

LAW DURING THE UKRAINIAN REVOLUTION (1917–1921)



V. RUMIANTSEV

*Doctor of Legal Sciences, Professor,
Corresponding Member of the National Academy
of Legal Sciences of Ukraine,
Professor of Chair of History of State
and Law of Ukraine and Foreign Countries
(National University
«Yaroslav Mudryi Law Academy of Ukraine»)*



M. STRAKHOV

*Doctor of Legal Sciences, Professor,
Corresponding Member of the National Academy
of Legal Sciences of Ukraine*

Legal Acts of the Central Rada

Before the proclamation of the Ukrainian People's Republic, the normative-legal documents of the Central Rada were called universals, declarations, decrees, decisions, and resolutions. The said acts were adopted at general meetings, or sessions, of the Central Rada.

From the very outset of the work of the Central Rada a certain procedure was formed for preparing and discussing draft normative acts. Before submitting drafts to the general meeting, they were obligatorily considered by a special commission and circulated to members of the Rada before the session, and discussed only after the report of the commission.

After the proclamation of the Ukrainian People's Republic, laws come to the forefront, although the previous system of normative-legal acts was retained. The young Ukrainian State needed urgent legislative regulation of the most essential problems of the life of the country, and therefore, law-making activity to a great extent was concentrated in the permanently operating organ — the Small Rada. Organizational transformations reconstructed the Small Rada according to the principle of proportional representation of party factions.

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The procedure for passing draft laws formed in practice was retained. Only in April 1918 did the General Secretariat formalize it. A decree or draft law was to be sent to the chancellery two or three days in advance before the commencement of that session at which it was to be considered. If the question concerned financial matters, the respective drafts were agreed with the Ministry of Finances. Each draft was to contain a reference to laws or decrees in force, and also the proposals of the ministry with regard to changes in old laws. These documents were printed in 20 examples and sent to the Central Rada. Laws adopted were printed in the newspaper *Вести из Украинской Центральной Рады* [News from the Ukrainian Central Rada], and then in the *Вестник Генерального Секретариата УНР* [Herald of the General Secretariat of the Ukrainian People's Republic], and later in the *Вестник Рады народных министров УНР* [Herald of the Council of People's Ministers of the Ukrainian People's Republic]. The chairman of the Central Rada or his deputy signed them, as did one of the secretaries of the Rada, and the General Clerk affixed the seal. In some instances the laws were signed by representatives of political parties. The laws were sometimes printed in the form of extracts from the protocol of a session of the Central Rada.

A precise distinction was made between laws and subordinate acts in the process of norm-creation. The Law of 25 November 1917 on the exclusive right of the Central Rada to issue legislative acts of the Ukrainian People's Republic provided that the «exclusive and indivisible right to issue laws for the Ukrainian People's Republic shall belong to the Central Rada» and «the right to issue regulations to the extent of regulation on the basis of laws shall belong to the General Secretary of the Ukrainian People's Republic».

The succession of legal acts of the former Russian Empire in the Ukrainian People's Republic was resolved by this same law. The law did not terminate the operation of norms of Russian legislation on the territory of the Ukrainian People's Republic unless they had been repealed by universals, laws, and decrees of the Central Rada and General Secretariat.¹

The restoration of Ukrainian statehood through autonomy – the proclamation of the Ukrainian People's Republic – to its full State sovereignty was caused by the appearance of a number of acts of constitutional significance. Especially these were the universals of the Central Rada, which became benchmarks in the construction of the Ukrainian State.

By their legal nature, the First and Second Universals were politico-declarative acts and had the nature of a programmatic appeal to the Ukrainian people.

In the First Universal (10 June 1917) the emphasis was placed in essence on the aspiration of the young Ukrainian democracy for freedom, for the right autonomously to dispose of its life, to create by means of universal, equal, direct, and secret ballot the Ukrainian Constitutive Assembly, and to national and territorial autonomy within Russia. The Rada proclaimed itself to be the expressor of the will of the whole people and assumed the full burden of responsibility. The Universal called upon Ukrainians to consent to the democracy of other nationalities.²

The Second Universal (3 July 1917) originated as a consequence of negotiations between the leadership of the Central Rada and the ministers of the Provisional

¹ *Українська Центральна Рада: Документи і матеріали* [Ukrainian Central Rada: Documents and Materials] (Kyiv, 1997), I, p. 477.

² *Ibid.*, I, pp. 102–105.

Government. The last recognized the General Secretariat to be the bearer of supreme local authority in Ukraine. The composition thereof should be confirmed by the Provisional Government by agreement with the Central Rada. The Provisional Government declared its favorable attitude towards the preparation of a draft Statute of Ukraine for submission to the All-Russian Constitutive Assembly. In reply to these concessions, the Central Rada proclaimed that the exercise of autonomy would be deferred until the said Assembly and decisively rejected any arbitrary steps for the achievement thereof.¹

The Third Universal (7 November 1917) became an act of constitutional significance. It proclaimed the creation of the Ukrainian People's Republic and laid down the economic and State-legal foundations of the Ukrainian People's Republic: (1) abolition of private ownership to landlord, appanage, monastery, cabinet, and church lands and the proclamation thereof as the ownership of the entire working people; (2) establishment of an eight-hour work day; (3) introduction of State control over industry; (4) rapid achievement of peace; (5) abolition of the death penalty and amnesty for political prisoners; (6) strengthening and expansion of rights of local self-government; (7) consolidation of universal humanitarian democratic freedoms of speech, press, profession of faith, assembly, unions, strikes, inviolability of the person and housing, possibility to use local languages in relations with all institutions; (8) granting to Russians, Jews, and Poles the right to national-personal autonomy and to free national development for all peoples living in Ukraine; (9) the obligation to rescue from starvation not only the Ukrainian people, but also the front and significant territories of the Russian Republic. The Universal proclaimed 27 December to be the day of elections to the Ukrainian Constitutive Assembly, and 9 January 1918 – the day of convocation thereof.²

The Fourth Universal (9 January 1918) proclaimed the Ukrainian People's Republic to be autonomous, not dependent on anyone, free, sovereign State of the Ukrainian people who wished to live in amity and friendship with all neighbors. The Universal affirmed the orientation towards a firm and resolute struggle against the Bolsheviks, to achieve a peace agreement at Brest-Litovsk, to re-elect volost and uезд people's soviets and city dumas, for the socialization and transfer of land to the working people without purchase, and the forest, waters, and subsoil to the jurisdiction of the Council of People's Ministers of the Ukrainian People's Republic, the transfer of all factories and plants from a military to a peacetime status, national-personal autonomy, and the convocation of the Ukrainian Constitutive Assembly. Resolution of the issue concerning a federative link with the territories of the former Russian Empire the Universal placed on the future Ukrainian Constitutive Assembly.³

The Statute of the General Secretariat, although it never entered into force, was an act of constitutional significance.⁴ It was called upon to regulate relations of the General Secretariat with the Provisional Government. But its draughtsmen saw it as a more significant document. In the view of Hrushevsky, the Statute should have become the «first Constitution of Ukraine».⁵

¹ *Українська Центральна Рада: Документи і матеріали* [Ukrainian Central Rada: Documents and Materials] (Kyiv, 1997), I, pp. 164–167.

