AUTHORITIES OF THE COUNCIL OF PEOPLE'S MINISTERS IN THE CONTEXT OF PUBLIC ADMINISTRATION OF THE UNS DIRECTORATE

Abstract. The article reveals the specifics of the powers of the Council of People's Ministers in the context of public administration in the era of the National Emergency Directorate. It is noted that this newly created body of state power took over the functions of the Council of Commissioners. It was a coalition, it included representatives of all political parties that were part of the Ukrainian National Union. The task of the new government is to transform the political system and state administration in the transition period of the establishment of the power of the Directory. On January 14, 1919, the Directory adopted a resolution dismissing all employees of the hetman state. The Declaration was adopted on this day. Some researchers consider it a temporary constitution, in which the state administrative apparatus of the Directory era was prescribed. The basis was the "labor principle", it was noted that only the working classes (workers, peasants) had the right to power, the non-working classes were deprived of the right to vote. The declaration did not prescribe the duties of the government, its legal status, as well as its place in the system vertical of state authorities. The political uncertainty and lack of division of powers between the Council of People's Ministers and the Directory subsequently showed its ineffectiveness.

The declaration stated that all problems that have arisen with the structure and form of authorities should be resolved by the Congress of the Working People of Ukraine. Ministers and heads of departments could not decide issues of a state nature without the knowledge of the Directory, the Council or the Cabinet of People's Ministers. The Council of Ministers included the chairman, ministers, and heads of departments to whom the rights of ministers were granted. Heads of departments that did not have the rights of ministers took part in meetings only when the issues
concerned their department. The statute spelled out the duties and rights of the state comptroller and secretary in more detail. The executive power of the Ukrainian People's Republic was represented by the Council of People's Ministers, formed by an inter-party coalition.

**Keywords**: draft law, public administration, Declaration, ONS Directory, Council of People's Ministers.

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ПОВНОВАЖЕННЯ РАДИ НАРОДНИХ МІНІСТРІВ В КОНТЕКСТІ ПУБЛІЧНОГО УПРАВЛІННЯ ДОБИ УНС ДИРЕКТОРІЇ

Анотація. У статті розкрито особливості повноважень Ради Народних Міністрів в контексті публічного управління доби УНС Директорії. Зазначено, що цей новостворений орган державної влади перейняв на себе функції Ради Комісарів. Він був коаліційним, до нього входили представники всіх політичних партій, які перебували в складі Українського національного союзу. Завдання нового уряду – трансформувати політичну систему й державне управління у перехідний період становлення влади Директорії. 14 січня 1919 р. Директорія приймає постанову, за якою звільняє всіх службовців гетьманської держави. У цей день було ухвалено Декларацію. Частина дослідників вважають її тимчасовою конституцією, у якій прописувалося державно-управлінський апарат доби Директорії. За основу було покладено «трудовий принцип», зазначалося, що право на владу мали тільки працюючі класи (робітники, селянство), нетрудові класи позбавлялися права голосу. Декларація не прописувала обов’язки уряду, правовий статус, а також її місце в системній вертикальній організації влади. Політична невизначеність і відсутність розподілу повноважень між Радою Народних Міністрів і Директорією в подальшому показала свою неефективність.

Декларація прописала, що усі проблеми, які виникли із структурою та формою органів влади, повинен розв’язати Конгрес трудового народу України. Міністри та начальники департаментів не могли вирішувати питання державницького характеру без відома Директорії, Ради або Кабінету Народних міністрів. У склад Ради Міністрів входив голова, міністри й начальники відомств, яким надані права міністрів. Начальники відомств, які не мали прав міністрів брали, участь у нарадах лише тоді, коли питання стосувалися їхнього відомства. Статут більш детально прописав обов’язки та права державних контролера та секретаря. Виконавча влада Української Народної Республіки
била представлена Радою Народних Міністрів, що формувалася міжпартійною коаліцією.

Ключові слова: законопроект, публічне управління, Декларація, УНС Директорія, Рада Народних Міністрів.

Formulation of the problem. In building one's own democratic and legal state, an important factor is taking into account the legal legacy of 1917–1920, especially when the war with Russia is again taking place. And in order not to lose and lose statehood, it is necessary to learn the lessons of state building from the period of the Ukrainian revolution. The period of the Ukrainian People's Republic of the Directory era is important and relevant in the development of state authorities in the conditions of war, which can be compared with modern events. The Directory tried to develop its own political course, which was not similar to the periods of the Central Rada and the Ukrainian state. The formation and establishment of executive bodies became one of the important tasks of the Directory. The work of the government relied on the decision of many political steps covering various spheres of life, namely the legal status and powers of state authorities, as well as the development of the vertical and structure of authorities [1].

