

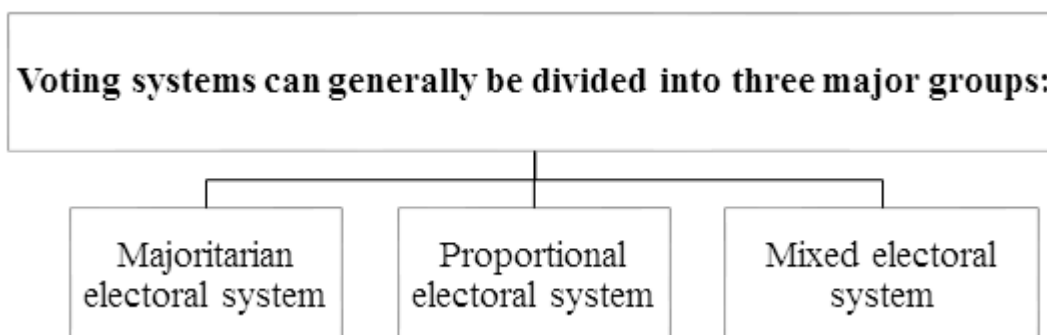
Electoral System in the New Edition of the Constitution

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ABSTRACT: In any society, democratic elections serve as a factor that gives new strength to development. The election system means the procedure for electing the President of the Republic, deputies of the Legislative Chamber of the Oliy Majlis, and people's deputies to regional, district, and city councils in accordance with the Constitution and election laws of the Republic of Uzbekistan. This article examines active implementation of the electoral system of Uzbekistan to which citizens and political parties show their will.

KEYWORD: electoral system, ballot, voting rights, citizen, democracy, mass media, observers, representatives, volunteers, referendum.



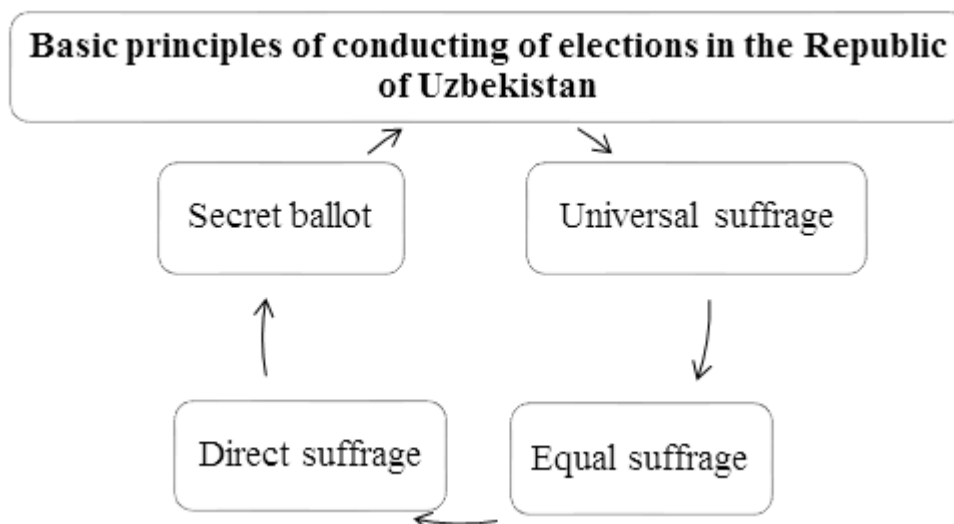
The majoritarian electoral system (from the French word “majorite” for the majority) in constitutional law means determining the results of voting in elections to representative bodies. In the majoritarian electoral system, the candidate who received the majority of votes as defined by the law is elected for this district. Electoral votes “disappear” for candidates who receive fewer votes.

Proportional electoral system is a relatively complex procedure for determining voting results, in which mandates are distributed among the parties that have nominated their candidates to representative bodies, in accordance with the number of votes they received.

Proportional election system is used in Spain, Poland, Austria, Denmark and other countries.

Mixed electoral system reflects elements of majoritarian and proportional electoral systems. For example, in the elections to the German Bundestag, a mixed electoral system can be seen.

According **Election code of the Republic of Uzbekistan** Elections in the Republic of Uzbekistan shall be held on the basis of universal, equal and direct suffrage by secret ballot. Elections shall be held open and transparent [1].