² *Ibid.*, I, pp. 398–401.

³ *Ibid.*, II, pp. 102–107.

⁴ *Ibid.*, I, pp. 180–182.

⁵ *M. S. Hrushevsky, Хто такі українці і чого вони хочуть* [Who Are Ukrainians and What Do They Want?] (Kyiv, 1991), p. 32.

In accordance with the Statute, the General Secretariat was the «highest territorial agency of administration in Ukraine». The composition thereof was elected by the Central Rada, although confirmed by the Provisional Government. In all of its activity the General Secretariat was responsible to the Central Rada, which was thus acknowledged to be the highest revolutionary agency in Ukraine.

The structure of the General Secretariat (fourteen secretariats) shows that its subdivisions were to encompass all the basic spheres of State, economic, and cultural construction. An exception was international activity, which belonged to the competence of the Russian Republic.

The Statute provided for the introduction of the office of State Secretary of Ukraine attached to the Provisional Government, which should be concerned about the interests of Ukraine and transfer through the General Secretariat draft laws to the Central Rada for confirmation.

The Statute regulated the foundations of mutual relations between the General Secretariat and the Central Rada. In the interval between sessions of the Central Rada, the General Secretariat was subordinate to the Small Rada. In the event the General Secretariat disagreed with a decision of the Small Rada in any matter, the last was carried over for consideration of the Central Rada, the session of which was to be convened at once. If it was impossible to convene a session at once, the General Secretariat should fulfill the decisions of the Small Rada adopted by a majority of two-thirds of the votes. The Central Rada might express its lack of confidence in the General Secretariat, which meant the resignation thereof.

The authors of the Statute moved the center of gravity to the activity of territorial, that is, Ukrainian agencies, in which they saw the pledge of the development of Ukrainian autonomy. Democratic parliamentary principles were the foundation of the organization and activity of these agencies.

The Statute had, however, material shortcomings. First, it did not mention the territory to which the power of the General Secretariat extended. In other words, it did not determine the territorial boundaries of the Ukrainian autonomy. Second, the Statute said nothing about where the autonomous Ukraine would gather means to maintain the Government, Army, schools, and so on.

Among the laws of the Central Rada in the domain of State construction, should be mentioned the Law of 9 January 1918, «On National-Personal Autonomy», which was to resolve the complex problem of «national life within the limits of the Ukrainian People's Republic».¹ The right to self-governed life in the domain of culture and internal organization was recognized for all nations residing in Ukraine. A «cadastre» (or register) was to be drawn up on a voluntary basis of the members of a National Union, which had the right to elect its autonomous organs — a Constitutive National Assembly, National Councils, and so on. However, despite the external attractiveness, the law generated an equivocal reaction in society.

The renaissance of the statehood of Ukraine would have been impossible without a precise legal definition of the status of its citizens. This problem became especially topical after the proclamation of the independence of the Ukrainian People's Republic. Therefore, in early March 1918 the Central Rada adopted two constitu-

¹ *Українська Центральна Рада: Документи і матеріали [Ukrainian Central Rada: Documents and Materials]* (Kyiv, 1997), I, pp. 99–101.

tional acts — the Law on Citizenship of the Ukrainian People's Republic and the Law on the Registration of Citizens of the Ukrainian People's Republic.

According to this law, everyone who was born on Ukrainian territory, or was linked with it by permanent sojourn, and who received a respective certificate was considered to be a citizen of the Ukrainian People's Republic. Citizens of the Ukrainian People's Republic were obliged to support the State with all their efforts and means, obey its laws, defend it against enemies, and maintain necessary order, freedom, equality, and justice. They enjoyed the full plenitude of civil and political rights, took part in the administration of State and local life through passive and active participation in elections to legislative bodies and agencies of local self-government, and might work in State and social organizations.

A request to admit to citizenship of Ukraine those who met the aforesaid conditions was to be filed at the local authorities at the place of their sojourn, and abroad, with a representative of the Ukrainian People's Republic. These requests might be filed by persons who had resided permanently for three years in Ukraine, never had been detected in activity directed against Ukraine, and also were closely linked with its territory by their activity.

Women, as a rule, took the citizenship of the husband, and children — the citizenship of the father. Dual citizenship was excluded. Foreigners received authorization to reside in the Ukrainian People's Republic for a term of not more than six months.

It transpired that to implement the said laws not only was an extended period of time necessary, but also enormous sums of money — approximately 25 million rubles. The Central Rada two days before the end of its existence terminated the operation of the legislative acts on citizenship.

The main question which was on the agenda of the revolution — the agrarian issue — required the legislative regulation of land relations from the Central Rada.

Slogans about the need for land reform by means of socialization of land were proclaimed by the Central Rada from March 1917. These slogans resounded even louder after the creation of the Ukrainian People's Republic.

The Third Universal abolished the right of private ownership to landlord, appanage, monastery, cabinet, church, and other lands of non-labor farms, and statutes on land matter issued by the General Secretariat in development thereof prohibited the sale, purchase, pledge, gift, and transfer of land to someone by other means, emphasizing that the land is in the ownership of the whole people. Ownership to land within limits of up to 50 desiatinas was not abolished.

A provisional land law was confirmed on 18 January 1918.¹ In accordance with it, the supreme administration of land, water, forests, and the subsoil until the convocation of the Constitutive Assembly was placed on the Central Rada. Urban lands were disposed of by agencies of local self-government, and all others, by rural communities and land committees.

Land was granted for social use, housing and construction by individuals, associations, and social institutions for residence, siting of trade and industrial enterprises, and, of course, for private labor economies, the cultivation of land to be effectuated by individuals with their own labor, families, or a joint partnership. Hired labor

¹ *Українська Центральна Рада: Документи і матеріали* [Ukrainian Central Rada: Documents and Materials] (Kyiv, 1997), I, pp. 128–130.

might be used only in exceptional instances, provisionally, and according to rules which were established by the land committees.