Analysis of recent research and publications. The development of executive bodies is the subject of research by both domestic historians and researchers of state-legal phenomena of the time of the Directory of the Ukrainian People's Republic 1918–1920. Among the researchers, it is worth highlighting P. Gai-Nyzhnyk, M. Kopylenka, S. Blagovisny, O. Boyko, D. Yanevskyi, the memoirs of a civil servant, Chairman of the Council of People's Minister and participant in political processes I. Mazepa were used [1–3].

The purpose of the article is to substantiate the public administration of the National Emergency Directorate in the context of the authority of the Council of People's Ministers.

Presenting main material. The UNS Directory is the supreme authority for leading the uprising against the Hetmanate, an alternative authority in Ukraine, the highest state authority of the revived Ukrainian People's Republic. operated from November 14, 1918 to November 10, 1920 [1, 3].

During the days of the Directory's rule, regulatory and legal documents, laws, resolutions, instructions, circulars were used: "Declaration of the Ukrainian Directory made by the Directory", "Temporary Law of the Council of People's Ministers on the validity of laws, on the procedure for forming laws and on the form and procedure of their announcement", "Law on the form of Ukrainian government, adopted by the Congress of the Labor People of Ukraine", "On the temporary statute of the Cabinet and the Council of People's Ministers, on the procedure for approving and announcing laws and resolutions and on the repeal of previous laws", "On the
temporary Supreme Administration and the procedure of legislation in the Ukrainian People's Republic" and "About the State People's Council" [2, 3].

Due to the critical political and military situation in the republic, the Directory failed to establish economic management. The great economic losses suffered by the economy of Ukraine as a result of the First World War and revolutionary events were catastrophic. The level of coal production has decreased significantly. In 1918, 34.8% of coal was mined compared to 1913, and in 1919 - only 20.5%. Fuel hunger was intensifying. In 1919, the iron ore and manganese industry almost completely ceased its activities. The machine-building industry of Ukraine sharply reduced production. Sugar production decreased significantly. Other branches of the food industry were also in a bad position. All this had a negative impact on the financial situation of the population, especially the urban population. Thousands of workers, fleeing from starvation, fled from the cities to the countryside. Trade took distorted forms [3].

In the conditions of the weakening of the Directory's control over Ukraine, the atamanship is unfolding - the rule of local military commanders over large territories. The strengthening of the power of individual chieftains (Makhna, Zeleny) leads to the deepening of anarchy in the country, which the Directory tried to fight against, but could not cope with [2, 3].

Otaman Zeleny (Danilo Terpylo) became the head of the "Dnieper Republic" under whose control were Kyiv, Skvyr, Taraschan, Vasylkiv and other counties, and later a part of Poltava Oblast. In January 1919, his leadership disagreed with the policy of the Directory and he entered into a confrontation with it. He cooperates with the Reds, but after the Bolsheviks' attempt to reform the Green units like the Red Army, he changes his decision. In October 1919, he died in a battle with Denikinians.

The Republic of Litkov was headed by Trokhym Korol (Otaman Makhno). He had his army, Zeleny had his units, Grigoriev had his armed forces - that's why there was no full-fledged army of the Ukrainian People's Republic of Ukraine at that time. There were Gulyaipil, Medvyn and Lytkiv republics, but there was never an independent Ukrainian People's Republic," says Ukrainian historian Volodymyr Serhiychuk.

On December 26, 1918, the Directory by its order created a new body of executive power, namely the Council of People's Ministers (RNM), whose chairman was elected V. Chekhivskyi. The newly created body of state power took over the functions of the Council of Commissioners. It was a coalition, it included representatives of all political parties that were part of the Ukrainian National Union. The task of the new government is to transform the political system and state administration in the transition period of the establishment of the power of the Directory. On January 14, 1919, the Directory adopted a resolution dismissing all
employees of the hetman state. The Declaration was adopted on this day. Some researchers consider it a temporary constitution, in which the state administrative apparatus of the Directory era was prescribed. The basis was the "labor principle", it was noted that only the working classes (workers, peasants) had the right to power, the non-working classes were deprived of the right to vote. The declaration did not prescribe the duties of the government, its legal status, as well as its place in the system vertical of state authorities. Political uncertainty and lack of division of powers between the Council of People's Ministers and the Directory subsequently showed its ineffectiveness [3].

