over land was deemed to belong to the state or the ruler, whereas individuals were granted only a conditional usage right. This right was directly linked to military service and political loyalty. That is to say, land rights were not an economic privilege, but a political instrument granted in exchange for service. This indicates that the law here functioned less to regulate property relations and more to ensure the military-political system. Moreover, this right was not permanent—when service ceased or loyalty was broken, the land right could also be forfeited. From this perspective, the *iqta* system reflected a conditional and functional model of rights rather than classic feudal property.

Legal Regulation of Land Ownership, Personal Dependency, and the Taxation System in Mature Feudalism

In the Shirvanshahs state, however, land relations developed within a relatively more traditional feudal framework, yet here too a clear distinction existed between ownership and usage rights. While the supreme ownership right belonged to the ruler or the feudal aristocracy, the actual usage right of the land fell upon the peasant class. Legally, this created a dual structure: the formal rights-holder and the real user were not the same entity. Although this model ensured the continuity of economic production, it simultaneously reinforced relationships of social dependency.

However, one should not exaggerate matters here: although differences existed between these two models, their essence was identical. In both cases, land rights served not individual property freedom, but rather a mechanism of hierarchical dependency and political control. It was simply more explicit and conditional in the Atabegs state (the *iqta* system), whereas in the Shirvanshahs state, it existed in a more traditional and stable form (Aydemir, C., & Genc, S. Y. 2011).

Thus, these examples show that even if the forms of application differed across various feudal states, the fundamental legal principle remained unchanged: the right over land was not individual and independent, but conditional, hierarchical, and defined by political relations. This confirms once more that law was not a neutral system regulating economic relations, but an instrument serving the preservation of power and social structure.

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One of the core principles of mature feudal law was that the supreme ownership right over land belonged to the ruler, and this principle acted as a fundamental norm determining all other elements of the legal system. The Shah or Atabeg was formally considered the sole supreme owner of all land within the country's territory, and the authority to grant or revoke rights over land depended solely on his will. This situation transformed the legal status of land from an object of individual ownership into the primary pillar of state power. In other words, land functioned not only as an economic resource, but also as an instrument of political control and social regulation. Within this model, the complete and independent privatization of land was virtually impossible. Even though the feudals possessed broad authority over land, their rights over this land bore a conditional character and were limited by the supreme ownership right of the ruler. For example, during the Atabeg period, when land plots were granted to emirs via the *iqta* system, this right pertained mostly to usage and revenue generation, but did not encompass full, unrestricted rights of disposal over the land. A similar situation is observed in the Shirvanshahs state: local feudals managed the land, collected taxes, and exercised certain authority over the population, yet these rights did not mean that they were independent landowners (Suleymanov, R. 2018).

One of the key institutions occupying an important place in the legal regulation of land relations was the *iqta* system, which functioned as one of the most typical mechanisms of feudal law. Particularly widely applied in the Atabegs state, this system was based on the principle of directly linking land rights to service obligations. That is, the allocation of land plots served not only as an economic reward, but also as a legal instrument ensuring the performance of military and administrative functions. From this perspective, the *iqta* system acted not merely as a land distribution mechanism, but as one of the main pillars of the state's military-political structure.

The rights granted to *iqta* holders primarily encompassed the capacity to collect revenue from that land and to manage it. They collected taxes and duties from the peasants, performed certain administrative functions at the local level, and maintained their own military contingents at the expense of these revenues. However, these rights were neither absolute nor unrestricted. The fact that the supreme ownership right over the land belonged to the ruler strictly limited the authority of the *iqta* holders. For this reason, they did not

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possess the ability to independently sell, donate, or dispose of the land as full legal property. The issue of inheritance was similarly restricted, and land could pass from generation to generation only under certain conditions and with the consent of the ruler.

