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# Contributors

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## *Current Events*

### **A Criminal Code for Ukraine**

*Oleh Matkovskyi*

**T**he recognition of Ukraine at the international level, its accession to the Council of Europe (in 1995), and its intention to build a law-based democratic state require the creation of new legal safeguards. This must include the adoption of a new Criminal Code.

Why can Ukraine not continue to manage with the old Soviet socialist criminal legislation, and the reforms which are being carried out to ensure its basic principles?

First of all, because of the socio-economic changes, which require the old Soviet legislation to be brought into line with the national-historical juridical traditions of the Ukrainian state, international norms and standards, world-wide experience, and the increasing self-awareness and dignity of the Ukrainian people.

Throughout the Soviet period, Ukraine had, in effect, no criminal legislation of its own. The Soviet state did not view criminal legislation as a constituent part of universal values. This led to the implementation of mass terror and economic oppression against the people, by the creation of the artificial Famine, designating dissidents as 'enemies of the people', extra-legal punishments, deportations, etc.

For the first five years, no Criminal Code was adopted at all. The Codes of 1922–27 were aimed at protecting the dictatorship of the Party *nomenklatura*, not legality or human rights. These Codes produced only an apparent legality, and their content was inhuman and anti-national. We may take as an example the denial of the presumption of innocence, since it was a barrier against the criminal repression of political and ideological opponents. Until the 1960s, a plea of guilty by the accused was considered the 'queen of proofs', and sufficient for a sentence to be imposed. This gave rise to bestial methods of interrogation, torture, etc.

Up to 1958, in the Soviet Criminal Code there existed the institution of dealing with analogy. This gave the prosecution the power of attributing acts not explicitly envisaged by the Code according to the Article considered to be the most similar.

The Criminal Code of 1922 envisaged responsibility for the so-called 'degree of danger presented by the person'. Article 7 proclaimed: the 'degree of danger presented by the person occurs with the committing of acts harmful to society, or activities which give evidence of a serious threat to public order'. Under this formulation came the jobless, homeless, and beggars, even if they had committed no illegal acts.

The Soviet legal system was the first in the history of criminal practice which, in addition to penalties, also included 'measures of social protection', the precise meaning of which was not specified. These measures were widely applied during the times of collectivisation and industrialisation, and ensured a supply of unpaid labour by millions of persons condemned by the courts or punished without trial. This also gave the Soviet authorities free rein to deport or exile groups of people who were inconvenient on account of their ethnic, professional or class back-

ground, in the absence of any specific charges against them. Thus, according to a resolution of the Central Committee of the All-Union Communist Party (Bolsheviks) and the Council of People's Commissars of the USSR of 14 May 1941 'On the expulsion of anti-social elements from the Baltic Republics, Western Ukraine, Western Belarus and Moldova', entrepreneurs, foreign citizens, bureaucrats of the former government structures and their families, prostitutes and other categories of citizens were exiled to the eastern regions of Siberia. For Western Ukraine alone the far from complete data puts the number of those deported at above 200,000.

For a long time, Soviet criminal legislation did not dare acknowledge, even formally, that the law has to guarantee the correction and re-education of convicted persons and the re-establishment of law and order. On the contrary, in a number of cases, the law itself was conducive to injustice.

It is sufficient to recall the decree of the All-Union Central Executive Committee (VTsVK) of the USSR of 7 April 1935 on the application of criminal penalties to 12-year-old law-breakers, including the death penalty. When, at the same time, it was permitted for a communist to be cleared of criminal responsibility, provided that the relevant Party organs gave their consent.

There was a permanent problem of the codification of the legislation then effective. Apart from the Criminal Code, there existed a number of normative acts which contradicted it. For example, the resolution of the Central Executive Committee (TsVK) and the Council of People's Commissars of the USSR of 7 August 1932 'On the protection of the property of state enterprises, collective farms and cooperatives, and the strengthening of communal (socialist) property', envisaged the imposition of the death penalty. But at that time the Criminal Code of the Ukrainian SSR envisaged milder penalties for such acts. A whole series of decrees, which were adopted by the TsVK and the Council of People's Commissars, were kept secret and inaccessible as far as the general population was concerned. Often a punishment for crime was envisaged in legislative acts not relating to criminal law. These included, in particular, the confinement of dissidents in psychiatric clinics, depriving them of citizenship and exiling them abroad.

In 1961, during the Khrushchev thaw, a new Criminal Code of the Ukrainian SSR was adopted, which is still effective. Under the pressure of the world community, the Soviet Union was forced to accede to a number of international conventions on human rights and reflect them in the new Code. Formally, it was obliged to renounce all inhuman principles. But, in spite of their content, the ideological and philosophical principles did not recognise the change and remained a direct continuation of the previous criminal legislation. In place of the uncertainty of the concept of crime was introduced the uncertainty of the classification of criminals.

In particular, they envisaged division of crimes into serious (Article 7<sup>1</sup>) and those which constitute a major threat to society (Article 51). In truth, there is still a third group, which was not included in the previous Codes and which has no specific name.