The declaration stated that all problems that have arisen with the structure and form of authorities should be resolved by the Congress of the Working People of Ukraine. The Council of Ministers developed instructions for the elections of the Labor Congress, on the basis of which the relevant body was to be convened [2].

The Council of Ministers adopted the draft law «Temporary Law of the Council of People's Ministers on the validity of laws, on the procedure for forming laws and on the form and procedure of their announcement». The draft law was supposed to be valid until the adoption of the Constitution of the Ukrainian People's Republic. It prescribed the mechanism of approving laws. The right of legislative initiative belonged to the Directory, the Council of People's Ministers, individual ministers or heads of individual departments [2, 3].

The adopted law partially prescribed the council's work mechanism and showed the influence of the Directory on the executive power body. The members of the Directory divided the ministries among themselves: V. Vynnychenko supervised the activities of internal and foreign affairs, S. Petliura – military, naval, art and public health, P. Andrievskyi – justice, food affairs, cults and control, F. Shvets – national education, finance, trade and industry, land affairs, A. Makarenko - roads, post and telegraphs [1, 3].

During the work of the Labor Congress, the "Law on the Form of Ukrainian Government, adopted by the Congress of the Labor People of Ukraine" was approved, according to which the Council of Ministers was entrusted with the duties of the executive power, was accountable to the Labor Congress, and in the breaks between sessions - to the Directory. The draft law did not distinguish the powers between the Directory and the Council of People's Ministers [3].

The relevant draft law was the first document that prescribed the place of the Council of People's Ministers in the system of executive authorities. The commissions of the Labor Congress, which were formed according to the draft law, were supposed to supervise the activities of the ministries of the Republic of Moldova, which immediately caused dissatisfaction among government officials. The Labor Congress of Ukraine legitimized the power of the Directory and the
Council of People's Ministers, but did not distinguish the powers between them, which subsequently negatively affected their work [3].

In April, the Council of People's Ministers was headed by B. Martos. After the formation of the new government, the "Declaration of the Government of the Ukrainian People's Republic" was published, according to which the course was taken to support the army, as well as the formation of worker-peasant labor councils. The period of the premiership of B. Martos was difficult, there were constant disputes between the government and the Directory. These contradictions began after the inclusion of E. Petrushevich in the Directory, which was not recognized by the government. B. Martos, tried to reduce the staff of ministries, as well as update the state apparatus, which lacked qualified civil servants [1, 3].

B. Martos faced a financial crisis. The head of the Council of People's Ministers tried to carry out a financial reform - a monetary unit - the hryvnia - was introduced. The source of filling the budget was the printing press. The tax system existed due to contribution and requisition on a class basis. The relevant draft laws were adopted at the state level, the mechanisms for collecting funds for the treasury were legalized, which had a negative impact on the statist policy of the Directory, which was losing its popularity among the people of Ukraine. The government of B. Martos tried to correct this situation, but he failed to carry out land reform and create an effective tax system. A commission was formed under the Ministry of Finance, which included economists and lawyers. It tried to stop the circulation of foreign money in the territory of the Ukrainian People's Republic, but the commission was unable to implement it, the government of B. Martos was dismissed [1, 3].

The People's Council of Ministers drafted a draft law «On the temporary statute of the Cabinet and the People's Council of Ministers, on the procedure for approving and announcing laws and resolutions, and on the repeal of previous laws». The powers of the Council of Ministers included the following [1, 2, 3]:

- adoption of draft laws in all branches of state construction;
- decision-making regarding expenditures and revenues and allocations from the state budget.

