

THE REFERENDUM – ACHIEVING THE CONSENSUS OR CREATING CONFLICT?

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ABSTRACT: IN THE PUBLIC DEBATE ON THE REFERENDUM, AS A FORM OF EXERCISE OF DEMOCRACY AND ACCEPTED TO BELIEVE THAT IT IS A WAY TO ACHIEVE CONSENSUS. THIS ARTICLE SHOW MANY EXAMPLES THAT LEAD TO CONCLUSIONS THAT HE IN NOT A FEW CASES FROM WORLD PRACTICE CAUSES CONFLICTS. THE ANALYSIS OF THESE LARGE ENOUGH EXAMPLES FROM DIFFERENT PARTS OF THE WORLD SHOWS THAT REFERENDUMS PROVIDE THE LARGEST POSSIBLE NATIONAL CONSENSUS IN SOCIETY ON VARIOUS TOPICAL ISSUES OF ITS FUNCTIONING. AT THE SAME TIME, HOWEVER, THEY CAUSE CONFLICT BETWEEN CITIZENSHIP AND GOVERNMENTS; BETWEEN THE POLITICAL ELITE AND POLITICAL INSTITUTIONS, AND RECRUITED THEM MAJORITY.

KEY WORDS: REFERENDUM, CONFLICT, SOCIAL CONFLICT, CONSENSUS, A FUNDAMENTAL CONSENSUS, FUNCTIONAL CONSENSUS, POLITICAL CONSENSUS NATIONAL CONSENSUS NATIONAL CONSENSUS, POLITICAL ELITE

IN most cases, the mention of the word "referendum" brings to mind the word "consensus". Presumably assumes that the national referendum is achieved general agreement on an issue. Indeed, those examples here show that it is on the path of national consultation launched and many countries have undertaken reforms in national and regional levels.

WHAT do I mean by consensus? Giovanni Sartori consensus is [3, p.141] "sharing something more or less binding" and yet it is "condition favorable to democracy." He is sharing a supreme values /as freedom and equality/; rules of the game; procedural ways; specific management /government/ policy. These three sites of agreement or disagreement can be transformed into three levels: 1. agreement at the community level, or fundamental consensus; 2. The consent of the functional level, or procedural consensus; agreement at the level of policy or political consensus.

THE fundamental consensus determining whether a society as a whole shares the same values and goals. Some facts show that if over time in democracy arises fundamental consensus, it will remain difficult functioning, fragile democracy.

THE FUNCTIONAL CONSENSUS set so-called "rules of the game". According to Sartori main among them is the rule determining how to resolve conflicts - majority rule. If you do not accept it, the democracy has no rule for conflict resolution and therefore cannot begin to function as a democracy. He believes that if we do not adopt the principle of majority, in fact not accepted democracy as a regime as a political form.

THE political consensus is agreement on policy and governance, according to Sartori. Essentially, it states "the nature of the agreement as disagreement." Disagreement expressed by rules that disagreement is where democracy protects and promotes. For example, it is a disagreement with a policy and opposition to pravitelstvato, which in essence is a disagreement with the people in the government, and not the very form of government. If exactly this form is questionable, then therefore a review of the fundamental consensus or consensus of the functional and the most common of the two. Thus Sartori [3, pp.140-143] reveals three types of consensus in the modern democratic state.

IN fact the modern democratic state operates by consensus. And through national consensus. Any policy protecting essential public interests and seeks to create the most favorable external and internal conditions for the existence and development of the state and society. To do this it needs a strong public support. This gives her authority. Strongly supported by public policy thus inspire respect and consideration.

THE state is a political organization of national society and it aims to find and protect the interests of the nation. National interests arise on the basis of identified needs. They in turn are related to the development or prosper the nation. The national interests are not, however, a simple mechanical sum of all private interests, they are not an expression of compromise between them. Some of these interests may be incompatible to oppose each other, but there are those that coincide. The ratio between these two different categories of interests is important because the prevalence of common interests within the nation are provided for its preservation. Core of these common interests are national interests. Real proper understanding of national interests detect the opportunities for finding a national consensus. The National consensus on national interests is one way to show their unity and indivisibility. And vice versa: in this agreement reflected the unity of the nation itself.