The fact of an action belonging to this or that group entails corresponding legal consequences. It may constitute grounds for closing a case. On the other hand, the law does not set out clear criteria to be observed by the law-enforcement organ considering the deed. This is left to the judgment of the organ concerned, which leads to a real breach of legality.

The use made in the Criminal Code of concepts and categories demanding value judgements has not stood the test of practice and has become a paradox, especially at the present time. How, today, in an era of galloping inflation is one to interpret the concept of 'substantial damage', which is a qualifying criterion in many articles? Once again, on the basis of personal judgment. In other words, this is a continuation of the existence of the same institution of analogy which has officially been renounced, yet it still exists. Moreover, Article 206 (hooliganism) contains the totally undefined and ambiguous concepts 'gross breach of social order', 'explicit disrespect of society', 'exceptional cynicism', and 'especial insolence'. In practice, this has constantly led to abuses by investigators and judges using the qualifications of this article, where no concrete actions are envisaged. At the same time, a third of all prosecutions in Ukraine were for hooliganism.

The use in Article 154 of the Criminal Code of the concept 'Speculation' mocks the citizens of Ukraine. According to this, virtually all Ukrainian citizens are speculators. The law-enforcement organs have practically ceased to enforce this concept, and it is dead. Nevertheless, in the Supreme Council of Ukraine one may hear demands from populists for harsher penalties for speculation and calls to arms at suggestions that this article should be abolished. The civilised world does not know and has never known such a concept as 'speculation'. A person has the right to buy and sell whatever is not forbidden by the legislation in force. In other words, clearly specified trading rules and tax tariffs are established, the breach of which constitutes a criminal offence.

In acceding to the Council of Europe, Ukraine assumed the obligation of suspending the imposition of the death penalty as one of the sanctions of the legal norms of the Criminal Code. For almost eight decades, starting with the post-communist imperium and up to the present time, the death penalty has been hypocritically defined as a temporary penalty. According to Amnesty International figures, in 1994, Ukraine occupied the fifth place (after Iran, Iraq, China and Nigeria) in carrying out death sentences. Has this reduced the number of serious crimes in the state? No, they are increasing. The reason lies not in the existence or absence of the death penalty. It is rather a matter of the morality and conscience of society. Christian morality proclaims: 'Thou shalt not kill!' And this applies to states, too. A state which kills its criminals itself becomes a criminal. This has become the European principle, and Ukraine wants to be a European state.

Obviously, the time has come to introduce new penalties into the Criminal Code – imprisonment for up to 25 years, with a maximum penalty of life imprisonment.

Working on this historical excursus in the development of Ukraine's criminal legislation, I want to stress that these fatal errors of the past must not be allowed a place in the forthcoming first Criminal Code of independent Ukraine. The existing Criminal Code cannot be used as the basis for a reform of Ukraine's criminal legislation. Unfortunately, such ill-thought-out steps have already been taken under the aegis of the Cabinet of Ministers, which, following the old Soviet traditions and principles, has worked out a draft Criminal Code and given it to the Ukrainian parliament for the latter's consideration. This draft continues the legacy of the previous legislation with its content and basic postulates. The opportunistic nature of the changes does not affect the blemishes of the existing Code. It is amazing that the Cabinet of Ministers, which has proclaimed that it is setting out

on the path of reform, is trying to do so with old and bankrupt equipment. I am hoping that the word of the President of Ukraine will carry weight in this matter.

Hence it is no coincidence that, in my capacity as a people's deputy, I have submitted an alternative draft Criminal Code, based on a new principle. This was drawn up by scholars and legal practitioners, headed by Professor V.M. Smiti-yenko of the Ukrainian Academy of Internal Affairs, who holds the degree of Doctor of Juridical Sciences.

Here I shall mention a few of the conceptual principles of this draft legislation:

1. recognition that the Criminal Code defines not only prescriptions and prohibitions, the breach of which entails the imposition of penalties, but is also a reliable protection of the values common to all humanity;
2. the humanisation and depoliticisation of all institutions of criminal legislation;
3. renewal of the historical approach to the theory and practice of criminal legislation which existed through the centuries-long history of Kyivan Rus', the Ukrainian people and its statehood;
4. establishment of a necessary relationship of the voluntary effort of an offender to eliminate the harmful consequences of his crime and the severity of the penalty imposed, and also between the intention of the offender to make complete reparation of the harm done during the course of the sentence, and the possibility of parole or early release, amnesty or pardon.

There are several innovations in the general preamble of the draft. For instance, Article 14, 'Causative link', envisages the institution of criminal proceedings only under the condition of proven evidence of a causative link between the offence and the harmful consequences which ensue.

The chapter on 'Subjects of criminal responsibility' first of all establishes criminals apart from physical and juridical persons. This is a question of contemporary importance, involving matters of principle, which has both supporters and antagonists. Such responsibility is embodied in the criminal legislation of other countries, and operated extremely effectively during economic crises in these states. At present, in Ukraine's new market economy, some enterprise structures use their legal status simply for criminal aims. We may recall the 'MMM scandal', which ruined a whole section of the population of Ukraine. This company's actions were in fact not covered by the existing criminal law.