Ministers and heads of departments could not decide issues of a state nature without the knowledge of the Directory, the Council or the Cabinet of People's Ministers. The Council of Ministers included the chairman, ministers, and heads of departments to whom the rights of ministers were granted. Heads of departments that did not have the rights of ministers took part in meetings only when the issues concerned their department. The statute prescribed the duties and rights of the state controller and secretary in more detail (Table 1).
Table 1

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<th>Position</th>
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<td>State controller</td>
<td>must be present at all meetings of the council, has the right of advisory vote and has the right of &quot;protest&quot;, as well as the right of legislative initiative in matters related to issues of financial and economic activity.</td>
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<tr>
<td>Secretary of State</td>
<td>also participates in all meetings of the Council of Ministers, enjoys the right of an advisory body, and in cases where the draft law and government orders were drafted by the state office, the secretary has the decisive vote.</td>
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The Council of Ministers is convened by the chairman at the order of the Directory or the Cabinet of Ministers, as well as at the written request of the members of the Council, but not less than a quarter of the composition of the Council of People's Ministers. When the chairman and deputy are absent, the secretary can convene the council. Council members must be notified 12 hours before the meeting. The urgency of convening the Council of Ministers was allowed, but the reason for the convocation must be recorded in the journal of the Council of People's Ministers. The chairman is the chairman of the Council of Ministers or his deputy, and in cases of their absence, the council itself elected the chairman. Meetings convened by the Directory and attended by the Directory itself were automatically chaired by the head of the Directory. The members of the Directory did not have the right to vote. Decisions were made by a majority of votes, and in the case of an equal number, the chairman's vote was decisive [2].

Issues are put on the agenda by resolution of the Directory, the Cabinet of Ministers, the chairman of the council and members of the Council of Ministers. All pre-convening matters were to be recorded in a notice handed to council members before the convening for their perusal. The conclusions of the budget commissions were necessarily attached to issues related to the budget, expenditures, and appropriations. In some cases, it was allowed without the opinion of the Minister of Finance and the Budget Commission, but with the approval of the chairman. The conclusions were sent to the state office, and the latter sent them to the members of the council for review - and all this had to be done no later than three days before the start of the meeting [1, 3].

The approved draft law was edited by the state office in accordance with the amendments made to the magazine, signed by the chairman of the Council of
People's Ministers and sent to the Directory for approval. All this took place under the direction of the Secretary of State. Approval and announcement took place in accordance with the "Temporary Law on the Procedure for Approval and Announcement of Laws and Resolutions Adopted by the Cabinet or the Council of People's Ministers." The state secretary informed the chairman of the Council of Ministers and the head of the relevant department about the bill approved by the Directory [2, 3].

The statute described in more detail the composition of the executive body, the procedure for convening, reviewing and approving regulatory documents by the Council of People's Ministers. It supplemented the draft laws: "The Law on the Form of Ukrainian Government, Adopted by the Congress of the Labor People of Ukraine", "On the Procedure for Introducing and Approving Laws in the Ukrainian People's Republic", which were adopted earlier [1, 3].

The declaration of August 12, 1919, adopted by the Council of People's Ministers, changed the internal political direction of the republic. The government took the course of convening the parliament and reforming local self-government bodies, which meant abandoning the "labor principle" in favor of the European model. The executive power tried to come to an understanding with the opposition parties and reach a compromise with the adopted declaration, but the unification failed. With the change of the political course in the Ukrainian People's Republic, a new political crisis began, the basis of which can be singled out another reason - the inclusion of the Western Ukrainian People's Republic into the Ukrainian People's Republic with subsequent reorganization and the creation of a single vertical of power. What the government did not cope with, because each republic had its own views on the development of foreign and domestic policy. The leaders of the West Ukrainian People's Republic were experienced politicians who were guided by the interests of their state, unlike the government officials of the Ukrainian People's Republic [2, 3].

The challenge for the Council of People's Ministers was the inclusion of the West Ukrainian People's Republic into the Ukrainian People's Republic, which the government failed to cope with, which showed differences of a political and ideological nature in the organizations of the two republics. All the time the Council of Ministers existed, it was under the influence of the foreign policy factor, there was always a war on the territory of the republic, which affected the work of the government. Due to the loss of the territory of the Ukrainian People's Republic, the government went abroad, where it continued its activities.

Conclusion. During the existence of the Ukrainian People's Republic during the time of the Directory, no draft law was adopted, which prescribed the legal status of the Council of Ministers, as well as demarcating the powers between the executive and the supreme power, only decrees, statements, resolutions, instructions were

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adopted, which led to legal conflicts, as well as to political uncertainty among the elite. The work of the government was under the constant influence of the Directory, the constant change in the composition of governments and leaders led to an inconsistent and consistent policy in the development of public authorities, each new government proposed its own political course, which involved a change in the official political strategy. As a result, this had a negative impact on the work of the executive body.

Thus, the executive power of the Ukrainian People's Republic was represented by the Council of People's Ministers, formed by an inter-party coalition.

References:

Література: