

Development, discussion and approval of the regulations of the founding meeting

After convening the Constituent Assembly, one of the first statutory acts required by the Constituent Assembly was the Bylaws. In order to develop the text of the regulations, a regulatory commission was created in the constituent assembly, which held its first session on March 19, 1919. G. Gvazawa, R. Arsenidze, P. Sakvarelidze, I. Baratashvili, I. Nutsubidze, N. Imnaishvili, who were most actively involved in the work of the commission, can be mentioned among the members of the commission.

The session was opened by the oldest member of the commission, G. Gvazawa, who started the work of the commission. At the session, the presidium of the commission was elected, I. Baratashvili as chairman, P. Sakvarelidze as deputy, I. Nutsubidze. After taking the place of the chairman, I. Baratashvili started discussing the agenda of the future sessions, on the initiative of R. Arsenidze, due to the urgent development of the regulations of the founding assembly and its need, it was decided to hold the commission sessions daily. R. was appointed as the first speaker at the session scheduled for March 20. Arsenidze. At least three people were defined as a quorum of the commission (S.C.S.S.A. F.1833, Agh.1, S. № 193, p.1-2).

On Thursday, March 20, 1919, the Regulation Commission directly started working on drafting the text of the regulation. During the development of the regulation, the regulation of the former National Council and Parliament was adopted as a guiding text. The regulations of the former National Council consisted of 172 articles, and the regulations of the Constituent Assembly, which were developed by the Regulation

Commission, consisted of 180 articles. On March 20, 1919, the Regulation Commission approved the first article unchanged of the regulations of the former National Council. In the second article, an addition was made: "Before the election of the chairman and the secretary, the founding meeting will not deal with various issues". Articles 3, 4, 5 were adopted unchanged, and Article 6 was adopted with the following text.

presidium members was determined by the founding assembly itself. At the session of March 20, a bill of 39 articles was adopted. Amendments were made to Article 12, where the term of office of the members of the Presidium was defined as 1 session. (for 1 year) The term of the 1st session was not fixed in the regulations of the National Council (S.C.S.S.A. F. 1833, Act. 1, S. № 193, p. 3-4).

On March 21, Friday, at the second session, the Regulation Commission discussed and adopted articles 40 to 48 of the "draft regulation". The Commission adopted the new Article 48, according to which it was determined that the time between the first and second readings of the draft law should be at least 7 days. Information about the amendments and additions made to the articles of the draft law should be sent to the Presidium no later than within 3 days (S.C.S.S.A. F.1833, Agh.1, S. № 193, p.5-7).

draft law of regulations from articles 49 to 68 took place at the meeting of March 24, articles 49, 50, 51, 52 of the regulations of the National Council were adopted. Amendments were made to Article 53 without change, and new Articles 57 and 62 were added to the text of the regulations, Articles 58 and 59 of the National Council Regulations, which related to the rules for reviewing income and expenses, were removed altogether at the meeting of the same day within the framework of the draft regulations . Four new articles 66, 67, 68 and 69 were adopted (S.C.S.S.A. F.1833, Agh.1, S. № 193, p.7-8).

At the meeting of March 25, the regulatory commission drafted the text of the founding assembly's regulations up to Article 105. New articles 74 and 77 were adopted. Article 71 was amended and instead of 40 members, 50 members were considered as a quorum of the session . This article was

included in the regulations of the founding meeting with new numbering 79, the rest of the articles, including 105, were adopted with a small technical change (S.C.S.S.A. F.1833, Agh.1, S. № 193, p.9-10).

106 - The draft regulation , including articles 172, was reviewed and approved at the March 25 session of the Regulatory Commission. In the journal of the session , we read that changes were made in several articles, including 109; 110; 143; 144; 161 Amendments were made to these articles, and the rest of the articles were approved only with technical changes (S.C.S.S.A. F. 1833, Agh.1, S. № 193, p.11).