Personal plots attached to economic structures and enterprises were granted according to norms established by agencies of city self-government and land committees.

The use of land was proclaimed to be free of charge. Only surplus land higher than the established norm was subject to taxation. The right to use land might pass by inheritance.

Highly-cultures farms were not subject to division and were transferred for use to associations or rural communities. The same rule extended to gardens, vineyards, hop-plants, and the like.

On 29 April 1918 the Central Rada established a new norm for a land plot which might be in private possession, in an amount of 30 desiatinas.

Under conditions of the World War and the decline of the farms, the threat of starvation became more obvious, which required the concentration of foodstuffs in the hands of the State. After the creation of the Ukrainian People's Republic, the General Secretariat began to consider grain to be in the ownership of the State. First the land committees and foodstuff committees took into their hands the requisition of grain, and when the need arose to feed the 400,000-person army of Germany and Austria-Hungary and to send food products to these States, predatory food detachments composed of compatriots, occupying forces, and semi-bandit formations undertook the task, created in early April 1917 by the State Grain Bureau and its offices in the localities.

In the rural villages not only grain was seized, but also livestock, vehicles, structures, clothing, and seed. This disgraceful matter in the Spring of 1918 was effectuated on a vast scale: on 15 March special commissions were created in virtually every village «for the alienation of surplus grain, forage, and meat products». The Central Rada determined severe sowing norms and nourishment norms for people and for feeding livestock.

In early April 1918 the Ministry of Internal Affairs once again strictly ordered the provincial and uezd commissars to render any assistance, including armed force, to district plenipotentiaries and heads of uezd commissions in the requisition of grain and forage from the peasantry.

The Central Rada could not avoid the organization of the judicial system in the cause of developing the Ukrainian State.

The idea of forming an own judicial system in Ukraine was expressed in the Declarations of the General Secretariat of 10 July and 12 October 1917. The programmatic aims of the Central Rada relating to the reform of the judicial system were set out in the Third Universal. In realizing these, the Central Rada on 10 November 1917 adopted a decree that the «court in Ukraine shall be performed in the name of the Ukrainian People's Republic».

In reforming the judicial system, the Central Rada preserved the previously existing forms of court organization. On 2 December 1917 it adopted a Law «On the Introduction of Appellate Courts», according to which three appellate courts were created in the Ukrainian People's Republic — Kyiv, Kharkov, and Odessa. On the same day, the Central Rada adopted the Law «On the Creation of the General Court». As the highest cassational instance, it was to fulfill the functions of the former Senate in judicial cases, cases of supervision over judicial institutions, and persons of the judi-

cial department. The General Court comprised three departments – civil, criminal, and administrative. Provisionally, the General Court fulfilled the functions of the Chief Military Court. A Procuracy was created and attached to the General Court.¹

On 23 December 1917, the law on the conditions for filing posts and the procedure for electing judges to the General and appellate courts was adopted.²

The incompleteness of the judicial reform and the state of war affected the emergence of the Ukrainian People's Republic of extraordinary judicial institutions that filled the vacuum in the organization of judicial power. On 14 February 1918 the posts of chief provincial commissars were introduced; they were granted the right to create revolutionary military courts operating with two representatives from local social organizations and four by appointment of the provincial kommandant. This approach transformed the judicial system from an independent limb of power into a unique addition to the administrative apparatus in which procedural forms grew into administrative means.

The war conditions required from the Government of the Ukrainian People's Republic the creation of judicial institutions with special jurisdiction. In order to consider criminal cases of military servicemen the Kyiv and Odessa military courts were created, and in time – the high military courts in Kyiv and Ekaterinoslav, as well as seventeen headquarters courts.

The problems of legal regulation of the development of the armed forces were resolved uniquely in the Ukrainian People's Republic. On 17 December 1917 the Chief Ataman, S. Petlura, by a personal order confirmed the Statute of the Ukrainian People's Army. The document in accordance with the course of the Central Rada rejected the idea of a permanent force as a «means of the dominance of the bourgeoisie» and provided for the transformation of the Army into a people's militia at the fronts after peace was established. In the meantime, the duty of every citizen of the Ukrainian People's Republic was to defend the native territory against the attacks of enemies. For all who were within the ranks of the Army of the Ukrainian People's Republic, a single name was established – Cossack. The rank of officer was abolished, and the «names of Cossacks in posts» was established. Elective military councils were retained, to which all disciplinary power belonged; they were given the right for a reasoned challenge to the command staff, and also the attestation of military servicemen.

The new Military Minister, M. Porsh, on 23 December 1917 issued an order concerning the completion of the Ukrainian forces with officers solely in origin from Ukraine. If these Ukrainians came from abroad, they must have recommendations from revolutionary-democratic organizations of those units where they served.

On 3 January 1918 the Central Rada adopted a law on the creation of the Ukrainian people's force for defense of the territory against foreign attack. The document provided only the early steps in this direction, and thereafter actions were to be determined by the law on the people's militia, the development of which was placed on the General Secretariat for Military Affairs. The priority task was considered to be to create a body of training personnel, that is, to train military specialists who after respective study could embark upon the construction of the Ukrainian Army. It was

¹ *Українська Центральна Рада: Документи і матеріали* [Ukrainian Central Rada: Documents and Materials] (Kyiv, 1997), I, p. 497.

² *Вісник Генерального Секретаріату Української Народної Республіки* [Herald of General Secretariat of the Ukrainian People's Republic], 9 December 1917.

planned to create three military districts: Kyiv, Kharkov, and Odessa. In each military district provision was made for one body of trainers, who were divided into divisions, regiments, kurens, and hundreds, according to the territorial principle — by volosts, uyezds, and provinces. The General Secretariat received 400 million rubles to implement the law.¹

The war with the Bolsheviks, however, proved with each day the artificial nature of military formations in the Ukrainian People's Republic and the futility of the hopes for support of the people. Regiments with the names of glorious Ukrainian hetmen and public figures of the Central Rada itself were rather easily propagandized by the Bolsheviks and declared their neutrality; in other words, laid down their arms without a single shot and actually dispersed. The pathetic state of the Army of the Ukrainian People's Republic at that time is illustrated by the tragic events at Kruty and the flight of the forces from Kyiv without any attempt to resist.