This legal framework clearly demonstrates that the *iqta* system was a form of conditional property. The position of the rights-holder over the land was directly tied to the service rendered to the state, and if this service ceased or obligations were breached, that right could be revoked. Thus, *iqta* rights operated not as permanent and immutable property, but as a conditional and revocable legal status. This allowed the state to maintain control over the land and keep military forces in a constant state of readiness (Mahmudov, Y. M. 2014).

In the Shirvanshahs state, however, land relations developed on the basis of relatively more traditional feudal forms, and the parallel existence of various property forms was observed within this system. Here, alongside state lands, private feudal property and, in certain cases, communal lands also became subjects of legal relations. This multi-form property structure demonstrated that rights over land were not concentrated in a single center, but were instead distributed at various levels. Nevertheless, despite this diversity, the overall legal framework of land relations was still determined by the central authority as a result of preserving the principle of supreme ownership.

Feudals possessed broad rights of usage and administration over land. They derived income from the lands, collected taxes from peasants, and exercised administrative functions at the local level. In some cases, these rights strengthened their social and economic positions, effectively turning them into bearers of local authority. However, despite these wide powers, the rights of the feudals were not fully independent in nature. Their position over the land was limited by the ruler's supreme ownership right, and when necessary, these rights could be altered or revoked. This demonstrates that, from a legal perspective, feudal property was not fully sovereign, but rather bore a conditional and controlled character.

The legal regulation of land relations in the Shirvanshahs state was aimed at maintaining a certain balance between the central authority and local feudal forces. On one hand, the central authority ensured overall control by retaining the supreme right over land; on the other hand, it increased administrative efficiency by granting broad powers to local

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feudals. Thanks to this balance, the state was able to preserve its stability over a long period. At the same time, however, this model created potential contradictions, as during periods when the central authority weakened, local feudals tended to strengthen their positions and pursue a more independent policy.

Another crucial principle of mature feudal law was the legal codification of personal dependency relations, which constituted one of the primary pillars of the social structure of feudal society. These relations functioned not merely as a form of economic dependency, but simultaneously as a legally recognized and regulated system of social status. Although peasants obtained the right to use land, this right was not independent or free in nature; rather, it was conditioned upon their bearing obligations toward a specific feudal lord or landowner. This demonstrates that the right to land use and personal dependency relations were tightly interconnected.

The obligations incumbent upon the peasants manifested in various forms and were brought within a defined framework by legal norms. Product taxes paid in kind, duties remitted in money, as well as labor liabilities constituted the core elements of this system. Peasants had to regularly fulfill these obligations to maintain their right to land use. Furthermore, in certain cases, they bore additional duties such as participating in road construction, fortifying defenses, or serving as auxiliary forces during military campaigns. The legal nature of these obligations indicates that they were regulated not in a casual manner, but in a systematic and normative way.

Bringing these relations into a legal framework served to preserve social stability in feudal society. Through the law, the rights and duties of each social stratum were defined, ensuring relative stability in mutual relations. For example, in the Shirvanshahs state, the obligations of peasants toward feudals were regulated by customary law and Sharia norms, whereas during the Atabeg period, these relations were brought into an even more concrete legal form within the framework of the *iqta* system. This shows that even though forms of application varied across different states, the legal codification of personal dependency relations was preserved as a general principle (Ashurbeyli, S. B. 2017).

It should also be noted that the legal regulation of land relations was closely intertwined with the tax system, acting as one of the primary mechanisms shaping the economic

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foundations of feudal law. The right to land use not only provided an opportunity for economic activity, but was also accompanied by specific tax obligations, which were codified through legal norms. From this perspective, taxation acted not merely as a fiscal instrument, but also as a prerequisite for exercising land rights. That is, the entity utilizing the land—whether a feudal lord or a peasant—was obligated to pay the established taxes to retain this right.