THE National consensus is the engine of democratic development. Especially important it is for those countries that conduct radical changes to the overall change of the political system, as is the case with the countries of Eastern Europe, which after 1989 began the transformation of totalitarian societies democratic. In some of them, which were held national referendums on sovereignty and recognition of their fundamental laws - the Constitution, defining the parameters and direction of transformation. What national consensus was achieved in these cases? – For example, in a referendum on self-determination in the state 1990-1993 and in Slovenia, Croatia, Ukraine and Tatarstan state sovereignty is supported by 90% of voters. The new Constitution of Russia and Estonia were established respectively by 70% and 93%. Impressive results from two major referendum on the African continent. The separation of Eriteya from Ethiopia in 1993 gave a positive vote of 99% are located in and outside the country Eritreans. A apartheid in South Africa "fell" 70% approval and then white voters. This national consensus, mobilize and motivate the whole society. The personal liability of each of its individual member stems from the fact that the model of social change is not artificially imposed by a group of people, the political elite.

BUT is always possible consensus? Not give rise to a referendum, sometimes conflicts? Literally translated, the word "conflict" means a collision, but his understanding there are different interpretations.

ACCORDING to G. Simmel [6], to whom we owe the theoretical development of the category of "conflict", it is so necessary condition for the existence of society as the unity of

the people. T. Parsons [5] sees the conflict the negative role that incorporates a prerequisite for social development.

CONTRARY to the his vision R. Dahrendorf [4] and his followers see the positive role of the modern social conflict. He believes that in complex societies there is a multiplicity of interests and conflicts arising from the antagonism between the assigned rights offering; at this over time change as the social contract and conflict. According to Dahrendorf, they are the source of social progress of society.

THIS perception of Dahrendorf is crucial for understanding the referendums. Actually they face are allotted number of political rights, values, norms of the majority of the proposed political program; face and power relationships - the majority and minority, which it is recruited; allowed are some conflict and formed a consensus on a vital issue for society.

AS essential components of modern conflict can be identified [1, p.18]: 1. Presence of opposing warring entities due to a mismatch in one degree or another of their potrebnosti and interests. 2. mutually exclusive as a result of the position status values, goals, actions and claims, including those for power or "resource gap". 3. Collision, tension or crisis arising in relationships and their behavior with one another or intensity in order to achieve the object of interest. 4. Resolving the dispute by establishing a country with injury isolation, implementation of the other or compromise, consensus or national consensus.

ONE of the most common ways of solving social conflicts are compromises [1]. But in the case of the referendum can not talk about compromise. It comes to resolving conflict and consensus. The compromise gives weak, fragile national consensus. When it interests some are neglected at the expense of other interests. Political compromise known as the "turn of the BSP to NATO" reflects a consensus among the elites of political parties and in any case it does not automatically lead to national consensus [2].

UNFORTUNATELY, not always referendums neutralize conflicts and achieve national consensus. In many cases, give rise to new conflicts, sometimes even worse than the previous. Such as can be given in Bulgaria held local referendums since 1989. The cities of Sopot, Krichim and Stambolijski held local polls for self-differentiation of the municipality. Regardless of the undisputed vote in favor of the decision by the Council of Ministers of the Republic of Bulgaria is slow, leading to massive civil protests in places. Civil disobedience showed residents Stambolijski in 1997 on the main road Plovdiv - Sofia, which was blfkiaran for a long time, passenger traffic and cargo. Republic wished to be connected to the Pleven region in 1998, but it is not yet institutional solutions. In Dupnitsa was a referendum on separation as a regional center, then as the undisputed vote of the citizens was not honored, dupnichani lined up barricades as a form of protest. In practice, here crystallized conflicts between local communities and local central government, driven by the imperfections of the Law on Referendum of 1996 and its interaction with ZTSU. Cumbersome and not sufficiently clear is "nifty" in their procedure subsequent sanction of local referendums by the executive.

EVEN more dangerous for public consensus and civil peace have postkonfliktite after a national referendum, which failed to achieve unity of nationwide interest. Take for example the referendum "monarchy or republic" in Albania. After his failure in this referendum, which received 30% support, the Albanian King Leka II officially resident in the country, carried inflammatory activity of civil disobedience supporters against the existing political system. In the capital Tirana and major cities of the country began demonstrations and armed clashes between monarchists and law enforcement. The situation was brought under control after

much bloodshed and Light II was sentenced to 3 years imprisonment. Thus this referendum to integrate with the Albanian national community in the period of transition to democracy, a new conflict, delaying the process of democracy.