Article 35 defines the forms of criminal activity. Circumstances excluding responsibility are defined as an error in the evaluation of the legitimacy of an action, and criminal-legal collusion between the victim and the guilty party.

Chapter 12, 'Punishment and its forms', establishes new penalties – namely criminal restitution depriving an offending organisation of its status as a juridical person, and its liquidation.

The draft renounces such forms of punishment as deprivation of parental rights, inasmuch as this form of punishment is amoral, and the substitution of forced labour for a suspended prison sentence, since this is simply a disguised method of using the unpaid labour of convicted persons to 'solve' economic problems. The renunciation of the death penalty is also envisaged.

A major innovation is described in the special section of the draft. This begins with chapters whose content is the protection of the peace and security of humankind and its environment, the health of the population, life and human rights. For the first time, it includes chapters on actions which infringe freedom of conscience and the

legal activity of religious confessions. Offences against property are treated in a new way, in light of their equality under the law. Certain minor actions (negligent use or storage of agricultural equipment, grain or seed) are decriminalised. 'Hooliganism' is dropped from the conceptual basis of the draft, and is considered instead as an aggravating factor in other crimes. Penalties relating to performing military service are considerably extended in comparison with the current ones.

The full text of the draft was published in the periodical *Imenem zakonu* (In the name of the law, No. 43, 28 October 1994), issued by the Ministry of Internal Affairs of Ukraine.

At international presentations, the draft Criminal Code which I have described has always been highly acclaimed. It has also been reviewed by the UN, where it evoked wide-ranging expert comments which have since been used to improve it further. A number of proposals of the draft have gone into the text of a model Criminal Code for the republics of the former USSR which do not have the resources to prepare their own legislation. It has also received a positive response from UNESCO. The authors of the draft have been invited to work on criminal legislation in Russia and other states. It is hoped that Ukraine, too, will put a proper value on the expert work of its citizens. □

## The Formation of the Ukrainian Army, 1991–95

*Konstantyn Morozov*

I would like, first of all, to recall the beginnings of the formation of the Ukrainian Army by mentioning two well-known documents: 'The Ukrainian SSR has the right to its own Armed Forces',<sup>1</sup> and 'To subordinate all military formations, deployed on the territory of the republic, to the Supreme Council of Ukraine. Establish a Ministry of Defence of Ukraine. The Ukrainian Government to begin the creation of the Armed Forces of Ukraine'.<sup>2</sup> These are two state Acts, passed a little more than a year apart, the first declaring Ukraine's right to its own Armed Forces, and the second implementing that right. To augment these Acts, there were later adopted a Concept of the defence and the Armed Forces of Ukraine, laws 'On the defence of Ukraine' and 'On the Armed Forces of Ukraine', and a Concept of the socio-psychological service of the Armed Forces. In implementing this legal base, Ukraine was the first of the republics of the former Soviet Union to become a state with its own Army.

More than four years have passed since those decisions were taken, but the Army, which has become one of the important attributes of Ukrainian statehood, so far does not feel that the state has an appropriate attitude towards it. Existence almost without a budget (from 1991), political ambiguity of its principal role, fundamental deviations from national legislation in its development, constant reductions in the manpower and matériel of combat units and formations, with a simultaneous establishment of ever-changing command structures, the catastrophic state of the economic situation of service personnel and their families – all these factors have attracted the anti-state element, and are eroding the Army from within, and, in the opinion of patriots, are allegedly deliberately reducing the prestige of military service at a time when the Army should be acquiring new qualities in a new state.

The reasons for this situation, like the tasks of building the Armed Forces, lie in many spheres of state-building. They have come about, first and foremost, as the consequence of a series of both foreign and domestic political mistakes and actions in each period of this course, and miscalculations at the state level. At the same time, changes in the leadership of the Armed Forces have introduced into the process of their formation subjective characteristics across the entire spectrum of problems of the state task, from the principles of the formation of the Army to the strategy of its potential role.

### Stages of formation of the Armed Forces

In my opinion, from the point of view of the practical influence of events on the process of the formation of the Army from 1990–95, this period can be divided into three stages. The first – preparatory – stage was one of transition, from the declaration of the right of Ukraine to its own Armed Forces to the beginning of

<sup>1</sup> Declaration on the State Sovereignty of Ukraine, 19 July 1990.

<sup>2</sup> Decree of the Supreme Council of Ukraine 'On military formations of Ukraine', 24 August 1991.

the practical implementation of this right. The second and third stages are those of genuine statehood, but have different political characteristics. Each stage includes achievements and mistakes, which strengthened, or, conversely, weakened the very idea of a Ukrainian Army.

Thus, the first stage (July 1990–August 1991) was a time of laying the political foundations of Ukrainian statehood and its important attribute – the Army. In November 1990, the Union of Ukrainian Officers drew up the first Concept of the Armed Forces of Ukraine, which was approved by the Great Council of the Popular Movement of Ukraine (Rukh) in December of the same year. Of the three possible approaches,<sup>3</sup> the third – evolutionary – option was selected. This option was also chosen by the First Congress of the Union of Ukrainian Officers, which was held in June 1991, and was, moreover, taken as the basis of the work of the Supreme Soviet on legislation concerning issues of the formation of the Armed Forces. Now, with all due respect to patriotic appraisals of all relevant events, from this first stage onwards, I believe the selection of the ‘third’ option to have been forced, but nevertheless the only correct one. This choice took into account the situation in Ukraine, which was at that time still part of the USSR. General Boris Sharikov, the then head of the political command of the Kyiv Military District, in his telegram of 30 June 1991 informed the political organs of the military district that the cadre officers of combat units, formations, higher educational establishments, military commissariats of the district, and the veterans’ organisation resolutely protest against the decisions of the congress, and support joint Armed Forces’.<sup>4</sup>

Thus the position of patriotic officers during that period was not only courageous, but also, through its correctness, became the first step towards the achievements in the rebirth of the Ukrainian Army.

The second stage (August 1991–the end of 1993) was one of tackling the countless problems which cropped up in the formation of the Army. August 24, 1991 was the day which detached Ukraine from the moribund empire, and established its right to rule its own territory. On that day the Supreme Council, with its Decree ‘On military formations of Ukraine’, subordinated all the military formations deployed on the territory of the republic, created the Ministry of Defence of Ukraine, and empowered the government to start forming the Armed Forces of Ukraine. To implement these decisions, and without waiting for the results of the all-Ukrainian referendum on independence, scheduled for 1 December 1991, the organisational group of the Ministry of Defence, in November, drafted and submitted for review to the Supreme Council a Concept of defence and the Armed Forces of Ukraine. By December, Ukraine became the first of all the former Soviet republics to have its own Laws ‘On the defence of Ukraine’ and ‘On the Armed Forces of Ukraine’.<sup>5</sup> On this legal basis, the President of Ukraine was able to act to break the resistance in the military districts, where simultaneously the commanders were replaced and the

<sup>3</sup> The first two approaches stipulated a radical approach through the formation of parallel structures based on a voluntary patriotic movement, or else on the basis of internal forces and civil defence troops subordinated to the Supreme Council, the third approach entailed the reform of the group of Soviet Armed Forces on the territory of Ukraine into the Armed Forces of Ukraine. After August 1991, the second and third approaches effectively coalesced.

<sup>4</sup> Boris Sharikov, Telegram to commanders of political organs, No. 19/129, 30 June 1991.

<sup>5</sup> Ratified by the Supreme Council of Ukraine on 6 December 1991.

command organs reformed.<sup>6</sup> Beginning in January 1992, the oath of allegiance to Ukraine was administered to the various units so that within three months Ukraine had more than 80% of military personnel juridically defined as belonging to the Ukrainian state. In spite of later distortions of this process and the existence of testimonies that those who swore the oath at that time were by no means all 100% sincere, I should like to stress that this criterion of definition<sup>7</sup> was, though not sufficient, extremely necessary. It provided a basis for effecting the relatively peaceful transfer beyond the borders of Ukraine of close to 10,000 officers who made no secret of their unwillingness to acknowledge Ukraine's statehood. This operation, and the transfer from Ukraine of tens of thousands of conscripts from other republics, was in the main completed by May 1992, thus finally eliminating the question of the participation of Ukraine in the so-called Joint Armed Forces.<sup>8</sup> After this Russia was obliged to look to the formation of its own armed forces and was only able to put further obstacles in Ukraine's way where the issue had not been fully implemented, or where it hoped for concessions from Ukraine.

One can say with hindsight that the decision to form a Ministry of Defence on the basis of the command system of the Kyiv Military District was correct, and its implementation timely. If the command of the forces of the three military districts had not been taken over at that time, Ukraine would now be engaged in a continuous process of negotiation instead of having its own Army. I regard this as a major achievement for Ukraine in its process of state-building. But at that time the lack of decisiveness in two attempts to take over the command of the Black Sea Fleet and to form the Ukrainian Navy on its basis,<sup>9</sup> brought this issue to a prolonged standstill and transformed a situation of uncertainty into a furious campaign of open opposition, and a state problem.

The years 1992–93 were the era of Ukraine's first steps into the world as a state which has its own armed forces. Contacts and agreements with countries of the former Warsaw Pact, members of NATO,<sup>10</sup> and participation in the UN peacekeeping operations constituted achievements in the formation of the authority of Ukraine's Army, and hence the state. However, the use of this authority in the interests of the state, primarily its defence, was ineffective. In particular, it did not achieve a political advantage commensurate with the nuclear weapons, the opportune presence of which in Ukraine was not qualified as a deterrent against possible aggression.

This stage I would still describe as that of the first attempts to give the nascent Ukrainian Army the attributes of a truly Ukrainian Army by means of cadre poli-

<sup>6</sup> Decree of the President of Ukraine, 29 January 1992.

<sup>7</sup> Decree of the Supreme Council of Ukraine, 6 December 1991. Later Ukrainian Armed Forces Day.

<sup>8</sup> The idea of joint armed forces, originally of the Union, and later of the CIS, was launched by the leadership of the former (All-Union) Ministry of Defence. After 1991, this leadership entered into what became known as the 'Joint Armed Forces of the CIS', and part of it, later, went to the Russian Ministry of Defence. The joint defence system of the CIS was set up at the Tashkent conference in May 1993.

