

## **CONSTITUTIONAL STATUS OF POLITICAL PARTIES**

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### **Annotation:**

In this article, the political system of the Society consists of organizations participating in socio-political relations. Political parties are an integral part of the political system and one of its main links.

**Keywords:** Non-governmental non-commercial organizations, National revival, national and religious, social, national, racial, monarch.

Party- (lat. Partio-, to divide, to divide) is a group of people who are ideologically similar, have common interests, and are also separated to perform a specific task. A political party unites people in society and ensures the unity of their goals and objectives, they fight for representative bodies and protect the interests of their political groups. In the formation of the Oliy Majlis, councils of people's deputies, they also appear as the main political force and participate in the formation of the government and state administration by electing their candidates[1]. If we look at the history of parties, we can see that their appearance existed in ancient times. For example, in the 5th century BC, a political struggle began in Athens (Greece) between aristocratic and democratic groups (these were the original early parties). Political parties also existed in the Middle Ages. It should be noted that both in the ancient times and in the Middle Ages, parties were formed only in those places where the regime (order) of state management had some signs of democracy. Only in such conditions were parties able to express some social interests[2]. Parties retain their obligations, try to implement them and can act only when there are other parties, i.e. opponents, who force them to analyze various social interests, define and protect such interests. In this way, parties gain their supporters among different strata (classes) of society. Political parties in the modern sense first arose in connection with European (bourgeois) revolutions. During those revolutions, people's representatives were formed, that is, a system of people's power implemented through elected representatives was established. Initially, the monarch (single governor) and feudal lords, on the one hand, and the defenders of equality and political freedom, on the other hand, joined the ranks of the parties.



As a result, various parties began to emerge, which began to protect the interests of some social and regional groups of society. As a result of the involvement of broad sections of society in politics due to the strengthening of division into class groups and the deepening of social conflicts, the role of parties has become stronger and they have become the main subject of politics and a necessary element of democratic statehood. The role of political parties in a democratic society is that democracy requires active political parties[3]. A political party is a perfect organization that performs a number of interrelated functions that are important in the process of democratic governance. The most important of these is to participate in and win elections in order to gain a certain level of control over state institutions and bodies. As stipulated in Article 12 of our Constitution, social life in the country develops on the basis of diversity of political institutions, ideologies and opinions. This in itself guarantees the emergence of political pluralism in society. One of the most important signs of democracy is the formation of representative bodies of power on the basis of multipartyism[4]. A constitutional legal basis for the democratization of political life has been created in our republic. Examples of this are the Constitution of the Republic of Uzbekistan, the laws "On public associations", "On political parties", "On non-governmental non-profit organizations", "On financing political parties". Currently, the People's Democratic Party of Uzbekistan, the Social-Democratic Party of "Adolat", the Democratic Party of "National Revival", the National Democratic Party of Devotees, and the Movement of Entrepreneurs and Businessmen - Liberal-Democratic Party of Uzbekistan are operating in our republic. All political parties carry out their activities on the basis of the Constitution and laws. As stated in Article 60 of our Constitution, "Political parties represent the political will of various classes and groups and participate in the organization of state power through their democratically elected representatives." As President I.A. Karimov noted, "At present, we are striving to build a legal democratic, market economy-based state, and a life that is second to none. Strengthening the principles of democracy, which are the political and social foundations of life, the environment of multi-partyism, organizing and developing the activities of parties remains the most important task of our life today, the guarantee of our future development[5]. According to Article 1 of the Law "On Political Parties" adopted on December 26, 1996, 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 through its representatives, the state and is a voluntary association involved in the management of public affairs. In accordance with Article 6 of the Law "On Political Parties", in order to form a political party, it is required to have the signatures of at least twenty thousand citizens living in at

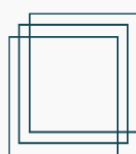


least eight territorial entities (provinces), including the Republic of Karakalpakstan and the city of Tashkent, who wish to join the party. The initiators of the political party should consist of at least fifty people, they should form the organizing committee for the preparation of the founding documents of the party, the formation of the composition of the members and the convening of the founding meeting or conference[6]. The organizational committee must notify the Ministry of Justice of the Republic of Uzbekistan in writing about its initiative, the composition of the committee, the head (leader), the location and the date of the convening of the founding meeting or conference no later than seven days from the date of its formation. The organizing committee has the right to operate for three months from the date of its formation. A political party is formed at a constituent assembly or conference[7]. The Constituent Assembly or Conference adopts the party's constitution and program, and establishes its elected bodies. Political parties are registered by the Ministry of Justice of the Republic of Uzbekistan. The application for registration of a political party is considered within one month from the date of its receipt. Based on the results of the review, a decision is made to register or reject the registration of a political party. After the decision is made, it is given to the governing body of the political party or sent by mail within three days at the latest[8]. A political party acquires the status of a legal entity from the date of registration and can carry out its activities. Amendments and additions to the charters of political parties must be registered in the manner and within the time limits provided for in this article for the registration of their charters. A notice of the registration of a political party is published in the mass media, if the charter, goals, tasks and activity method of the political party contradict the Constitution of the Republic of Uzbekistan, the Law "On Political Parties" and other legal documents, or a political party or public movement with the same name was previously registered. If received, this party will not be registered[9]. The refusal to register a political party can be appealed to the Supreme Court of the Republic of Uzbekistan in accordance with the established procedure.