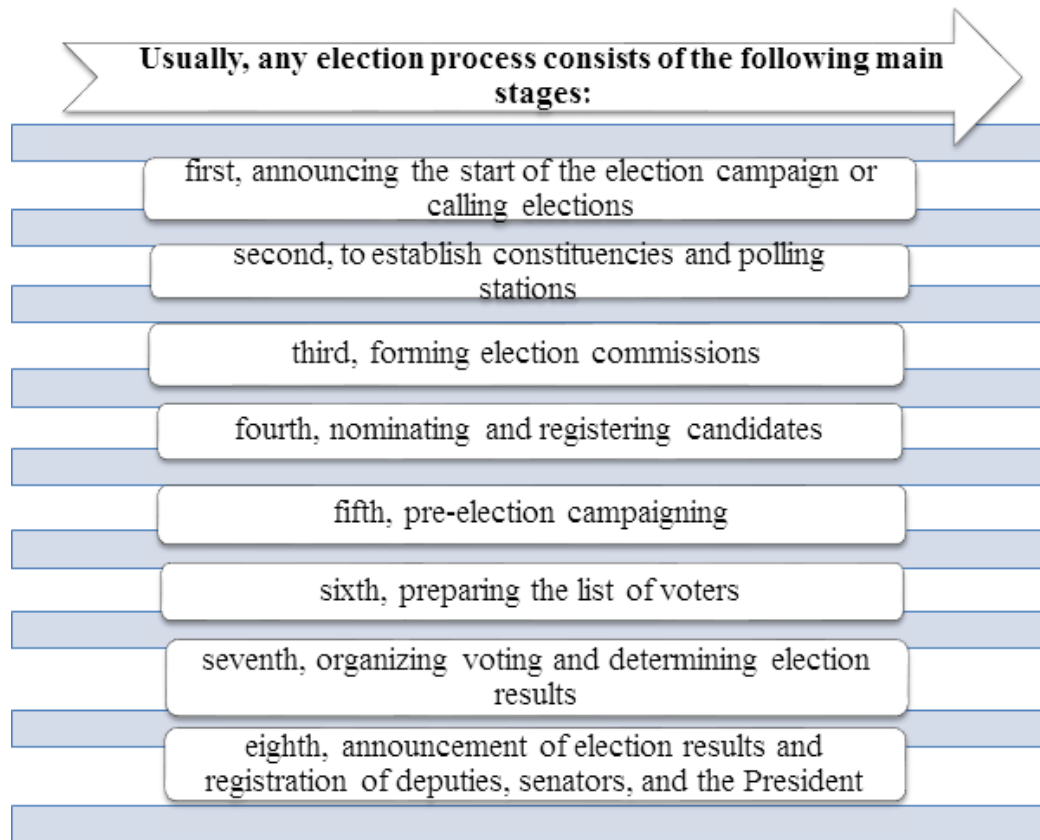
The Constitution and laws of the Republic of Uzbekistan, along with granting and ensuring the right to vote to citizens, also specify who should not participate in the election, whose right to vote should be temporarily suspended, as well as its grounds. This is defined in Article 117 of our Constitution as follows: “Citizens recognized by a court as legally incompetent, as well as persons held in places of deprivation of liberty by a court judgment, may not be elected. Citizens recognized by the court as legally incompetent, as well as persons held in places of deprivation of liberty by a court verdict for committed grave and especially grave crimes may be deprived of the right to participate in elections only in accordance with the law and on the basis of a court decision. In any other cases, direct or indirect restriction of citizens’ voting rights is not allowed”.

This provision of our Constitution defines two grounds for excluding participation in elections:

The first is as a result of the citizen’s limited ability to act, mental weakness. Such individuals cannot evaluate their actions or act consciously. He does not understand the consequences of his actions.

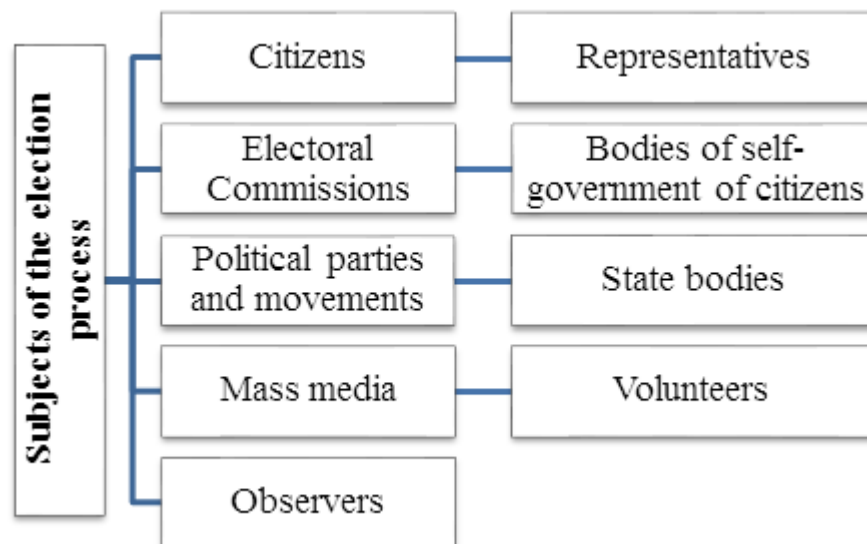
The second is those who are kept in places of deprivation of liberty, that is, those who are serving a sentence. These individuals are divided into two. People who are serving a sentence for committing a serious and extremely serious crime do not participate in the elections. The rest of the prisoners participate in the election.

Elections, i.e., the order of formation of representative bodies of the government, are manifested in the form of a political-legal mechanism, and such a mechanism simultaneously consists of the right to vote and the election process.



The democratic election process is a part of the political process and regime established in the country, which is directly related to the general conditions for the development of democratic institutions that form the socio-political and socio-cultural infrastructure of the exercise of citizens' electoral rights.