<sup>9</sup> Excluding the commander of the Black Sea Fleet from the Decree of the President of Ukraine of 29 January 1992, which relieved the commanders of the Kyiv, Odessa and Carpathian Military Districts, and leaving him at the post when additional measures were being used to subordinate the Fleet, Decree of the President of Ukraine of 5 April 1992.

<sup>10</sup> During this time, there were bilateral exchanges of military delegations and military cooperation was established with Poland, Bulgaria, Romania, the Czech Republic, Slovakia, Moldova, Belarus, Latvia, Germany, France, Great Britain, Turkey and the USA.

cy. And, in my opinion, this aroused all forces which opposed such a concept, to fight against the Ukrainian idea in state-building as a whole, and in the sphere of defence in particular. Here, too, however, it might have been possible to act more decisively in order to make this process irreversible as quickly as possible.

The third stage (end of 1993–to the present) is now under way, but is subject to increasing pressure from left-wing political forces with their plans for CIS integration right up to the restoration of the Union. This imposes serious constraints on the entire process of the formation of a defence system for Ukraine, and the development of its Armed Forces, in particular. Nevertheless, this period, and, I am inclined to stress, especially 1994, has been one of a new, and significantly higher, level of organisation of operational readiness of the organs of command of the Armed Forces, and the combat and tactical training of the troops. It may be considered that, from that time onwards, the Army has been freed from the influence of politicians and focused on essentially practical tasks. In practice, I agree and again stress that this is an achievement, but is the process of forming the Army, particularly after 1994, without political interference? Obviously, this is the view of those who are interested in prolonging the current situation. Undoubtedly, this third, current, stage is a time of formation for the Army, and also of the increase of its role among the guarantors of Ukraine's independence, hence the Army, too, is increasing its demands, analysing its present state and all aspects of its development.

### **State of the Armed Forces: political factors**

Proceeding now to an analysis of the stage of practical actions in the building of the Ukrainian Armed Forces, I would like to relate them to the political situation in Ukraine, which forms the foundations of statehood, on which the Army is to be constructed. The situation of the Army today is a consequence of this situation. Let us look at these consequences in three important spheres.

*The ideological sphere.* To date, in Ukraine the formation of the political system has not been completed, no ideology of state-building has yet been developed, nor even its foundations properly defined. It is perceived by different officers in different ways. Under these circumstances, the process of education in the Armed Forces is in decline. Ukraine has not become a single homeland for the officers, while for the other ranks this fact has become a threat of victimisation. The Army is not becoming Ukrainian, and hence cannot be a reliable agent of foreign policy among the sheaf of such agents at the disposal of the president. The reason is becoming ever more comprehensible: the Ukrainian national idea should lie at the core of Ukraine's defence system no less than it does in the foundations of state-building. Without it one cannot form a deterrent based on the main qualitative parameter – the human component. As far as this parameter is concerned, neither Ukrainian patriots nor foreign experts have, to put it mildly, any great regard for the Ukrainian Army.

*The political sphere.* Officers today do not know what is the political basis of the state, and hence remain politically uncommitted. It is unfortunate but true that the Ukrainian Army remains wide open not only to the influence of those political forces which are fighting for power within the country, but also of those outside forces which are fighting against Ukraine's independence. Likewise there are no

properly defined political guarantees of Ukraine's security, and the world does not understand Ukraine's priorities: Europe, Asia, or the role of a buffer between them. Officers perceive and assess these circumstances in various ways, and this also divides them along political lines.

*The economic sphere.* The economic foundations of Ukrainian statehood are likewise undefined, the goal of the left-wing forces, which operate on the principle 'the worse the better' has not been condemned by anyone and has not been explained: this distorts the perception of the situation in the country, and gives rise to a corresponding political outlook among the officers. Raising the question of Ukraine's way out of the economic crisis without a political assessment of the causes of that crisis simply acts in favour of the restoration of broken links, instead of a political commitment to developing the foundations of Ukraine's own economy. The economic activity of the Armed Forces today is aimed exclusively towards the sale of equipment and weapons, while not a single plan for the purchase or joint development with other countries of small-arms, artillery systems, or combat aircraft is being implemented.<sup>11</sup> In every field, the focus is towards Russia, and there is a growing threat that the Ukrainian state will be dragged into dependence on Russia up to the point of a forced military-political union. Such is the situation which surrounds the Army.

*Is the Ukrainian Army competent?* Today this question is of interest to the Ukrainian authorities and people; foreign politicians and political analysts are searching for an answer to it. A 'Russian affiliate' is how some foreigners denigrated the Ukrainian Armed Forces, after observing their personnel during joint summer exercises in Ukraine last year.<sup>12</sup> This is unpleasant, but other assessments, apart from those which land on the desk of the Ukrainian leadership, concur. The Army, which has still not been properly formed, is sick almost unto death. As far as we know, the competence of the Army follows from assessments of its capabilities and readiness with respect to the following factors: human, matériel, training, commitment to defence, security, etc. The assessment of the Army, based on the assessment of the role of these factors, determines the defence capability of the state. What, then, is the effect of these factors on the capability of the Ukrainian Army? What are the results of this?