A drastic example is the case of East Timor. From 1642 to August 1975 Portugal rule this island, and after its withdrawal, once in December of the same year there invading forces of Indonesia, which annexed the territory and declared it its 27th province. On 08/30/1999, there was a referendum on independence ostova, which cause untold violence between rival ethnic communities - on the one hand, and between the winning referendum for independence fighters and Indonesian armed forces. It took the intervention of the UN in resolving this conflict, which has also become international with the participation of Portugal, Indonesia, the UN and NATO in its resolution.

IN September 1999, held a unique inherently referendum in Algeria - for national reconciliation, which, however, achieved his goal and further intensify the conflict between religious refurbishment. It was vain attempt to achieve o National agreement through compromise. There are cases when during the referendum itself being waged conflicts:

IN 1992 in Bosnia and Herzegovina hold a referendum on the republic's independence. The same day he was accompanied by violence in the streets. Hereinafter known complex political events and processes taken place there in order to establish ethnic peace and a normal life for the population. Another example is Chechnya - tanks stop gaining sovereignty referendum in Chechnya on 05.06.1993, as a fourteen people were killed and four others injured. Chechen President Dzhokhar Dudayev put troops on the streets of Grozny, to prevent the opposition to hold a referendum announced by it.

PAST and current examples are related to countries of the European Union. Indicative in this respect are the referendums in Scotland, Spain and Oblas Veneto / Italy /.

ON 19.09.2014, the - 55.3% of Scots have answered "No" to the question whether Scotland becomes an independent state. But the referendum will give a reason for opening a new chapter in the epic and often combative relationship between Scotland and southern neighbors. For 14,000 years the Northern Territory has changed its status about 10 times. Sometimes as a sovereign, sometimes as a vassal country for three centuries it is in union under the Act of Union in 1707.

80.7% of participating in symbolic independence referendum organized in the Spanish Autonomous Community of Catalonia vote for secession from Spain. In the referendum involved over 2 million. People from officially eligible aloud 5.4 million. Regionau residents although the Spanish Constitutional Court banned any form of referendums by the regional government. The result is in no way legally binding, but has a strong political significance and strengthens the conflicts between the Catalans and the political leadership of Spain.

THE so called. "referendum on independence of Veneto" / Italy / last from 16 to 21 March 2014 and was organized by independent activists. Over 2.5 million people from the local population of almost 5 million are surveyed according to the organizers. Voting is a way for the residents of the area to express their dissatisfaction with the state, which "is able only to raise taxes" and this is a major conflict.

THESE examples sufficiently convincing evidence that the referendum incorporates not only consensus but also conflict. When there is no consensus and compromise he can give birth to Cain and Abel, if you refer to Dahrendorf that any society is "pregnant" conflict.

AS a final example of creating conflict and it - globally: Crimean referendum. 95.5% of it is uttered to join Russia inhabitants of the peninsula voted massively and turnout was over 85 per cent. EU and US do not accept the referendum as legitimate and started sanctions. Russia faces paying increasingly high political price for aid for the holding of the referendum. The world is divided between support and rejection.

IF you list the conflicts that can be resolved through a referendum, they can be summarized in two groups:

1. The conflicts between the obsolete socio-political system and more brands in the historic move new social relations and new values.

2. The conflicts between citizenship and government; between the political elite and political institutions, and recruited them majority.

IF you need to list the new conflicts that give rise to a referendum, they would have been arranged again in the same order. Of that here, the following conclusions and generalizations:

1. Referendums on national and local level should be made only when both the majority and minority have the necessary democratic political culture, will and dignity to meet any result without danger to oppose him with unauthorized by the Constitution and laws means causing new conflicts.

2. The referendums provide the largest possible national consensus in society on various topical issues of its functioning. If elections consolidate around one or another political program, one or another party leader, backed by a certain part of the electorate, the referendum support radical changes are an important step in the further development of the democratic process in the country. The consensus is it, the national consensus on major political, economic and others. issues is an important factor and a driving force in this process. Not by chance on this issue Giovanni Sartori wrote: "So we can safely assume that the agreement on the key issues is a condition favoring the development for the democracy ... at least it helps to establish its legitimacy." (Sartori, 1993 kn.I, p.141) The democracies that lack national consensus he called "polarized democracies", which are the least current democracies. There are reasons to claim that Bulgaria is currently being developed as this type of democracy, because there is no national consensus on many important issues, which can be achieved through a national referendum.

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