



## THE PLACE AND ROLE OF IMPROVING THE ELECTORAL SYSTEM IN THE FORMATION OF THE NEW UZBEKISTAN

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<p><b>Received:</b> 10<sup>th</sup> November 2022 <b>Accepted:</b> 11<sup>th</sup> December 2022 <b>Published:</b> 11<sup>th</sup> January 2023</p>	<p>This article analyzes the features and aspects of electoral systems, discusses elections and electoral systems in developed countries. The article also discusses the advantages and disadvantages of majoritarian, mixed and proportional electoral systems. The article emphasizes the importance of the electoral system in enhancing the place and role of political parties in society. When forming a new Uzbekistan, the advantages of the transition from the majoritarian electoral system operating in the country to a mixed electoral system at the first stage, and then to a proportional electoral system are discussed.</p> <p>The electoral system has undergone great changes in its development and progress, and has accumulated rich experience. During these processes, mixed electoral systems began to take shape. The positive sides of the majoritarian and proportional electoral systems began to combine. Under the mixed system, a certain number of seats in parliament will be distributed according to the majority principle, and the rest - according to the proportional system. Experience has shown that when democratizing and improving the electoral system, such a mixed system is the most effective way to achieve political stability.</p> <p>Today, elections in Uzbekistan are held according to the majoritarian electoral system. The advantages of using the majoritarian electoral system in the "transitional period" are, firstly, in ensuring peace, secondly, in the simplicity of the formation of state power, and thirdly, in the fact that "unsuitable candidates" will not come to power.</p> <p>In our country, where democratic values are being formed, the majority electoral system has not been able to fully reveal democratic principles so far.</p> <p>Therefore, in order to increase the role of political parties in society, it is advisable in the country to initially be elected according to a mixed electoral system, i.e. half of the deputies are based on a single-mandate majoritarian system, and the other half on the lists of candidates nominated by political parties.</p> <p>The introduction of a mixed electoral system in our country can, firstly, increase the political consciousness and culture of citizens, secondly, increase the role of political parties in society as a result of the continuous work of political parties, and thirdly, reduce the state budget for elections.</p>
<p><b>Keywords:</b> elections, electoral system, qualification, political party, active suffrage, passive suffrage, majoritarian electoral system, mixed electoral system, proportional electoral system</p>	

Due to the fact that political parties have been expressing the characteristics of certain social groups and strata and their interests, the multi-party system is increasingly strengthening its status in the developed countries of the world even in recent years, when the processes of globalization are taking place. At the same time, the role and importance of political parties in the democratic processes of the society is increasing more

and more.

A democratic system cannot be established without the development of political parties. Political parties are considered public organizations, and their main difference from other public organizations is that they are given the legal right to fight for power. It is desirable to develop the electoral system in order to develop the activities of political parties and increase



their position in society.

It is known that improving the electoral system is one of the important and urgent tasks for building a civil society in the countries that have gained independence. The election system is a procedure for conducting and organizing the election of representative bodies or certain leadership representatives, which is established in legal norms, as well as formed in the experience of the activities of state and community organizations.

"The election system is a component of the political system, and it itself is divided into structural parts like other systems: two of them stand out: 1) the right to vote - a theoretical-legal component; 2) election processes (or the official order of conducting the election process based on consistency) - a practical-organizational component.

It is possible to indicate certain characteristics of elections based on the principles of suffrage interpreted in a broad sense and several other factors, and distinguish their various manifestations from each other. For example: presidential, parliamentary and local elections, as well as regular, special and by-elections.

Elections:

General - limited (censored);

Equal - unequal;

True - indirect;

Secret - open voting" [3.C.96].

The left-hand side of this election classification list represents elections based on democratic values.

Many democratic countries in the world today have declared the right to universal and equal elections by secret ballot in their constitutions or special election laws. We will dwell on these principles in more detail.

Universality of elections represents the right of all citizens who have reached a certain age to participate in elections. On the basis of this right, both active and passive voting rights are understood. But both of them are limited by the following factors, which are called electoral censuses in a number of countries.

"Property and residential census; literacy rate; young cenzi etc. Passive suffrage censures are generally stricter than active suffrage censures. For example, in Canada, only a person who owns real estate can run for the Senate, while in Great Britain, to get the right to be elected, a much larger amount of money must be paid for the guarantee of election. In countries with bicameral parliaments, the age limit for the upper house should always be higher: 30 years in the USA and Japan, 35 years in France, 40 years in Belgium and Spain. At the same time, it should be noted that the development of democratic processes in the world does not bypass

editorial restrictions, but tries to soften them step by step.