Kharaj, ushr, and other land taxes widespread in the feudal legal system constituted the main legal forms of these relations. Kharaj was usually collected as a portion of the agricultural yield from the land and was particularly applied to lands cultivated by the non-Muslim population, whereas ushr was a form of tax levied primarily on lands belonging to the Muslim population. These taxes functioned not only as a means of economic extraction, but also as a normative mechanism for the legal regulation of land relations. Their amount, collection procedure, and scope of application were defined within specific legal frameworks, and any breach of these rules incurred legal liability.

The practical application of this system manifested in different forms across various states. For instance, in the Shirvanshahs state, land taxes bore a more traditional character, being regulated on the basis of both Sharia norms and local customary law. During the Atabeg period, however—particularly within the framework of the *iqta* system—the right to collect taxes was directly assigned to land users, namely the *iqta* holders, making tax relations more complex from both a legal and administrative standpoint. These examples demonstrate that the tax system was not merely a tool for replenishing the state treasury, but also a fundamental element defining the distribution of land rights and the mechanism for exercising them (Mustafazade, A., & Jafarli, N. 2017).

Overall, the core principles of mature feudal law were characterized by the ruler's supreme ownership over land, the existence of conditional land use forms, the legal codification of personal dependency relations, and the normative regulation of tax obligations. Although these principles were implemented in varying forms in states such as the Shirvanshahs and Atabegs, their underlying essence remained identical. However, the principal weakness of this system was that it deepened economic and legal inequality, while reinforcing fragmentation tendencies during periods when central authority weakened (Pigulevskaya, N. V. 2018).

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The feudal statehood ideology that emerged in the Middle Ages acted not only as a factor defining the theoretical framework of the legal and political system, but also as the primary ideological base shaping the practical operational directions of these systems. Beyond explaining the origin and legitimacy of state power, this ideology presented the existing social division within society as "natural" and "necessary," thereby ensuring the preservation of the existing order. The acceptance of power and the securing of obedience to it were made possible precisely through this ideological justification. From this perspective, feudal ideology operated not merely as a theoretical construct, but as a functional mechanism ensuring the sustainability of real political power.

In feudal society, law did not exist outside this ideological framework. On the contrary, legal norms were shaped under the influence of ideology and served its main objectives. Through the law, existing social relations were formalized, relationships between the ruling and dependent classes were brought into normative rules, and the social structure was thus reinforced legally. In this sense, law acted not only as a regulatory system, but also as a means of ideological influence, confirming the legitimacy of power at the level of daily life.

It should be noted that feudal statehood ideology served as the principal factor determining the direction of legal doctrines. Legal thought was not an independently developing field, but was rather formed in alignment with the existing political and ideological framework. This demonstrates that legal doctrines were primarily aimed at preserving stability, justifying existing rules, and ensuring continuity rather than change. Thus, the mutual interaction between feudal statehood ideology and legal doctrines was not merely formal, but possessed a systematic and profound character in terms of its essence (Suleymanov, R. 2018).

Feodal Statehood Ideology, Social Hierarchy, and the Formation of Legal Doctrines (*Fiqh* and *Urf*)

The idea that the ruler possessed divine or sacred legitimacy formed the core of feudal statehood ideology, and this idea aimed to demonstrate that power was grounded not merely in political force, but in higher—religious and moral—foundations. Within the Islamic legal tradition, the ruler was accepted as God's representative on Earth, and

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obedience to his authority was presented not only as a political obligation, but also as a religious duty. This approach framed opposition to authority not merely as a legal violation, but as religiously unacceptable behavior, which further reinforced the mechanism of obedience in governance (Aydemir, C., & Genc, S. Y. 2011).

This ideological model directly influenced the formation of the core principles of the legal system. While the principle of obedience was directed at ensuring the unquestioned acceptance of the ruler's decisions, the principle of justice acted as the key criterion for preserving the legitimacy of power. That is to say, the ruler's authority was justified not solely through force, but also through the concept of "just governance." The principle of order, on the other hand, turned the preservation of stability and law and order within society into one of the main objectives of the legal system. Together, these three principles shaped both the ideological and practical foundation of legal relations (Bosworth, C. E. 1996).