On March 31, the Regulation Commission completed its work on all 180 articles of the regulations of the Constituent Assembly. The commission made a decision to present the draft regulation to the presidium of the constituent assembly for consideration at the session. I. Baratashvili , the chairman of the commission, was appointed as the speaker (S.C.S.S.A. F.1833, Ag.1, S. № 193, p.12).

An extract from the Journal of the Presidium of the Constituent Assembly of Georgia of April 3, 1919 was to be submitted for consideration of the draft of the regulations of the Constituent Assembly. On April 4 of the same year, the Chairman of the Regulations Commission I. Baratashvili (S.C.S.S.A. F.1833, Ar. .1, p. № 195, p. 29).

On April 4, 1919, another meeting of the constituent assembly took place, where among the issues to be discussed was the discussion of the regulations of the constituent assembly. Chairman of the Regulatory Commission Iese Baratashvili made a speech before the founding assembly. He noted that during the development of the regulations of the Constituent Assembly, the Regulations Commission was guided by the regulations of the Russian State Council. The regulation of the Parliament of Georgia was temporarily adopted as a guideline, therefore the main difference adopted in the new regulation is what rights the constituent assembly is equipped with and what duty it performs . In Articles 39, 40, 41, 42, the Constituent Assembly establishes special commissions to investigate the actions of each branch of government. The Commission paid a lot of attention to the manner of considering cases. Bills the first and the second discussion the

middle should To go out less _ seven days _ _ _ _ that the founder The congregation would have had time to think and observe the matter, and then come to a proper conclusion. Articles 56, 66, 68 indicate the procedure for reviewing decrees. The Constituent Assembly had the right to submit every proposal in the form of decrees, instructions and draft resolutions. The proposal should be distributed to the members of the constituent assembly 24 hours before the opening of the assembly. Article 70 was about asking questions, and Article 74 was about requesting a report to the government by a member of the founding assembly to clarify this or that issue . The government was obliged to give an answer immediately at the same or the next session. There was no argument about that. According to Article 79, 50 people were defined as the quorum of the constituent assembly . According to Article 110, if a member of the constituent assembly did not obey the chairman, he was entitled to demand the preservation of order, to give a notice , etc. Article 114 mentioned the rule of shortening and terminating the debate, according to Article 119, the argument could not be shortened and terminated if 12 or more members voted against it. As for the rest of the articles, the amendments made in them did not have much importance. After that, the speaker I. Baratashvili , at the request of acting chairman S. Secretary, read the 12 articles of the regulations of the constituent meeting, which was approved unanimously, thus the session of the constituent meeting was stopped at 3 hours and 20 minutes (stenographic report of the Georgian constituent meeting of April 4, 1919) .

The session of April 8, 1919 started at 12 hours and 40 minutes. The session was chaired by Comrade of the Chairman of the Constituent Assembly Aleksandre Lomtadze, Secretary of the Constituent Assembly Konstantine Japaridze, Ekvtime Takaishvili, Simon Mdivani, Grigol Natadze and Kristine Sharashidze were in the presidium. Among the issues to be discussed in the agenda was the continuation of the consideration of the regulations of the constituent meeting.

Speaker I. Baratashvili read articles 13-38, which were adopted by the founding assembly. Article 39 caused Controversy, the article read " The

Constituent Assembly shall elect a special commission to investigate, revise, or for any other purpose." The representative of the Social-Democratic faction introduced a proposal to amend the article. He requested that one word "or person" be added to the end of the text. G. Faghava's explanation of the essence of this change was as follows: by this article , it was meant that the founding assembly, in addition to controlling other and other branches of governance, at the same time, since the article states as follows: for revision or for another purpose, the founding assembly itself intervenes in the implementation of governance in a special way in the form of a commission. *"We had such a case when we selected an extraordinary commission to investigate the news of Akhaltsikhe . Then we gave this commission the right to make arrests and take necessary measures. Therefore, in some specific cases, such a right may be given to any person of the constituent assembly . Therefore, the Social-Democratic faction introduces the following amendment: to add "or person" to the end of Article 39. The said change was unanimously approved by the members of the Constituent Assembly"* [shorthand reports of the Constituent Assembly of Georgia on April 8, 1919].