In most countries, instead of a referendum, plebiscite (general election), public survey, public opinion survey, and public vote were held. More precisely, referendum-like events were held in ancient Greece and Rome, and in the Middle Ages in all European and most Asian countries in various forms, methods and purposes" [8].

Each country determines the authority of the referendum differently, depending on the specific characteristics and traditions of its political development. For example, in France, Switzerland, and Spain, it has become a tradition to hold a constitutional referendum, where a new draft of the Constitution or new additions to the Constitution is put to it, and the general opinion of the people is determined regarding this draft and additions. In particular, Article 3 of the French Constitution is expressed as follows: "National sovereignty belongs to the people, which they exercise through their representatives and referendum. No part of the people, no single person can take it upon themselves to implement it. Voting may be direct or indirect in accordance with the conditions provided for in the Constitution. It shall always be common, equal, and secret..."[4.C.3].

In Italy, legislative referendums (on draft new laws) are often held. Article 75 of the Italian Constitution enshrines the rules of holding a referendum: "Whenever five hundred thousand voters or five provincial councils so request, a popular referendum shall be called for the full or partial repeal of a law or an act having the force of law." Referendums with powers to ratify international treaties are not permitted on taxes and budgets, amnesty and amnesty laws. All citizens called to elect the Chamber of Deputies have the right to participate in the referendum [5.C.37].

Voluntary referendums can often be initiated by a group of voters or a federated entity. This method of referendums is widely used in Italy, 22 US states, Switzerland, and France.

Referendum in European and North American countries is one of the criteria of direct rule of democracy. But its real democratic level is measured by the nature and political regime of each country. But now, public polls and referendums have become a habit of socio-political life as a democratic means of satisfying a simple political and spiritual need of highly civilized nations. For example, the fact that referendums are held 3-4 times a year in Switzerland can be explained in this way [5.C.37].

Referendum is a kind of national poll, in which all citizens of the country who have the right to vote are



expected to participate.

Referendums also have two different political natures: on the one hand, a referendum is capable of relatively fully expressing the will of the people on one or another issue or a set of issues. On the other hand, the results of the referendum create a basis for different political groups or parties to come to terms with the will of the people and ultimately ensure mutual compromise on various controversial issues. Referendum is also one of the expressions of citizens' electoral activity [6].

The election campaign officially begins after the appointment of election days. The appointment of the election day is usually carried out by the state and lasts until the day of the election, in practice the company starts its action as soon as the desire to hold an election is known, long before the official entry into it.

In contrast to the totalitarian society, elections are the main arena of political party activity in a democratic society. Each party seeks to expand its electorate. Electorate (lat. "lector" - voter) is a contingent of voters who vote for one or another party in elections. For example, the electorate of social-democratic parties consists mainly of workers, intellectuals, servants, and small owners. The electorate of the US Democratic Party usually includes more of the country's population of color. From election to election, the electorate of one or another party changes both in terms of quantity and quality. For example, in Great Britain, after the Labor Party ousted the Liberal Party from the two-party system, the Labor electorate increased significantly at the expense of the Liberal electorate[6].

Due to ongoing social differentiation processes in the countries of the world where new political parties and social movements are emerging, the issue of forming electoral blocs and alliances is becoming more and more urgent. Because, if a political party does not have a chance to win on its own, then the public organizations of this party join electoral blocs in order to achieve the common goals of joint action during the pre-election campaign, and most importantly, to win the elections. Also, political blocs and alliances are organized to ensure the victory of the candidate of the parties close to each other.

"Besides, for the formation of blocs and alliances, other factors, that is, the financial capabilities of the party or bloc, should be good. In fact, this factor makes it possible to spread pre-election propaganda: the main goal is to create the image of the candidates nominated by the party whose influence voters want.

Voters and the group that nominated their candidate during the election and the influential persons who support this candidate "from the shelter"

involuntarily make the following demands on the candidate:

- to be known to the voters of a clearly demarcated electoral area;
- the skill of professional knowledge;
- acquisition of public speaking skills;
- to be physically and psychologically resistant to influence and obstacles during the election period, to have good health by nature;
- to have the ability to quickly take aim when the situation changes;
- to be able to control one's emotions;
- the ability to behave naturally in front of a television camera and microphone;
- having mastered the skills of arguing and debating;
- being able to listen to the opinion of others;
- to have the ability to be honest;
- being able to be a leader or leader in the group;
- able to take into account the interests of various social groups at pre-election meetings" [7.C.65].