The entire regular Army of the Ukrainian People's Republic at the end of the existence of the Central Rada numbered 15,000 bayonets, 60 cannons, 250 machine guns, twelve armored cars, and five aircraft.

On 25 April 1918 the call-up to the Army of draftees was terminated and all those called-up were given a certificate concerning their release from military service in connection with the demobilization of the Army.

Legal Acts of the Hetman P. Skoropadskyi Ukrainian State

Legislative procedure in the Ukrainian State when there were no supreme representative agencies was rather simple and regulated by a special section of the Law on the Provisional State Structure of Ukraine of 29 April 1918. It emphasized that the State is guided by firm laws issued in the established procedure. Their force was considered to be binding upon all Ukrainian citizens and foreigners in Ukraine.

The procedure for adopting laws provided for their being developed in a respective ministry with subsequent consideration at sessions of the Council of Ministers, and after the decree of the last, the draft law was transferred for confirmation to the Hetman. If the acts were of an interdepartmental character, the Cabinet of Ministers discussed them only after agreeing them in the respective ministries. The ministers were given the right to interpret the laws adopted and to issue regulations «in development thereof», but these regulations were subject to preliminary approval on the part of the Council of Ministers.

A precise demarcation did not exist between laws proper and subordinate normative acts. Moreover, rather often the force of laws was imparted to decrees, regulations, and even insignificant decisions of the Government.

In nearly eight months of the existence of the Hetmanate about 500 new documents considered to be laws were issued.

As regards the technical aspects, draft laws were to have been submitted in 25 examples for circulation to members of the Government. A norm was introduced from 5 December 1918, in accordance with which the review of draft laws adopted by the Government was authorized upon the expiry of not less than three months from the day of their confirmation. An exception was allowed only if the personal composition of the Council of Ministers was renewed in full or by two-thirds, or when a

¹ *Українська* Центральна Рада: Документи і матеріали [Ukrainian Central Rada: Documents and Materials] (Kyiv, 1997), I, pp. 90–91.

decision concerning review was adopted by one-fourth of the number of members of the Government.

Laws were subject to publication for general information and until that moment were not applied. A new normative act entered into force from the time specified therein and might be brought to the information of executors by publication in official publications, the press, telegraph, and through special envoys. The repeal of a particular law was made only by a new analogous act. Formally the general principle, long recognized, operated: ignorance of a law, if it was duly published, does not relieve from responsibility for a violation thereof.

Numerous normative acts operated on the territory of the Ukrainian State adopted during Tsarism, the Provisional Government, and the Central Rada. The Hetmanate Instrument of 20 April 1918 referred to the repeal of all regulations of the Government of the Ukrainian People's republic and Provisional Government, but this concerned only those acts which violated the right of private ownership.

The Instrument to all the Ukrainian people and the Law on the Provisional State Structure of Ukraine of 29 April 1918 belong to the normative legal acts determining the constitutional foundations of the Ukrainian State.¹

The Instrument became a programmatic document in which the Hetman, describing the recent events in Ukraine, explained the reasons for his consent to the Hetmanate and determined the basic orientations of the activity of the future Government.

The Instrument contained norms of direct operation; for example, private ownership was proclaimed to be the foundation of culture and civilization and was being reborn in full measure. The freedom of purchase-sale of land was established. Scope was opened for trade, private entrepreneurship, and initiative.

The Law on Provisional State Structure became, in essence, the basic law of the Ukrainian State because it established principles of the State mechanism. The Law provided for the rights and powers of the Head of State – the Hetman, consolidated the Christian Orthodox faith as the dominant religion in Ukraine, determined the rights and duties of citizens, noted the fundamental principles of legislation, and outlined the structure and powers of the Financial Committee and the General Court of the Ukrainian State.

The Law of 1 August 1918 on the on the supreme management by the State in the event of death, grave illness, and sojourn outside the boundaries of the State of the «His Highness The Hetman of All Ukraine» is among the acts of constitutional significance. In these instances the creation of a Collegium of Supreme Rules of the State composed of three persons, one of whom is determined by the Hetman in advance, one elected by the State Senate, and one by the Council of Ministers, was proposed in these instances.²

This Law was only once applied, when in early September 1918 Skoropadskyi made an official visit to Germany. He appointed F. Lyzohuba to the Collegium of Supreme Rulers; the State Senate elected the Chairman of the Administrative General Court, D. Kosenko to the Collegium; and the Council of Ministers – the Minister of War and the Navy, O. Rohozu. The Collegium actually worked and adopted a number of

¹ *Державний вісник* [State Herald], 10 May 1918.

² *Державний вісник* [State Herald], 4 August 1918.

normative acts, among which was the law on elections of provincial and uezd land councilors and the rules for holding these elections.

The Law on Citizenship of the Ukrainian State was important in the domain of State construction. In accordance with it, the concept of citizenship of the Ukrainian State included the State-law affiliation of a person to it, which gave to the person the rights and duties of a citizen of Ukraine. He was prohibited from simultaneously being a citizen or subject of another State. The full range of political rights, including the active and passive right of suffrage and the right to State and public civil service, was accorded solely to citizens of the Ukrainian State. All subjects of Russia, that is, all inhabitants of Ukrainian provinces in Ukraine on 2 July 1918 received Ukrainian citizenship, but within a month from this date those who wished to accept Ukrainian citizenship might file a respective application with the provincial or uezd headman.

Each who was born on its territory also was considered to be a Ukrainian citizen, including those who permanently were outside the boundaries of the Ukrainian State, provided that they filed a petition before 2 July 1919, and minors – within a year after reaching majority.

A citizen lost Ukrainian citizenship if he accepted being a subject of another State.

As in earlier years, the agrarian question was one of the major issues. But the land legislation of the Hetmanate was directed towards the abolition of all-people's and the reinstatement of private ownership to the land resources of Ukraine.

On 14 June 1918 a law was adopted on the right to sell and purchase land outside urban boundaries. The right to sell was granted to every possessor of agricultural and forest areas in uezds, with the sole limitation that these land plots should not exceed 25 desiatinas.

One might purchase plots without limitation of size which were offered at public auctions by way of compulsory recovery of mortgage and private debts. The new act was not retroactive: registrations of purchase and gift made before 31 December 1917 were subject to confirmation without the use of norms established by the law.

At the end of August, the Government authorized the sale of possession even when it was on lease. A contract of lease lost force after confirmation of the act of sale.