Articles 40-78 were approved unchanged by the constituent assembly. Article 79 again caused a debate in the hall. Article 79 of the regulation was as follows: if less than fifty (50) members of the founding meeting were gathered within half an hour at the time appointed for the meeting, the chairman declared that the meeting would not be held. Ilia Nutsbidze, a representative of the Social- Revolutionary faction and at the same time a member of the Regulation Commission , *made the following speech: "Citizens , the issue of the quorum of the constituent assembly is a very serious issue for the Socialist -Revolutionary faction. believes. The Constituent Assembly is called upon to establish the foundation of our socio-political life . It must create a constitution which It determines the course and character of life for a few decades. Such important issues are decided by the founding assembly, and in the decision of such issues, if not two-thirds, at least half of the founding assembly plus one must participate. This one, secondly, citizens, we members of the congregation, should treat the work of*

the founding congregation with a special call and seriousness, and when only one third of the congregation participates in solving the issue , in our opinion, this is a serious treatment of the case. We will treat the work with due attention , when the great majority of the assembly will participate in the solution of the issues, the constituent assembly will become more popular and find its place in the psychology of the people . According to this opinion, the faction of socialist-revolutionaries demands that instead of fifty, the quorum should be sixty-six" [stenographic report of the Georgian constituent assembly of April 8, 1919].

The representative of the Social-Democratic Party, Kirile Ninidze, spoke about approving the above-mentioned article of the regulations unchanged: "*Gentlemen, this amendment will be even more, because it is usually accepted that when there is a majority, then the quorum is also It is. So it will be completely more to include it. And if we think about the definition in a completely different way with the regulations, this is not the case .*

Here we are affected by something completely different. Pure practical opinion. Theoretical Of course, we cannot disagree with the statement of the SRs that as many as possible attended the meeting. If all the members attend the meeting, that would be better, but the point is that we have already passed one law on the proposal of the membership of the Constituent Assembly . (Comment from the place about incompatibility) Not about incompatibility, but about compatibility, because we allowed that members of the local self-government board , ministers, their Comrades, ambassadors , professors and others. Now, if you take into account (L.Shengelia , how many will there be in total?), this statement made from the place of the deputies was followed by the following remark from the chairman, please do not speak from the place. After that, Ninidze continued his speech. I don't know how many there will be, but we have already adopted this law, and since we have adopted this law, we must get out of here. If this law remains in force, we cannot assume that we will usually have an absolute majority, and 66 is an absolute majority. That is why I consider it necessary . , to remain 50 members. It will depend on circumstances and time. Essentially, the proposal of the social revolutionaries comes out of good will. But this

will lead to direct sabotage, because we will not have an absolute majority. (The comment from the hall depends on you!) It depends on you. Look how many members we have, and what percentage you are missing! With this opinion, we consider it necessary to remain 50 members. [Shorthand report of Georgia's Constituent Assembly of April 8, 1919]. After this speech, the debate literally stopped.

And the right to say the final word was assigned to I. Baratshvili, who stated that the discussion of the mentioned issue caused controversy even in the Regulatory Commission, the issue was decided by the majority of votes. accepted And the commission accepted 50 members as a quorum, as for the final word, it depends on the founding meeting and will be decided by voting.

After that, on the initiative of the chairperson, they voted on the amended version of Article 79, where 50 was written instead of 66, although the mentioned changes were rejected, the article was approved with the first edition. I. Baratashvili read articles 80-180, which the commission approved unchanged. The draft of the regulations of the founding assembly was handed over to the editorial commission for publication and preparation.

of Georgia Founder of the congregation sare d act Commission on April 14 presented Regulations __ final Edited Variant and sister f difficult of the congregation Before that _ as a speaker appointed O. Sologhashili . the founder The congregation unanimously received of the regulation final Text and published 1919 year _ on April 25, of the regulation the text hand was writing Founder of the congregation Chief comrade Al . Lomtadze (S.C.S.S.A.F. 1833, ag. 1, p. № 195, p. 35-37).

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