Subjects of the election process are participants who participate in various stages and events of this election and have their own specific tasks and roles. The subjects of the election process are as follows.



1. Citizens. Citizens participate in almost all stages of the election process. Citizens participate in the election process directly themselves or through the activities of relevant structures and bodies.

2. Electoral Commissions. Election commissions play a special role in the process of elections to representative bodies and elections to the President. If the Central Election Commission, district election commission, precinct election commissions are established in the Legislative Chamber of the Oliy Majlis and the Presidential election, in the elections to the Councils of People's Deputies, the election commission, district election commission, and precinct election commission will be formed to hold elections for the relevant Council (province, city, district).

3. Political parties and movements. Political parties are entities that have the right to nominate candidates for election to representative bodies. Only political parties have the right to nominate a candidate for the Legislative Chamber of Deputies and a candidate for the Presidency. In addition to nominating candidates, political parties also take part in campaigning and propaganda activities during the election process, control the voting process and voting results through their representatives.

4. Mass media. In accordance with the laws on elections, the mass media cover the progress of election preparations and how the elections are conducted. The mass media covers and provides information on every event in the election process, from the announcement of the start of the election campaign to the announcement of the election results.

5. Observers. The institution of observers plays an important role in ensuring the fair conduct of elections in accordance with the law. Observers can be formed of national, i.e. internal structures, as well as international observers, representatives of international organizations and foreign countries. Observers can participate in all election activities, as well as in determining voting results.

6. Representatives. In the election process, the representatives of the candidates for deputy, the President, and authorized representatives of political parties will participate. The candidate for the President of the Republic of Uzbekistan will have up to 15 representatives, the candidates for the Legislative Chamber of Deputies will have up to 10 representatives, the candidates for the deputies of the regional (Tashkent city) Council of People's Deputies will have up to 5 representatives, the candidates for the district and city councils will have up to 3 representatives.

7. Bodies of self-government of citizens. Citizens' self-government bodies take an active part in holding elections. They help relevant bodies in campaigning, organizing meetings with candidates, compiling lists of voters, providing information to voters about the day, time, and place of the election.

8. State bodies. Various state bodies participate in election processes. They perform different tasks. Local state authorities take part in the election process by providing places for elections, making polling stations in a suitable state, providing material support, presenting candidates for election commissions, and forming election commissions for the relevant councils.

9. Volunteers. The Law of the Republic of Uzbekistan "On Volunteer Activities" adopted on December 2, 2019 stipulates that volunteers participate in socially significant events with the consent of their organizers. Therefore, they can be considered not as a separate election participant, but as a subject that helps the participants.

Various age limit (means restriction) can be established in elections. Today, all over the world, the voting age is age limit. Age limit refers to the fact that a citizen has reached adulthood and, as a result, is able to respond to his actions.

The age limit for active and passive elections is set differently, for example, in Uzbekistan, the right to vote (the right to vote) start at the age of 18. The right to vote for all bodies is available from the age of 18.

Passive suffrage (right to be elected) is established differently in different bodies. The minimum age for becoming a deputy in the local Councils of People's Deputies is 21 years, for deputies of the Legislative

Chamber, 25 years for members of the Senate, and 35 years for being elected as the President of the Republic of Uzbekistan. Those who have not reached this age cannot be elected to relevant bodies.

Referendum is a public vote of citizens on the most important issues of society and state life for the purpose of passing laws and other decisions.

Every citizen of Uzbekistan who has reached the age of 18 before the day of the referendum or on the day of the referendum has the right to participate in the referendum. A citizen of Uzbekistan living or staying outside the territory of the Republic of Uzbekistan has the right to participate in the referendum.

The last name, first name, patronymic, date of birth and residential address of each voting citizen are included in the list. The lists of voting citizens are compiled on the basis of the single electronic list of voters.

Referendum precincts will be established no later than 15 days after the announcement of the decision to appoint a referendum. Referendum precincts are made up of at least 20 and at most 3000 citizens who have the right to participate in the referendum.

Voting will be held on the day of the referendum from 8:00 to 20:00. The precinct committee will inform citizens about the time and place of voting at least 10 days before the day of the referendum.

The ballot in the referendum is filled in by the voter in a secret voting booth or room.

Upon arrival at the polling station, the citizen shows his identity document to the member of the precinct commission and signs the list of voting citizens. After that, he will be given a ballot paper.

The citizen puts a sign “□” or “✓” or “□” in the empty square on the right opposite the option he/she is for voting.

The presence of persons other than the voter is prohibited during the filling of the ballot.

A voting citizen who does not have the opportunity to independently fill out a ballot has the right to invite another person to the secret voting booth or room, except for persons who are part of the precinct committee, observers and representatives of the mass media.

The citizen throws the filled ballot into the ballot box. The voting boxes must be visible to the members of the precinct committee conducting the referendum and to the observers.

If some citizens are unable to come to the polling station due to their health or other reasons, at their request, the precinct committee conducting the referendum shall vote at the place where the citizen is standing, using portable voting boxes. Constitutes

A tampered ballot can be replaced with a new one at the citizen's request. Tampered ballots should be counted, canceled and kept separately.

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