*The human factor.* The Law 'On the Armed Forces of Ukraine' states that: 'the military-patriotic education of servicemen is to be carried out according to the national-historical traditions of the people of Ukraine'.<sup>13</sup> This constitutes the basis for the education of soldiers and junior officers in sentiments of civic patriotism, without which no army exists in the world. At the same time, it is a criterion for the assessment of the suitability of ensigns, officers and generals during their selection for service. Thus, in addition to the existing well-known criteria for assessing the human factor, such as the professionalism and activity of servicemen, there is the new criterion of patriotism. Its novelty lies precisely in something which certain people, alas, cannot see. This assessment is made with respect to a

<sup>11</sup> In 1991–93, the Ukrainian government did not review this problem, and suitable finances for the proposed programmes were not laid down in the budget.

<sup>12</sup> Joint exercises at the Yavoriv training area in June 1995.

<sup>13</sup> The Law 'On the Armed Forces of Ukraine', Article 11.

baseline that is new in principle: a sense of belonging and loyalty to the Ukrainian state. In other words, not only the roots which connect a person with the Ukrainian land, but also his conscious acceptance of Ukraine's independence, the creation in his consciousness of an image of Ukraine as a single homeland, not merely a constituent part of the former Union, and readiness to defend that homeland against anyone. For the Ukrainian Army, this is a problem. The Army was formed by political means. The participation of Ukraine in the CIS has halted the processes of the Ukrainianisation of the Army, and by pulling Ukraine further into joint structures not envisaged by Ukrainian legislation, is depriving the Ukrainian Army of the possibility of becoming Ukrainian, and is excluding the formation of its principal force – the human factor.

*The technical factor.* The question of arms for the needs of the Ukrainian Army has evoked no great interest among the leadership of the state from its inception until now. Possibly the leadership has the impression that the Army is over-equipped and that all that is necessary is arms-reduction. What matters, however, is not simply the overall current volume of weaponry, but also forward planning. Moreover, for Ukraine there remained, as a legacy from the empire, a military industrial complex, which although huge was incapable of acting independently. Military-technical cooperation, as organised within the CIS, continues, in actual fact, to make Ukraine's military industrial complex dependent on Russia. As concerns the availability of sufficient matériel in good working order and the possibilities of producing and replacing it, this has a negative effect on the capability of the Ukrainian Armed Forces. Thus the formation of the bases of Ukraine's economy, from the defence point of view, is a determinant for the formation of the technical component of a defence-ready state.

*The readiness factor.* The assessment of this factor should be given according to other criteria, but here, too, patriotic experts also play a determinant role.

The factors affecting the state of combat-readiness of the Armed Forces, first and foremost, should be identified as commitment to defence and the training of the personnel in implementing the plans for raising the combat-readiness of the troops and command and control systems. The criteria for assessing the commitment to defence are the suitability of the structure of the Army, and the deployment of units of the various Armed Forces in accordance with their role. This is the principal consideration in the formation of armies world-wide, but for Ukraine it has remained for four years a 'delicate' matter. It is no accident that, up to now, Ukraine has not yet decided with whom and against whom it must organise its defence, and what kind of army it requires.

### **Current problems of military reform**

Have these requirements been recognised? What are the plans for the current reforms? Are they being implemented at all? In Ukraine, in fact, owing to certain political circumstances and lack of experience, and in order to consolidate more rapidly the fact of independence in the formation of Ukraine's defence, in its time the main principle of the sequence of the formation of its legal basis was violated, that is: from general concepts, to concrete programmes. I mean the sequence of elaborating drafts and the acceptance by the state of the Concept of national security, the Plan for military reform, the Military Doctrine, and the Plan and Programme for

forming the Armed Forces. Owing to the absence of such an approach and in such a sequence, in 1993 Ukraine ratified the Military Doctrine without having a Concept of national security, and now that there is one, the elaboration of the Plan for military reform has not been organised. Under these conditions, the planning or implementation of the formation (although we erroneously talk of reform) of the Armed Forces involves significant moral and material losses.

The Plan for military reform in Ukraine, which should have been elaborated by a special body at the National Security Council, still does not exist to this day. Therefore the Plan for the formation of the Armed Forces, as one of its elements, likewise does not exist.

What kind of Army does Ukraine need? It is strange but true that in the fifth year of state-building we are only beginning to think about these problems even at the higher levels. To quote a colleague at the Ministry of Defence

... today, delving into the whole set of these problems, we feel that it is not easy at all to answer the question 'What kind of Army do we need?'. Thus, in order to define its parameters, it is first of all necessary to forecast, as fully as possible, trends in the foreign policy situation, and the directions of the future progress of the state. Only on this basis can we have more-or-less clearly defined tasks and fundamental characteristics of the Armed Forces. For this, it is necessary to take into account, too, the objective uncertainties, which may be connected with the future CIS, or problems of the expansion of NATO, and also with the situation on the borders of Ukraine'.<sup>14</sup>

One cannot disagree with this. The factors influencing the tasks and characteristics of the Armed Forces, as well as the basis for their determination, have been established correctly. Who said that today Ukraine does not have all that it needs for this? I believe that Ukraine does possess the main answers to the given questions, and, as for the rest, these too could have been found a long time ago if there had been a real desire to do so. I can propose several ideas on the theses mentioned in this article.