This list can be continued, but shortening it can make it difficult to successfully conduct an election campaign. The work of a qualified team that promotes a candidate is the main element of an election company. Achieving a specific target victory in this or that election process is definitely carried out by a qualified group.

Such situations are typical for societies of countries with political and legal culture or underdeveloped countries. For example, it is known from history that when Napoleon Bonaparte decided to "legitimize" his dictatorship through a "plebiscite", the vote was held openly and under the strict control of the authorities and army regiments.

Similar situations occurred in the second half of the 20th century. During the recent parliamentary election in Zaire, the list read out by the mayor was held in the city's main square to cheers. In Western Samoa, the eldest member of the family votes for all members of the family. And in Swaziland, voters "vote with their feet on the ground", that is, the group of candidates to be elected to the parliament stands inside the doors of the buildings. And the electors enter through the doors, choose the candidates and vote with him [7.C.81].

However, with the formation of civil society and the growth of legal consciousness of citizens and the improvement of legal institutions, this type of voting has been preserved only in some developed, poor and backward countries. In modern countries, voting is not only a civil right, but also a civil duty. In some countries, there are penalties for absenteeism.



For example, in countries such as Belgium, the Netherlands, and Australia, a fine is paid. In Pakistan, even imprisonment is used. In some countries, the number of candidates nominated for each constituency is limited for the purpose of "preventing riots". For example, in Great Britain, the number of candidates in constituencies cannot exceed five. In addition, each candidate is required to pay a much larger security deposit. If he receives less than 5% of the total votes cast, this money will not be returned [7.C.81-83].

Determining the results of elections based on voting results is mainly based on two major electoral systems: proportional and electoral systems. In the majority system, it is characterized by the fact that a candidate or a list of candidates is considered to be elected to an elected representative body only if they receive the most votes as defined by law. Majority votes also vary. Electoral systems requiring an absolute majority (50% + 1 vote) are also found. Such a system applies, for example, in Australia. In a majoritarian system, a certain majority receiving more votes than their opponents means that their candidate has won. It is also called "first-come-first-served system". Currently, such a system is used in countries such as the USA, Canada, Great Britain, and New Zealand. Sometimes two different forms of majority system are used. For example, in France, in the first stage of the election of deputies to the parliament, an absolute majority voting system is used, and in the second stage, a relative majority voting system is used [7.C.84-86]. This system is also typical for Belgium, Sweden and many other countries.

The proportional system has two forms:

a) nationwide proportional electoral system (voters vote for political parties throughout the country, electoral districts are not defined).

b) proportional electoral system based on multi-mandate constituencies (deputy mandates are distributed based on the influence of parties on constituencies). Both majoritarian and proportional systems have their advantages and disadvantages. The positive features of the majoritarian system can be explained by the possibility of forming an efficient and stable government. It also provides an opportunity for large and well-organized parties to successfully hold elections. The main disadvantages of the majoritarian system are as follows: 1. The majority of the country's voters (sometimes close to 50%) will not have their representatives in the authorities [7.C.87].

1. The party that received fewer votes than its opponent in the elections may have the majority of seats in the parliament.

2. Two parties that have received the same or

similar number of votes in the elections get the election of an unequal number of candidates in the power body. Thus, the majoritarian system helps any party or block to get a majority of votes and mandates in the representative bodies.

"The following can be said about the advantages of the proportional system: with its help, it is possible to show a realistic and clear picture of the location of political forces in the political life of society. It ensures the development of diversity of opinions and multi-partyism, as well as the integral relationship between the state and citizens.

Also, the proportional election system creates good conditions for the formation of a real opposition in the society and creates an atmosphere of political competition in the country in a positive sense. This system also has its own disadvantages.

The main disadvantages of the proportional system are as follows:

1. Complications arise in the formation of the government. The reason: the absence of any dominant party, having to form a multi-party coalition of parties with different goals and interests, which causes instability of the government;

2. Giving votes to parties rather than specific candidates, weak communication between parties and deputies;

3. Deputies become more dependent on their parties (this restriction of freedom can have a negative impact on the processes of adopting laws and important documents in the parliament).

