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THE RIGHT TO CHANGE OWN RELIGIOUS OR OTHER BELIEFS: COMPARATIVE-LEGAL STUDIES

Based on a common understanding of religious freedom as possible and guarantees of free religious self-identity, including the rights and opportunities for people to freely choose, profess, practice, propagate or modify any religion to have and enjoy all civil rights, regardless of membership or affiliation to any religion, equality of believers of all religions before the law, the absence of any discrimination based on religious principles and activities of religious organizations, religious organizations concerning relations with the state, respect for the rights of religious organizations, religious organizations concerned with the relationship, the author identifies key elements of law to religious freedom.

Alleged human right to change their religious or other beliefs include the freedom of religion, not all researchers. At a time when the church (religious organization) is separated from the state, the element loses its supposedly really important: it is right to profess any religion means the same and the choice of religion and the right to change it. However, this right becomes significant value in terms of religious tolerance, and especially – religious discrimination. There are many countries in which the development of the institute of religious freedom stopped at the threshold of tolerance. In these countries to practice religion in no way means the right to change the «state»,

«dominant» religion to another. This applies primarily Muslim countries and some European.

The right to freedom of conscience – the universal legal entity interacting with many constitutional rights and duties of man and citizen. Considered eligible in accordance with their characteristics due to both the spiritual world and with material and political facets of legal culture. Freedom of conscience has the characteristics of both private and public law. As one of the most important individual rights, freedom of conscience is one of the key positions in the hierarchy of basic human rights. The higher will be the level at which this right is, the basic principles of our state institutions will meet the most genuine democracy.

The author points out the right to change his religion or belief is enshrined in several international instruments on human rights. At a time when the church (religious organization) is separated from the state, the element loses its supposedly really important: it is right to profess any religion means the same and the choice of religion and the right to change it. However, this right becomes significant value in terms of religious tolerance, and especially – religious discrimination. There are a number of states, in which the development of the institute of religious freedom stopped at the threshold of tolerance. In these countries to practice religion in no way means the right to

change the «state», «dominant» religion to another.

One of the remedies proposed law is enshrined in the legislation of Ukraine prohibit any compulsion to determine its

national religion (Part 2 of Art. 3 of the Law of Ukraine «On Freedom of Conscience and Religious Organizations»). With specified remedies is closely related to the concept of proselytism.

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PROBLEM OF NOTION DEFINITION «MUNICIPAL ELECTION SYSTEM»

Nowadays there is no such a notion as «municipal electoral system»

The meanings of the notions include, firstly, they summarize the main information while researching our objects, secondly, they are basic for the further investigations.

We can't do anything without them in scientific research and in practice (for example, while electoral processes with the implementation of different kinds of municipal electoral systems).

The aim of our research is «municipal electoral system».

Because of the non-clarifying character of the notions, different descriptive non-relevant notions are used, which serve as methods: pointing out, description, explanation, making difference, comparison etc. All of them might be suitable, but while defining «municipal electoral system» one should use the

rules determined by formal logicity.

As the defining the notion is a logical operation, with a process of clarifying the essence of the notion, one can't do away with the rules of logics.

Because of the not-understanding of the notions and the methods used for its definition, there is an artificially made-up discussion about the notions, dealing with the notion «municipal electoral system» in different meanings: narrow (electoral meaning), wide, objective, subjective, law-regulated, process etc.

In fact, different meanings of the notion with the help of the methods are used, give us the contents of the meaning, but do not reveal its essence in the aspect of definition.

Only the usage of rules of logics used for the above mentioned notion «municipal electoral system» will benefit for its conceptual status.