- From the point of view of the development of the foreign policy situation.

It is well-known that the political situation in Ukraine is shaped by the attitudes of other countries towards the foreign policy which Ukraine is conducting. These attitudes, and the associated adjustment of the policies of other countries towards Ukraine, form the foreign policy situation. Does Ukraine have a basis for predicting and assessing trends as they develop? I believe that it does. As early as 1993, the Supreme Council of Ukraine passed a decree ratifying the 'Fundamental directions of the foreign policy of Ukraine'.<sup>15</sup> This document laid down that the 'basic requirement in the realisation of the foreign policy of Ukraine is the fullest possible and most effective security of the national interests of the country'. The principles on which the state conducts its foreign policy were likewise formulated. They are the objects of assessments by other countries in the shaping of their stance towards Ukraine. They are just, but not to the liking of everyone, for Ukraine 'conducts an open foreign policy and aspires towards cooperation,... avoiding dependence on

<sup>14</sup> Materials of the Ministry of Defence Collegium, *Narodna Armija*, 1 December 1995.

<sup>15</sup> 'Fundamental directions of the foreign policy of Ukraine'. Decree of the Supreme Council of Ukraine No. 3360, 1993.

any states or groups of states,... it recognises no territorial claims against itself,... [is] against the stationing of foreign troops on the territory of other states'.

The above position of the foreign policy course of Ukraine shows that the state has the baseline and potentialities both to foresee the foreign policy situation around itself, and to assess future trends. The Army has to be called to ensure the state's unwavering adherence to its course on the basis of national interests, and hence the Army itself must be, first and foremost, Ukrainian. This is the fundamental task of military reform.

- Regarding the directions of the further course of the state.

Although a number of explanations of this (what state to build?) have been given, including some at the highest level, we will try to support them with the aid of documents.

Firstly, the 'Fundamental directions' determine the foreign-policy aspect of the course of the Ukrainian state, and, as is known, it is here that the parameters of its security are included. To effect this, the

foreign policy of Ukraine is directed towards the implementation of the following most important tasks: the consolidation and development of Ukraine as an independent democratic state, ensuring the stability of the international situation of Ukraine, preserving the territorial integrity of the state and the inviolability of its borders, the integration of its national economy into the world economic system..., the defence of the rights and interests of the citizens of Ukraine abroad..., the spreading in the world of the image of Ukraine as a predictable reliable partner.

Defining its position vis-à-vis the Western states – members of the European Community and NATO – Ukraine stands for the 'establishment with them of relations of political and military partnership..., the re-establishment of former ties between Ukraine and European civilisation', while it views cooperation within the CIS exclusively on the principles of 'sovereign partnership, equality and mutual benefit,... it avoids participation in the creation of forms of inter-state cooperation, capable of transforming the CIS into a suprastate structure of a federative of confederative character'.

It is obvious that adherence to such a policy requires an independent Army. In Ukraine's situation, the independence of the Army, in the first place, is determined not by its juridical neutrality, but by the actual possibilities for the country to ensure its autonomy from the former empire. This is the next task of military reform. Its implementation is significantly complicated by Ukraine's membership in the CIS, and this is the reason that the nexus of problems of making the Ukrainian Army independent continues to drag on.

- Regarding the 'objective indeterminacy of the CIS'.

A certain part of Ukrainian society is convinced that as a member of the CIS Ukraine has no chance of realising its own foreign policy course. As regards the absence in the future of this creation in its present form, there are, I think, very few people in Ukraine today who doubt this. But let us return to the facts.

The CIS, which was created, according to its founders, to effect a 'civilised separation', is not living up to its definition. Neither a just division of the assets of the former Soviet Union, nor a peaceful transition of the former republics to an independent form of existence of their statehood was permitted by Russia. Russia, under whose aegis the CIS has, in actual fact, been from the very beginning, em-

## Britain Awakens to Ukraine: Europe's New 'Strategic Pivot'

*Taras Kuzio*

The one-day visits of Prime Minister John Major and President Bill Clinton to Ukraine in April, en route to the nuclear safety summit in Moscow (April 19–20) are examples of what are becoming a regular stopover for Western leaders on their way to consultations and meetings in the Russian capital.

After years of neglect, Britain, Germany, the USA and Canada are currently promoting the strategic importance of Ukraine to European security. This is producing a storm of diplomatic activity on the eve of the Russian presidential elections. US Secretary of State Warren Christopher has met President Kuchma on three occasions this year, on one occasion (in February) in the presence of Russian Foreign Minister Yevgenniy Primakov in Helsinki. Already this year (February 20–21), President Kuchma has paid a highly successful high-profile visit to the US which led to further security assurances for Ukraine.