4. It can create an opportunity for the radicalization of representatives of the political party" [9].

The electoral system has gone through great processes on the way to its development and has accumulated rich experiences. During these processes (especially in the post-war period) mixed electoral systems began to take shape. Also, the good sides of majoritarian and proportional systems began to harmonize with each other. Within the framework of the mixed system, a certain part of the deputy mandates was distributed based on majoritarian principles, and the rest of the mandates were distributed based on the proportional system. Experience shows that this mixed system is the most effective way to achieve political stability in the democratization and improvement of the electoral system.

Today, elections are held in Uzbekistan based on the majority electoral system. The advantages of using the majoritarian electoral system in the "transition period" are, firstly, peace is ensured, secondly, state power is easily formed, and thirdly, "unsuitable



candidates" do not come to power.

In our country, where democratic values are being formed, the majoritarian electoral system has not been able to fully reveal democratic principles. The reason for this is, firstly, the lack of attention paid to political parties in the majoritarian electoral system, secondly, a political party with a small position in the society wins the elections, that is, more representatives of a political party with a small position can be elected to the parliament, and thirdly, we can see that the elected candidate is not fully protected.

In the USA, democracy and human rights are supported by a healthy competition between the Democratic and Republican parties in the struggle for power. They seek to obtain a mandate from the people to hold power. The only way to get a mandate is to fully comply with the laws and think of the people's interests as the main idea. He realizes that if he does not implement this idea, he may lose in the next elections. Therefore, it forces to follow the rule of law, human rights, public interests in the society. That is, in a multi-party system, he puts forward the idea that I manage the power better than you, and therefore fights. For this, it is necessary to obtain a mandate from the people. Therefore, whether they want to or not, they are forced to serve the interests of the people in order to achieve their goals.

Our goal is to create an atmosphere of healthy competition in all aspects of society through the development of political parties.

In the Western world, this system has already been formed. Therefore, the rule of law, justice, provision of human rights, etc. are in a very high position in their society.

The Law of the Republic of Uzbekistan "On Political Parties" provides the following interpretation: "A political party is formed on the basis of common views, interests and goals of citizens of the Republic of Uzbekistan, strives to realize the political will of a certain part of society in the formation of state authorities, and manages state and public affairs through its representatives. is a participating volunteer association" [2]. A political party cannot be a powerful organization that dominates the people or the government. They are mediators between the state and the people and serve to improve the political culture of the people.

Several articles of the Constitution of the Republic of Uzbekistan serve as a constitutional basis for the activities of parties. The right to establish a political party is enshrined in Article 34 of the Constitution. It is noted that political parties need to be registered in the "Community Associations" chapter of the Constitution, which talks about the right to join a

political party, the political party's right to participate in mass movements, the rights of the minority opposition in the political party (Chapter 8). The Constitution also prohibits the actions of the political party against the Constitution (Article 57). Rights of the state in relation to the political party (Article 58), voluntary membership of parties (Article 59), democratic activities and sources of financial support (Article 60), powers of general courts to stop or limit their activities are also discussed. The Constitution states that deputies of the Oliy Majlis of the Republic of Uzbekistan are elected on the basis of multi-party system [1. 9,11-12]. It can be seen that a legal space has been created in our country to organize the activities of political parties and create broad and equal opportunities for them.

Special attention is paid to the issue of "Increasing the role of Oliy Majlis chambers and political parties in the consistent continuation of reforms in our country" in the first direction of the 7th goal of the Decree No. PF-60 of the President of the Republic of Uzbekistan dated January 28, 2022 "On the Development Strategy of New Uzbekistan for 2022-2026" special attention is paid to the development of the political system, the strengthening of the role of political parties in the life of the state and society, and the formation of a healthy competitive environment between them.

For this reason, in order to increase the role of political parties in the society, it is appropriate that at the initial stage in our country, half of the deputies are elected according to the one-mandate majoritarian electoral system, and the other half are elected according to the list of candidates nominated by political parties (proportional electoral system).

In our opinion, the introduction of a mixed election system in our country can, firstly, increase the political consciousness and culture of citizens, secondly, the role of political parties in the society will increase as a result of the continuous work of political parties, not only during the election process, and thirdly, it will be possible to achieve less spending of funds allocated from the state budget for elections.

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