In November 1918 the Hetman confirmed a draft law prepared by V. Leontovych, which provided that land plots exceeding 200 desiatinas would be purchased by the State and distributed through the State Bank among less-landed persons by proceeding from the same norm of 25 desiatinas per farm.

But all the measures concerning ownership to land and land use could not rectify the grave situation with food.

At the end of May 1918 the Hetman authorized free trade in grain and other products. However, soon the Ministry of Foodstuffs issued an order which indicated that this did not repeal the State monopoly on grain and that no purchases of grain outside the State Bureau were permitted.

In July 1918 the Council of Ministers adopted a law on grain duty in the Ukrainian State, in accordance with which all food and forage grain of the 1918 harvest, except for a reserve determined by the Minister of Foodstuffs and for food and economic needs of the possessor, went to the disposition of the Ukrainian State and might be alienated only by State foodstuff institutions.

At the first demand of foodstuff agencies, the possessor of grain was obliged to report the quantity and site for storing reserves thereof, the number of persons who must be fed by his farm, the number of own livestock, and the desiatinas of the crop.

All «remnants» were to be given to the State within strictly established periods at firm prices. From those who attempted to evade delivery of the grain it was requisitioned at prices lower than established prices by 30%, and those who concealed the grain – by 50%. The possessor must store grain at his own risk because for the improper storage of grain he was brought to material and criminal responsibility.

A peasant was left for a year to eat 240 kilos of rye and wheat and 48 kilos of groats per person (the daily norm of consumption per person was 660 grams of wheat and 130 grams of groats).¹

The Hetman effectuated a number of measures relating to the legal regulation of the judicial system.

During the early weeks of existence of the Hetmanate in Ukraine a «mixed» judicial system operated, that is, judicial institutions from the Russian Empire, and also courts created by the Provisional Government and Central Rada. On 25 May 1918 the Hetman confirmed a law on title, the name of which crowned the court in Ukraine – «in the name of a law of the Ukrainian State».

The creation of a new judicial system in the Ukrainian State began with the reformation of its highest link – the General Court. On 2 June 1918 the Law on the General Court was adopted, according to which this judicial agency consisted of fifteen judges of civil, criminal, and administrative departments and fulfilled functions on the territory of Ukraine (which previously belonged to the Senate of the Russian Empire) in judicial cases and cases of supervision over judicial institutions and persons of the judicial department.

A principled step in judicial reform was made with the adoption of 8 July 1918 of the Law «On the Formation of the State Senate». This document abolished the General Court and created the State Senate as the highest institution of the Ukrainian State in judicial and administrative cases. The State Senate consisted of the Administrative General Court (19 senators), the Criminal General Court (15 senators), the Civil General Court (15 senators), and the General Meeting of the Senate (10 senators).

The Hetman retained the system of general courts in Ukraine. On 8 July 1918 he adopted the Law «On Judicial Divisions and Appellate Courts», according to which all three judicial divisions – Kyiv, Kharkov, and Odessa – remained in operation. As a court of first instance, judicial divisions should consider cases concerning crimes against the State and official crimes. The judicial divisions were appellate instances for all cases which were considered in district courts without jurors. These institutions effectuated supervisory functions over district courts. In so doing the general courts of the State Senate were an appellate instance in cases which were considered for the first time in judicial divisions and exercised supervision over them. District courts operated with administrative, criminal, and civil sections.

The Hetman Government restored the justice of the peace courts. The activity of the justice of the peace courts legislatively was formalized on 2 June 1918.

On 21 June 1918 the Council of Ministers adopted the Law «On the Organization of Military Judicial Institutions and the Competence Thereof», which confirmed the basic provisions of a respective law of the Central Rada.

The Hetman received from the Ukrainian People's Republic an insignificant military legacy and therefore occupied himself with improving military legislation.

¹ ЦДАВО України, ф. 1064, опис 1, spr. 13 – Ark. 3 zv.

On 24 July 1918 the law on the reorganization of the army and a general military duty appeared. In October 1918 the Government appropriated eight million rubles for the creation of individual model training units.

More than 310,000 military servicemen were calculated to be in the Ukrainian State, including 175 generals and 15,000 sergeants, and also about 3,000 military officials.

Reformation of the Army was especially rapid after the overthrow of the monarchy in Germany. On 8 November 1918 the Hetman issued an order for call-up before time to the Army of 164,000 youths and another 5,000 to the Serdiutska Division. On the same day the Council of Ministers adopted a new Statute on military duty, which proclaimed this obligatory for all male citizens of Ukraine.

The Armed Forces of Ukraine were to consist of permanent forces and a people's militia. The last was recruited for service only during wartime. The permanent forces consisted of land and naval forces.

The call-up occurred by lot: all those who had reached 19 years of age or completed secondary school at a younger age, one time in their life must draw a token, pursuant to which either they joined the Army or immediately were enlisted in the reserve. It was permitted to serve military duty without a token.

It was intended to conduct the call-up from 1 October to 1 November of each year. The period of service for infantry and artillery units was established as two years of active service and sixteen years in the reserve, and for naval commands — three years active service and thirteen in the reserve.

Military servicemen were deprived of the active right of suffrage. They were prohibited from joining political circles, unions, parties, societies, committees, and so on and from taking part in public rallies and demonstrations.

However, because of disorders and recalcitrance on the part of the people, the law of 8 November on call-up before time of draftees into the Army and Navy was in practice dormant.

On 18 November 1918 a new law appeared, under which officers up to fifty years of age were subject to call-up, those who had completed their term of military service — irrespective of age. Virtually all exemptions were abolished: civil servants and students were called-up. The number of volunteer guards was significantly increased. On the same day, the Hetman declared the entire territory of Ukraine to be a military theater and appointed as Commander-in-Chief, the monarchist General, Count Keller, subordinating him to the entire civil authority of the Ukrainian State.

On 30 November 1918 the Hetman decided to found the Military Academy of the Ukrainian State, appropriated 127,000 rubles and even confirmed the personnel establishment.

In a virtually hopeless position, on 5 December 1918 the mobilization of the entire male population was declared of those who were capable of bearing arms in order to defend Kyiv.

Legal Acts of the Directorate

An even more complex situation was formed in the domain of legal succession during the Directorate, when in Ukraine the laws of the former Russian Empire operated, the Provisional Government, and legislation of the Central Rada and the Hetmanate, as well as legislation of Soviet power. Therefore, the problem in the

domain of sources of law which the Directorate confronted became a constant problem of conflicts in legislation.