The function of the ruler was defined precisely within this ideological framework. He was expected to act not only as a political administrator, but also as a guardian of the law and a guarantor of social justice. Preventing legal violations, justly resolving disputes, and maintaining public stability were numbered among his primary duties. This indicates that the ruler's activities were circumscribed by legal and ethical responsibilities; in other words, while his authority was theoretically unlimited, it was ideologically bounded by certain principles.

Another essential component of feudal ideology was the presentation of social hierarchy as natural, immutable, and aligned with divine order, a perspective that served as an ideological justification for existing societal inequality. According to this model, society was divided into various strata not by chance, but on the basis of predetermined rules, with the position of each stratum considered fixed. Thus, preserving status rather than enabling social mobility was accepted as the primary objective, demonstrating that the legal system favored stability over dynamic development.

Within this framework, law operated not as a universal system of rules identical for all, but as a mechanism establishing distinct legal regimes for different social groups. In other words, legal relations were formed based on the social stratum to which an individual

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belonged, rather than their personal characteristics. While feudals enjoyed extensive property and administrative rights, the clergy held religious and legal authority, and peasants functioned primarily as an obligation-bearing class. This division was reinforced by legal norms, defining the rights and duties of each stratum within a concrete framework (Bosworth, C. E. 1996).

Such an approach excluded the application of the principle of legal equality and redefined the function of law. Law here served not as a tool to ensure equality among individuals, but as a system that protected and legitimized existing social distinctions. This illustrates that law had transformed into a mechanism ensuring the sustainability of the social structure. Through legal norms, hierarchical relations were not only maintained, but also presented as "lawful" and "normal" (Behbudov, Q. 2026).

In the development of legal doctrines, the role of Islamic law—particularly the science of *fiqh*—was decisive, serving as the primary intellectual platform in the shaping of medieval legal thought. *Fiqh* was not restricted merely to the interpretation of religious directives; it simultaneously fulfilled the function of systematically classifying, generalizing, and bringing legal relations into a normative framework. From this perspective, while shaping the theoretical foundations of law, *fiqh* also guided its practical application. The sources, rules of application, and methods of interpretation of legal norms were determined precisely through *fiqh*.

The development of the science of *fiqh* deepened further with the formation of various legal schools (*madhabs*). These schools presented different methodological approaches to legal issues, putting forward diverse legal resolution options for the same problem. Thus, law began to be perceived not solely as a static and immutable collection of rules, but as a dynamic system requiring interpretation and explanation. The use of analogical reasoning (*qiyas*), independent legal reasoning (*ijtihad*), and other legal methods during the resolution of disputed matters provided a major impetus to the development of legal thought. This demonstrates that law was formed not only as an applied norm, but also as an object of scientific research and analysis.

At the same time, *fiqh* made important contributions to the systematization of legal institutions. Domains such as family law, property relations, obligations, and issues of

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crime and punishment were developed within specific categories, establishing unified approaches across these fields. This systematization enabled the regulation of legal relations in a more consistent and predictable manner. In judicial practice especially, the reliance of qadis' rulings on the principles of *fiqh* ensured a degree of uniformity and stability in the application of law.

Along with this, legal doctrines during the feudal period were formed not exclusively within the framework of religious sources; on the contrary, they assumed a more flexible and practical character as a result of the mutual interaction between various legal sources. Customary law (*Urf*) occupied an important place in this regard, incorporating behavioral rules formed in the daily life of society into the regulation of legal relations. *Urf* filled the void particularly in areas not covered by written legal norms, rendering the law more realistic and applicable by taking into account the socio-economic characteristics of local communities. This demonstrated that law was not merely a theoretical construct, but a product of living social relations (Mahmudov, Y. M. 2014).