The Law of the Republic of Uzbekistan "On Political Parties" also includes provisions related to the formation of parties, guarantees of their activities, suspension and termination of their activities. In our republic, political parties are established and operate on the basis of free expression of will, voluntary joining and leaving the party, equal rights of members, self-management and transparency in order to realize the rights and freedoms of citizens[10]. The establishment and operation of the following political parties are prohibited:

aiming to change the constitutional system by force;

Opposing the sovereignty, integrity and security of the Republic of Uzbekistan, the constitutional rights and freedoms of citizens;



Promoting war, social, national, racial and religious enmity;

Attacking the health and morale of the people;

Parties of national and religious spirit.

Citizens of our republic can be members of only one political party at a time.

Any restrictions on the rights of citizens based on party affiliation, as well as giving privileges or advantages to it, are prohibited[11]. Membership in political parties is registered individually, and the following cannot be members of political parties: judges, prosecutors and prosecutor's office investigators, internal affairs bodies, national security service personnel, military personnel, citizens of foreign countries and stateless persons. According to Article 5 of the Law "On Political Parties", the state guarantees the protection of the rights and legal interests of political parties, and creates equal legal opportunities for them to fulfill their goals and tasks defined in the charter. It is forbidden to interfere in the internal affairs of political parties by state authorities and management bodies, enterprises, institutions, organizations and their officials, and if the activities are carried out in accordance with the law and their charters, they are prohibited in one way or another[12].

Political parties have the following rights;

Freely disseminate information about their activities, promote their ideas and decisions;

Participate in the preparation of relevant decisions through their representatives in elected state bodies;

Participation in the elections of the President of the Republic of Uzbekistan, state authorities in accordance with the procedure established by law:

Conducting meetings, conferences and other events related to party activities;

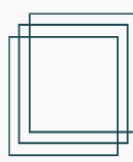
Establishment of mass media and use of other mass media in accordance with the law;

Establish alliances with political parties of the Republic of Uzbekistan, establish contractual relations with them and other public associations. Each party has its own program, according to which they act in the political field to realize the goals and tasks stipulated in these programs. For example, the People's Democratic Party of Uzbekistan considers strengthening the independence of Uzbekistan, building a free democratic society based on a stable market economy, conducting a policy that can ensure decent living conditions and well-being for every citizen of the country as the main tasks of its activity[12]. In the "Adolat" party - formation of the legal culture of citizens as a guarantee of stability and the realization of the model of Uzbekistan's market reforms, in the program of the "Fidokorlar" national democratic party - to increase the economic and socio-political position of the "class of owners", in the "National Revival" party - to promote the spirit of the people, restoration of historical memory and culture, creation of new opportunities for wider activities of entrepreneurs and businessmen in the Liberal-Democratic Party, the goal of ensuring their future is put forward as a party program[13].

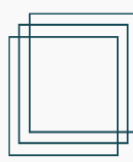


A political party performs certain tasks to achieve its goals. Among them, it is possible to single out tasks such as participation in state management, national integration, and ideological tasks. Any political party begins its activity by developing a political course aimed at solving the problems existing in society. For this purpose, initiative groups, commissions, public councils consisting of party activists and involved specialists will be formed[14]. The political party chooses a unique strategy and method in its program documents and tries to influence the voters through it. At this organizational stage, the tasks of accepting new members to the party, educating activists, mobilizing voters to support the party's candidates, selecting leaders and promoting them to high positions in state and mass public organizations bodies arise. The most important task of the party is to participate in the formation of authorities and control over their activities[15]. The presence of political parties and their participation in elections to state bodies paves the way for peaceful resolution of social conflicts. This creates positive conditions for the replacement of governments in necessary cases, for supporting the professional abilities of political figures, and thereby ensures the effectiveness of the state management of society. In countries with a two-party or multi-party system in a democratic regime, there will be healthy competition between the ruling parties and the opposition parties[16]. The opposition parties develop alternative programs for national development and present their proposals to the public discussion, criticize the mistakes, defects, and abuses of the current government, thus forcing the government to find ways to successfully solve the existing problems in society. For example, in Great Britain, India and a number of other countries, "secret cabinets" are formed by opposition parties, the members of the cabinet are paid from the state treasury, and they also enjoy some benefits, thus they actively participate in solving various problems in the life of the state and society. In developed democracies, along with the direct form of democracy, representative democracy has been giving its results in practice[17]. The most important feature of representative democracy is the activity of deputies, representatives of the people, in higher and local representative bodies. The participation of political parties directly with citizens in the formation of representative bodies indicates their position in the political system. The norms established in our Constitution and the Law "On Political Parties" give political parties ample opportunities to operate in the parliament and local councils of people's deputies. On April 30, 2004, at the XIV session of the Oliy Majlis of the second convocation, the adoption of the Law "On Financing Political Parties" undoubtedly made a radical change in the legal status of political parties[18].