On 17 May 1919 the Chairman of the Directorate issued a decree concerning the annulment on the territory of Ukraine of the operation of laws and dekrets of the so-called Soviet Ukrainian and Soviet Russian Governments and the restoration of the operation of laws of the Ukrainian People's Republic.

As regards the direct predecessors of the Directorate, here the situation was more complex. The Directorate did not repeal in full the legislation of Hetman Skoropadskyi, whom it overthrew, but did not restore it, which was natural because the Ukrainian People's Republic was restored and the legislation of the Central Rada.

The Council of People's Ministers by its Law of 26 December 1918 «On the Force of Laws, in the Procedure for the Adoption of Laws, and on the Form and Procedure for the Publication Thereof» preserved almost fully the procedure for the working out and passage of draft laws formed during the Central Rada and Hetmanate.¹ These procedures, later, on 12 February 1919, were confirmed by the Law on the Procedure for the Submission and Confirmation of Laws in the Ukrainian People's Republic.²

These laws resolved the problem of legal succession in legislation. All laws and decrees which were in force on the territory of Ukraine before 14 December 1918, unless they were repealed by a law or decrees of the new Government of the Ukrainian People's Republic, remained in force as laws and decrees of the Ukrainian People's Republic.

During its existence, the Directorate adopted normative legal acts with various names: declarations, universals, dekrets, laws, orders, decrees, and regulations. But these documents differed in legal force in a complex way because there was not definite system and hierarchy of normative legal acts and they were adopted basically by the Council of People's Ministers and in individual instances confirmed by the Directorate.

In evaluating the activity of the Directorate, one may assert that it reflected to a significant extent the lack of precise orientators characteristic of State strategy, and therefore the legislation of the «second» Ukrainian People's Republic had no definite system; laws were adopted often when it was essential to react efficiently to specific circumstances, and sometimes this led to the Directorate being mired in trivia.

In the domain of State construction, in realizing the principle proclaimed in the Declaration of 26 December 1918 under which the «revolutionary government of organized people's masses» should belong to the Congress of Laboring People of Ukraine, which would have all supreme rights and full power to decide all questions of social, economic, and political life, the Directorate on 5 January 1919 confirmed the Instruction for elections to the Congress of Laboring People's Ukraine. To the Congress should have been elected 550 delegates on the basis of a curial system: 377 from peasants; 118 from workers; 33 from the labor intelligentsia.³ Not only was the distribution of mandates unequal, but so was the curial procedure for election itself: peasants elected delegates at used peasant congresses, and workers and the labor intelligentsia, at provincial congresses. 65 delegates were to be elected from the Western Ukraine lands.

¹ *Директорія*, Рада Народних Міністрів Української Народної Республіки. 1918–1920 [Directorate, Council of People's Ministers of the Ukrainian People's Republic, 1918–1920] (Kyiv, 2006), II, pp. 395–396.

² *Ibid.*, II, pp. 476–477.

³ *Ibid.*, II, pp. 406–412.

This document had a number of shortcomings: the curial, non-proportional system of elections; elimination from the elections and thus from the processes of creating the State of the intelligentsia, who had knowledge and political and administrative skills; the provision outside the curial system of twenty mandates for the All-Ukrainian railway, and ten to the All-Ukrainian postal congresses; extremely brief period for holding the election campaign. But for all this it should be acknowledged that the convocation of the Congress of Laboring People was an attempt under complex war conditions to create a parliament for revolutionary Ukraine and to find forms and means of transferring power to the land of a representative organ which would become the expressor of the will of the Ukrainian people.

An important step in the cause of State construction became the adoption on 28 January 1919 of the Universal of the Laboring Congress of Ukraine in which the basic features were determined for the State mechanism of the Ukrainian People's Republic, based on the principles of parliamentarianism. The Congress as the expressor of the will of the «working class and peasantry» assumed supreme power in the State and became the highest representative organ, a unique revolutionary parliament.

In the interval between sessions of the Congress, supreme power, including the right to adopt current legislative acts, belonged to the Directorate.

Executive power belongs to the Council of People's Ministers – the Government, which was subordinate to the Congress and to the Directorate.

Despite the brief work of the Congress, on 28 January 1919 it adopted an important act of constitutional significance – the Law on the Form of Ukrainian Power. This Law contributed nothing new to the extent of powers of the Directorate, merely consolidated the practice existing at that time. But with its enactment, the power of the Directorate became legitimate: from an agency which directed an uprising, it was transformed into the superior agency of State power, having received powers from the Congress of Laboring People to effectuate legislation and supreme management in the State.¹

The Universal of the Directorate of the Ukrainian People's Republic of 22 January 1919 became an act of constitutional significance. This document de jure consolidated a major event in the creation of the Ukrainian national State, namely – the unification of the Ukrainian People's Republic and the Western Ukraine People's Republic into a single collective State. The Western Ukraine People's Republic became the Western region of the Ukrainian People's Republic.

On 24 January 1919 the Directorate reinstated the operation of the Law of the Central Rada «On the National-Personal Autonomy», repealed by Hetman Skoropadskyi.

The new policy to determine the form of rule of the Ukrainian People's Republic as a presidential-parliamentary variety was made with the adoption of 12 November 1920 of laws «On the Provisional Supreme Administration and Procedure for Legislation in the Ukrainian People's Republic» and «On the State People's Council of the Ukrainian People's Republic».²

¹ *Директорія*, Рада Народних Міністрів Української Народної Республіки. 1918–1920 [Directorate, Council of People's Ministers of the Ukrainian People's Republic, 1918–1920] (Kyiv, 2006), II, pp. 476–477.

² *Вісник Державних Законів для всіх земель Української Народної Республіки* [Herald of State Laws for All Lands of the Ukrainian People's Republic] (1920), no. 2.

In accordance with these laws, supreme power in the Ukrainian People's Republic provisionally, until the confirmation of a Constitution, was organized by means of the division thereof and coordination of the highest State functions between the Directorate, State People's Council, and Council of People's Ministers.

A central place in the State mechanism of the Ukrainian People's Republic was taken by the Directorate in the person of its Chairman (at this time the Directorate was one-person, personified by S. Petlura). To the Directorate belonged the right to confirm laws adopted by the State People's Council, appointments made by it to high State offices, international agreements concluded, represent the Ukrainian People's Republic in the international arena, appoint the Chairman of the Council of People's Ministers, and confirm the members of the Government.