At the same time, royal decrees acted as a vital component of the legal system, through which the state carried out operational legal regulation on specific matters. Modifying tax policy, allocating land, making administrative decisions, and regulating certain legal relations were determined directly by the ruler's will. While enhancing the flexibility of the legal system, this also demonstrated its close connection to political power. Through decrees, the law was updated in accordance with existing conditions, acquiring the capacity to respond rapidly to concrete problems (Behbudov, Q. 2026).

The parallel existence of these two sources—customary law (*Urf*) and royal decrees—within the legal system led to the law adopting a more functional and adaptive character. In particular, the existence of differing socio-economic conditions across various regions necessitated the application of legal norms in a manner aligned with these differences. For example, while land relations and tax obligations were regulated primarily on the basis of local customs in certain territories, central authority decisions prevailed in other cases. This indicates that while the law was unified, it was simultaneously capable of adapting depending on the context.

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Feodal statehood ideology functioned as the principal framework determining the direction of legal doctrines, and this framework fundamentally shaped the function of law. Here, law primarily served to preserve the existing social structure; that is, its main objective was not to alter already established relationships within society, but to stabilize them and ensure their continuity. For this reason, normative creation in legal doctrines was mostly aimed at justifying and reinforcing existing rules. Changes in the legal system were approached with caution, and radical innovations that could disrupt social order were avoided (Mammadov, Sh., & Ozturk, A. 2026).

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In the Atabegs state, however, the situation was somewhat different. Here, the formation of power was based more on military-political force; that is, real authority was concentrated in the hands of a powerful military aristocracy. Nevertheless, the religious factor was still utilized as one of the primary means to legitimize this power. The Atabegs formally recognized the authority of the Seljuk sultans while simultaneously justifying their political activities within a religious framework to ensure societal acceptance. This demonstrates

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that even power established on military strength required religious legitimacy from an ideological standpoint.

A comparison of these two distinct models shows that although feudal statehood ideology manifested in different forms depending on concrete political conditions, its core principles remained unchanged. In both the Shirvanshahs and Atabegs states, the legitimacy of power, the preservation of social hierarchy, and the ideological justification of legal relations were built upon a similar logic. This indicates that, despite regional differences, feudal legal doctrines developed within a common ideological framework and were shaped on the basis of unified principles (Koca, S. 2018).

Overall, feudal statehood ideology and legal doctrines functioned as complementary and mutually evolving systems. Through these systems, state authority was legitimized, social hierarchy was preserved, and legal relations were brought within a defined framework. Nonetheless, the primary weakness of this model was its resistance to change and its legal consolidation of social inequality.

Conclusion

The legal regulation of land relations constituted a central element of the feudal legal system. Land acted as both an economic resource and the primary pillar of political power. Although in the early period supreme ownership over land was considered to belong to the ruler, the actual right of use was concentrated in the hands of the feudal estate. Legally, this led to the formation of multi-level property relations.

During the period of mature feudalism, the legal system acquired a more structured and, to a certain degree, systematic character. In particular, the formation of institutions such as the *iqta* system marked the beginning of a new stage in the legal regulation of land relations. While meeting the military and administrative needs of the state, this system simultaneously enabled a more functional organization of legal relations.

It should also be emphasized that the development of legal doctrines was not limited solely to religious law, but was complemented by customary law and royal decrees. This multi-source legal system allowed for a more flexible and practical regulation of legal relations. The legal system evolved gradually by adapting to changing socio-economic conditions.

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A comparative analysis of the Shirvanshahs and Atabegs states demonstrates that although governance and legal systems in these states were formed on the basis of general feudal principles, certain differences existed in their application. While a more stable and traditional model of governance was observed in the Shirvanshahs state, military-political factors came to the fore in the Atabegs state. Nevertheless, both models reflected the general patterns of feudal statehood ideology.

Thus, as a result of the conducted research, it can be concluded that during the early and mature feudalism periods in Azerbaijan, statehood and legal doctrines developed in mutual interconnection, formed as the legal expression of socio-economic relations, and served as one of the primary mechanisms ensuring the stability of feudal society.

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