

IMMEDIATE DEMOCRACY AS A STEP TOWARDS THE SOVEREIGN FUTURE OF THE STATE

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The article gives the concept of a referendum. A referendum is an institution of direct democracy. We consider the history of the formation and conduct of the first referendum in Europe. The decision taken at the referendum is considered the decision of the people. Of particular note are states that often hold referendum. Problems and discussion issues should be put to a referendum in the first place. Thus, the population will help the state choose the right vector of development. List the issues that are the subject of a referendum. We list them: the final adoption of the constitution, administrative and territorial reforms, the participation of states in international organizations. Any issues that are relevant for residents may be submitted to a local referendum. Local referendums deserve special attention. The population of a particular canton, state, territory may express their opinions. And, most importantly, the authorities listen to them. The experience of foreign countries is analyzed: Switzerland, Spain, Norway, Scotland. Today, the Constitution of the Swiss Confederation contains the chapter "Initiative and Referendum". It establishes the referendum procedure. Referendums are subdivided into mandatory: revision of the Constitution, accession to collective security organizations, national communities, announcement of urgent federal laws. Optional may be conducted on the adoption, approval or amendment of federal laws or regulations, the approval of international treaties with an indefinite duration. The decision has a recommendation character. At the cantonal level, the referendum is even more widespread than at the federal level. Recall that Switzerland is the leader in the number of referendum. About once a quarter, residents of the cantons vote. Simplifying the naturalization of third-generation immigrants, revising the corporate tax code, creating a national road fund, abandoning nuclear energy, and local tax reform are just a short list of questions. Decisions of some referendum are binding, decisions of others are only optional. Catalonia and Scotland held referendum on independence. The results of the referendum did not allow to implement the plan. Ukraine's declaration of independence marked a referendum on December 1, 1991. More than 90% of citizens voted in favor of the Declaration of Independence of Ukraine. The next referendum attempt was made on April 16, 2000 over the public administration system. Legislation has not been amended. In Ukraine, there was the 1991 Law on All-Ukrainian and Local Referendum. On November 28, 2012, it became invalid. In 2018, the Law of Ukraine On the All-Ukrainian Referendum was declared unconstitutional. As a result of writing the article, we come to such conclusions. First, turn to Switzerland for practical experience. Secondly, to develop legislative acts for the All-Ukrainian and local referendum. Thirdly, to consolidate the need and the obligation to conduct local referendum.

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