Executive power according to these laws belonged to the Council of People's Ministers, the legal status of which was set out rather fragmentarily. Organizationally, the Government was subordinate to the Directorate (the last appointed the Chairman of the Council of People's Ministers, confirmed and relieved ministers). At the same time, the Government bore responsibility similar to parliamentary to the State People's Council.

It was provided that the State People's Council according to the law on it will be the «agency of people's representation» consisting of representatives of the population, political parties, social, scientific, professional, and cooperative organizations. Nonetheless, there were no grounds to call the State People's Council a parliament because this was an agency which combined exclusively the representatives of political parties and social organizations. An annex to the law established the following representation in the State People's Council: (1) political parties – 72 %; (2) non-political organizations – 28 %.

The Directorate, just as preceding political regimes, was forced to occupy itself with the land question. The Law of the Directorate on Land in the Ukrainian People's Republic of 8 January 1919 did not restore, but somewhat modified, the respective law of the Central Rada. It confirmed the abolition of private ownership to «all lands with their waters, surface and underground natural wealth, and forests» and their transfer to all-people's ownership. The place of land committees was taken by land administrations, a reserve land and State melioration fund was created, arbitrary seizures of land were prosecuted, agricultural credit was organized, and lands needed for social use were determined.

Plots for private-labor activity were determined in every region by land administrations, but they should have been not less than 5 to 6 desiatinas [a land measure equal to 2.7 acres – web] per farm and not more than the labor land norm.

Lands released were transferred for use to land administrations and became the reserve land fund from which plots were allotted to peasants with little land and general State needs. Areas with high-crop husbandry were not split, but were transferred to the use of labor associations which were to be created for this purpose.¹

The Directorate did not avoid problems with the grain duty. At first, the Directorate significantly eased the fate of the Ukrainian peasantry. On 9 March 1919 its law on grain duty repealed the predatory norms established by Skoropadskyi relating to farms which had up to 30 desiatinas of land but only left the duty for

¹ *Директорія, Рада Народних Міністрів Української Народної Республіки. 1918–1920* [Directorate, Council of People's Ministers of the Ukrainian People's Republic, 1918–1920] (Kyiv, 2006), II, pp. 413–417.

those who possessed large plots. A progressive tax was introduced. Peasants who had up to three desiatinas were in general relieved from grain deliveries, and those who had three desiatinas were to hand over 20 pounds of grain in all; four desiatinas — one poud; five desiatinas — two pouds; 6 desiatinas — three pouds, and so on, up to 20 desiatinas, from which 325 pouds were recovered. This work was effectuated by special supply commissions.¹

But this did not last long. By 4 July 1919 a new law on grain duty was adopted. The norms of obligatory grain supply were increased from two to five times. From persons who could not hand over products within the determined period, they were taken without compensation; and from those who concealed them, a fine also was recovered in ten times the amount of the value of that concealed. Severe punishments were established for other actions obstructing the grain delivery. The Ukrainian peasant fell again into a rather difficult situation.

On 1 December 1918 the Directorate decreed that the «court on the territory of the Ukrainian People's Republic shall be performed in the name of the Ukrainian People's Republic». At the end of December 1918 the State Senate bounded by the Hetman was abolished. On 2 January 1919 the Directorate confirmed a law on restoring the activity of the General Court from the Ukrainian People's Republic, to be sure, with the name «Highest Court».² On 24 January 1919 the appellate courts were reinstated, founded by the Central Rada.³ The Directorate endeavored to preserve the justice of the peace. On 19 February 1919 the law «On Elections and Appointment of Justices of the Peace» was adopted.

The Directorate placed at the base of the new model of judicial system of the «second» Ukrainian People's Republic the principles of court organization of the prerevolutionary Russia, somewhat modified by the Central Rada and the Hetman. But the complex situation in which Ukraine proved to be and the need to carry on military actions predetermined the essential anomalies in the court organization of the Ukrainian People's Republic. In practice, an extraordinary judicial system operated, remote from the principles legislatively proclaimed by the Directorate. The military field courts founded by order of S. Petlura and O. Osetskyi of 22 November 1918 became the principal judicial institutions of the Ukrainian People's Republic. Military field courts consisting of two sergeants, two Cossacks, a procurator and secretary appointed by order of the local authorities were created and attached to all military units.⁴ The 1869 Russian Military Statute on Punishments and the 1914 Statute on the Field Administration of Forces in Wartime were used for the structure of military field courts.

On 26 January 1919 the military field courts on the territory of the Ukrainian People's Republic were abolished. However, on that same day the Directorate confirmed the Law «On Extraordinary Military Courts». They had exclusive rights and operated on the fronts and territories where a military situation had been declared. And if one takes into account that on the basis of the Law of the Directorate of 24 January 1919 a military situation was declared throughout the entire territory of

¹ *Директорія, Рада Народних Міністрів Української Народної Республіки. 1918–1920* [Directorate, Council of People's Ministers of the Ukrainian People's Republic, 1918–1920] (Kyiv, 2006), II, pp. 501–502.

² *Вісник державних законів УНР* [Herald of State Laws of the Ukrainian People's Republic] (1919), no. 3.

³ *Вісник державних законів УНР* [Herald of State Laws of the Ukrainian People's Republic] (1919), no. 7.

⁴ О. М. Мугопенко (ed.), *Українське державотворення: не витребуваний потенціал* [Ukrainian State-Creation: Unused Potential] (Kyiv, 1991), p. 57.

the Ukrainian People's Republic, there remains no doubt that the «classical» administration of justice was moved to the background or did not operate at all.¹

In the domain of military legislation of the Directorate especially noteworthy was the Law of 1919 on the Navy of the Ukrainian People's Republic. After the physical destruction of the Black Sea Fleet, the Directorate had no hope of restoring the naval forces.

On 25 January 1919 a provisional law on the navy of the Ukrainian People's Republic was adopted. Ukraine assumed all obligations of the Russian Empire for the maintenance of the Black Sea Fleet and appropriated 100 million rubles for this.

The Law precisely determined that Ukraine would be concerned so that the place of each warship which had served its time would immediately be taken by a warship of the same type, and if the ship had sunk would be quickly replaced. All naval institutions of the Ukrainian People's Republic were to be directed by the Digest of Maritime Decrees of the Russian Empire, 1913 edition, with all subsequent changes and annexes, unless they were contrary to legislation of the Ukrainian People's Republic. The Directorate determined also the numerical strength of the Navy: 12,500 seamen and 800 petty officers.