In the session, the leader of our country spoke about the activities of the parties and said that each political party should have its own clearly oriented program and participate in the elections as a political force.



The importance of parliamentary elections held in December 1999 based on the Law "On Elections to the Supreme Assembly" is that five parties participated in these elections, while two parties participated in the previous elections. This has undoubtedly increased the competition between candidates and widened the choice for voters[19]. The fact that 1010 candidates fought for 250 deputy seats in the last elections is proof of our opinion. However, it should be noted that according to the results of the elections, only about half of the total deputy seats (49.16 percent) were occupied by representatives of political parties. In fact, the main seats should be occupied by political parties. Participation in the formation of representative bodies, especially in the formation of the lower house of the Oliy Majlis - the legislative chamber, is a novelty for our political parties[20]. The Law "On Elections to the Supreme Assembly", adopted on December 28, 1993, was widely used during the one-chamber period of our parliament from 1995 to 2004. Taking into account the fact that the transition of our parliament to a bicameral system and the formation of the two chambers of the Oliy Majlis is a unique implementation, on August 29, 2003, a new version of the Law "On Elections to the Oliy Majlis" was adopted. The participation of political parties is especially evident in the formation of the legislative chamber of our parliament. According to Article 12 of the Law of the Republic of Uzbekistan "On Political Parties", political parties have the right to participate in the elections of state authorities in accordance with the procedure established by law[21]. Article 1 of the Law "On Elections to the Oliy Majlis of the Republic of Uzbekistan" adopted on August 29, 2003 (new version) stipulates that the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan consists of one hundred and twenty deputies elected for a five-year term on the basis of multi-party constituencies. Political parties usually prepare to participate in the elections and achieve positive results throughout their activities, but after the official announcement of the start of the election campaign, they should focus on campaigning only among the voters[22]. Announcing the beginning of the election campaign shall be announced in the mass media at least three months before the end of the term of office of the deputies of the Legislative Chamber of the previous call[27-33]. If previously the representative authorities had the right to nominate candidates for Oliy Majlis deputies, then according to the new law, political parties and direct citizens have the right to nominate candidates for the Legislative Chamber. In order to nominate candidates, political parties must meet certain legal requirements, that is, if the political party collects the signatures of at least fifty thousand voters who support their participation in the election, registered by the Ministry of Justice of the Republic of Uzbekistan at least six months before the announcement of the start of the election campaign, the candidates for deputy can show[23]. The signature forms of the specified model are issued by the Central Election Commission after the announcement of the start of the election campaign.

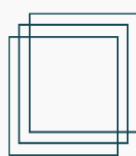


In one of the administrative-territorial structures (Republic of Karakalpakstan, region, city of Tashkent), a political party can collect the signatures of a maximum of eight percent of fifty thousand voters. In case of falsification of signatures on the signature sheets, the Central Election Commission will deny the right of the political party to participate in the election. The above requirements are a requirement to avoid the artificial organization of parties, which appear in the political field only during elections and whose activity does not go beyond that. In addition, the need for fifty thousand signatures of voters to participate in the elections indicates the ability of the political party to fight for political power and, in case of gaining such power, the people will support it to a certain extent. Support Signature Increase[24]:

Firstly, if political parties increase their role in life and lead to further increase in their position in elections;

Second, it increases the political level of parties and their fair competition. The experience of developed countries shows that the role of political parties in the election is determined by the legal framework of the subjects participating in it. These actors include political parties (and their coalitions), non-political social associations and voters[25]. The characteristics of the modern legislative development stages of most countries are such that we can observe that political parties are given a monopoly position in the electoral process, especially in the presentation of candidates for elections. This situation can be observed not only in the legislation of countries with proportional electoral systems (Austria, Portugal, Sweden, South Africa), but also in the legislation of about 60 countries with the other two electoral systems, that is, mixed and majoritarian electoral systems. Sometimes the "monopolistic" position of political parties in elections can even be enshrined in the Constitution. For example, according to article 48 of the Constitution of Guinea, only legally operating political parties have the right to present candidates for parliamentary deputies[26]. However, there are also a majority of countries where independent candidates nominated by the initiative groups of voters have equal rights to participate in the election process with candidates presented by political parties. For example, a person who has collected 200 voter signatures in the elections to the lower house of the GFR parliament can be directly registered as a candidate for deputy. Only in some countries, including the United Kingdom and a number of other Commonwealth countries, do electoral laws attempt to place independent candidates who officially participate as individuals, rather than political parties, at the center of the electoral process[27]. However, the practice of conducting election campaigns in these countries testifies that direct participation of parties does not lose its decisive role in any elections here. Independent candidates and political parties have no real chance of winning elections.

For example, in the 1974 elections to the House of Commons of the Great Britain, not a single candidate from independent candidates was elected to the parliament.



It can be recognized that the rules and requirements related to the participation of independent candidates in the election, like the legislation of the above-mentioned countries, are strengthened in the election legislation of our country at a high democratic level.

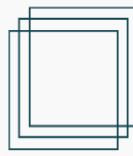
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