On 26 January 1919 the Directorate adopted a special law on augmenting the Army and the Navy of the Ukrainian People's Republic with draftees, and in early April authorized the call-up to the Navy of citizens of the Western Ukraine People's Republic. Next there emerged yet another law on the organization of naval forces along the Black Sea coast following the line from Ochakov to Nikolaev and on to Kherson. It was planned two form two corps and one marine division.

Legal Acts of the Western Ukraine People's Republic

The legislative acts of the Western Ukraine People's Republic which determined the politico-legal structure of the Republic comprised the content of constitutional legislation. The most important of these was the «Provisional Basic Law on the State Autonomy of Ukrainian Lands of the Former Austro-Hungarian Monarchy», of 13 November 1918. This Law encompassed five articles: name, boundaries, State sovereignty, State structure, arms and flag.

The laws augmenting the Constitution of the Western Ukraine People's Republic were: on the provisional administration and organization of courts (16 November 1918); on the merger of the Western Ukraine People's Republic and the Ukrainian People's Republic (3 January 1919); on the separation of the Ukrainian People's Republic-Council (4 January 1919); on the fulfillment of civil rights and duties (8 April 1919); on the Sejm of the Western Ukraine People's Republic (16 April 1919); and on the transfer of the execution of all military and civilian power to the «Empowered Dictator» (9 July 1919), and others.

On 16 November 1918 the Law «On the Administration of the Western Ukraine People's Republic» was issued, according to which the previously operating Austrian legislation remained unless it was contrary to the interests and purposes of the Ukrainian State. This was explained by the fact that during the brief existence of the Western Ukraine People's Republic it was impossible to adopt new laws, and therefore the old ones remained, which were subject to constant change or replacement.

¹ V. Ia. Tatsyi and A. I. Rohozhyn (eds.), *Історія держави і права України [History of State and Law of Ukraine]* (Kyiv, 2000), II, p. 105.

Certain drafts of the State-legal status of the territory of the Western Ukraine People's Republic prepared by international and Ukrainian specialists were of a constitutional nature. Among them was the draft Treaty between the High Council of the Entente States and Poland concerning the autonomous status of Galicia under the head of the Administration of Poland for 25 years. The Government of the Dictator of the Western Ukraine People's Republic drafted and submitted to the League of Nations on 30 April 1921 the draft «Foundations of State Structure of a Galician State». At the end of 1920 upon the order of the Government of the Western Ukraine People's Republic the noted jurist, Professor, S. Dnestrianskyi, prepared a private draft Constitution of the Western Ukraine People's Republic. The draft, proceeding from historical traditions of the Ukrainian people and the constitutions of other democratic States, differed from the last by the fact that, together with permanent constitutional norms, this draft had a transition stage during which general elections were to have been held for legislation agencies and the legalization of the final text of the Constitution.

The judicial legislation of the Western Ukraine People's Republic was significant in size. On 21 November 1918 the Ukrainian National Rada adopted the Law «On the Provisional Organization of Courts and Judicial Power».¹ The courts of the former Austro-Hungarian Empire continued to fulfill the function of the administration of justice in the Western Ukraine People's Republic under the guidance of the State Secretariat of Justice of the Western Ukraine People's Republic. Judges who had not compromised themselves by anti-Ukrainian activity and who had taken the oath to serve the Western Ukraine People's Republic remained in their posts. Simultaneously, a restructuring was effectuated of the judicial system. Twelve judicial districts and 130 judicial uyezds were created on the territory of the Republic. In accordance with the national make-up of the population, new judges should be elected at a quota of one per 40,000 inhabitants. It was thus necessary to elect 144 judges of district courts, of which there should be 102 Ukrainian, 25 Poles, and 17 Jews.²

Subsequent legislative regulation of the judicial reform of the Western Ukraine People's Republic took an original direction through the separation of criminal and civil procedure. On 11 February 1919 a law was adopted on the creation in the uyezds of tribunals of first instance for the consideration of criminal cases. The jurisdiction of district and uezd courts was confined to civil cases. The second instance in civil and criminal cases should have been the High Court in Lviv, and the third – the Supreme State Court. Provisionally, until they were formed, the functions of the second and third instances were performed by a specially-created Individual Judicial Senate, II Instance, and Individual Judicial Senate, III Instance.

Military justice was created in the Western Ukraine People's Republic. According to an instruction of the State Secretariat of the Western Ukraine People's Republic of 16 November 1918, it was planned to create in Lviv a Supreme Military Tribunal.³ Military regional courts should have operated within the Lviv, Ternopol, and Stanyslav military regions.

¹ V. S. Kulchynskiy, et al., *Історія держави і права України [History of State and Law of Ukraine]* (Lviv, 1996), pp. 181–182.

² *Вісник Державного секретаріату військових справ [Herald of the State Secretariat of Military Affairs]*, 1 December 1918.

³ *Вісник Державного секретаріату військових справ [Herald of the State Secretariat of Military Affairs]*, 14 December 1918.

The complex situation on the fronts and the existence in the rear of a large number of saboteurs and spies required the creation of more mobile agencies than ordinary military courts. By instruction of the State Secretariat of the Western Ukraine People's Republic of 3 December 1918, military field courts were created and attached to each district command,¹ and in January 1919 – military field courts of the «North», «South», and «Lviv» groups.

After the transition of the Ukrainian Galician Army beyond the River Zbruch, the structure of military judicial institutions was changed. By an instruction of 16 July 1919, a military field court was created of the Chief Command of the Galician Army and military field courts of the I, II, and III corps. These courts effectuated proceedings with respect to the military servicemen of the units subordinate to the Chief Command of the Galician Army.

Rumiantsev V., Strakhov M. Law during the Ukrainian Revolution (1917–1921)

Abstract. In the article the legal acts of the Central Rada, Hetman P. Skoropadskyi Ukrainian State, Directorate, Western Ukraine People's Republic are observed.

Key words: laws, subordinate acts, reforms, Universals of the Central Rada, Certificate.

Рум'янцев В. О., Страхов М. М. Право в період української революції (1917–1921)

Анотація. У статті розглянуті правові акти Центральної Ради, Української держави гетьмана П. Скоропадського, Директорії, Західноукраїнської Народної Республіки.

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Аннотация. В статье рассмотрены правовые акты Центральной Рады, Украинского государства гетмана П. Скоропадского, Директории, Западноукраинской Народной Республики.

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¹ *Вісник* Державного секретаріату військових справ [Herald of the State Secretariat of Military Affairs], 15 February 1919.