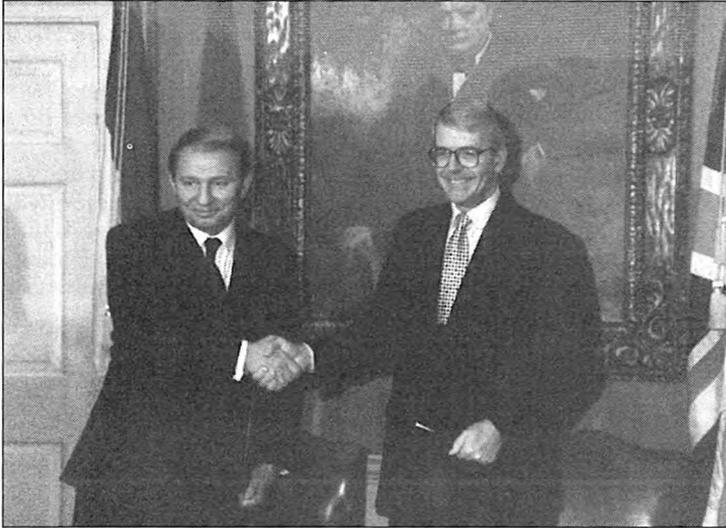
In 1995, Ukraine undertook the largest number of military exercises within NATO's Partnership for Peace of any former Soviet bloc country. With an eye on domestic developments in Russia, on account of its geopolitical position, Ukraine is keenly interested in forging a 'special relationship' with NATO which would include a political consultative mechanism. For the moment at least, Ukraine is not applying for NATO membership – but this stance could change if a communist or ultra-nationalist wins the Russian presidential elections. Although the West is now committed to an enlarged NATO to include all, or some, of the Visegrad Quadrangle countries, it has still to resolve the more complicated question as to where Ukraine fits into the new post-Soviet European security system.

Immediately after the disintegration of the former USSR, Britain at first largely ignored Ukraine and, like many other Western countries, followed a Russia-centred policy that, at times, served to legitimise the carving out of a Russian sphere of influence in the CIS through a new Russian 'Monroe Doctrine'. The Ukrainian Foreign Ministry complained on the eve of Rifkind's visit to Ukraine in September 1995 that, 'Britain has in fact not yet formed a clear, well-thought concept of relations with Ukraine. The policies of John Major's government regarding our state are in fact being formulated from week to week, which means they have no consistency'. Although Ukraine was at last being considered separately from Russia, British policy towards Ukraine was, nevertheless, still 'reserved'. Rifkind told his Ukrainian hosts that Ukraine is Europe's new 'Strategic pivot' and backed its re-integration into Europe.

An attempt to rectify Britain's slow recognition of Ukraine's strategic importance was an international conference entitled 'Whither Ukraine' at the Foreign Office conference centre at Wilton Park in Sussex, England, last December, during the same week as President Kuchma's three-day visit to the UK. A major survey of post-Soviet and East European studies in the UK last year also served to reverse the Russo-centric bias of post-Soviet Studies in the UK: 35 new posts, three of which are in Ukrainian affairs, at the Universities of Birmingham, Lon-

don and Essex. Five other newly-created posts include Ukrainian affairs as part of joint studies of the region. A major international conference on Ukraine entitled 'Soviet to Independent Ukraine: A Troubled Transformation' is scheduled to be held at the University of Birmingham on June 13–14, funded by the Foreign and Commonwealth Office and the Economic and Social Research Council. Participants from the UK, the USA, Germany and Ukraine have been invited, and former President Leonid Kravchuk is expected to deliver the keynote speech.

During President Kuchma's visit to the UK last December, Prime Minister Major told him that, 'Ukraine has an absolutely pivotal role to play in the future



President Kuchma and Prime Minister John Major,  
London, December 1995

of Europe'. Ukraine, which for so long was pushed to the sidelines of Western strategic thinking, is now increasingly ranked alongside the three Baltic republics as of vital strategic importance to European security. 'Ukraine occupies an important place in the European security system because its strategic and geographic location requires this', British Defence Secretary Michael Portillo said during Kuchma's visit to the UK.

Speaking at the Royal Institute of International Affairs, Ukrainian Foreign Minister Hennadiy Udoenko said that, 'Ukraine reserves the right to become a member of any military and political structure which, in its evolution, would tend to be part of a new system of European security'. Udoenko also unquestionably backed his British colleague's, Foreign Secretary Rifkind's, call for Ukraine to play a role worthy of its strategic importance in Europe's newly developing security architecture. 'While developing Ukraine as an independent European state we, properly speaking, return to historical traditions which determine the natural place of our country as a participant with full rights in the European community', Udoenko said. 'By transforming and reforming, Ukraine itself is getting

more closer to Europe, in the same way as Europe, changing, moves towards Ukraine', he added.

Western support for Ukrainian independence is all the more urgent in the aftermath of President Yeltsin's cancellation, for the sixth time, of his planned visit to Kyiv to sign a legally-binding inter-state treaty that would have recognised the current frontiers inherited from the former USSR. Yeltsin's calculated gamble not to visit Kyiv was almost certainly related to the probable effect of such a signing away of 'Russian territory' on his chances of re-election in June. The majority of Russian public opinion has considerable difficulty in accepting Ukrainian sovereignty over these territories or even the idea of Ukrainian independence as such.

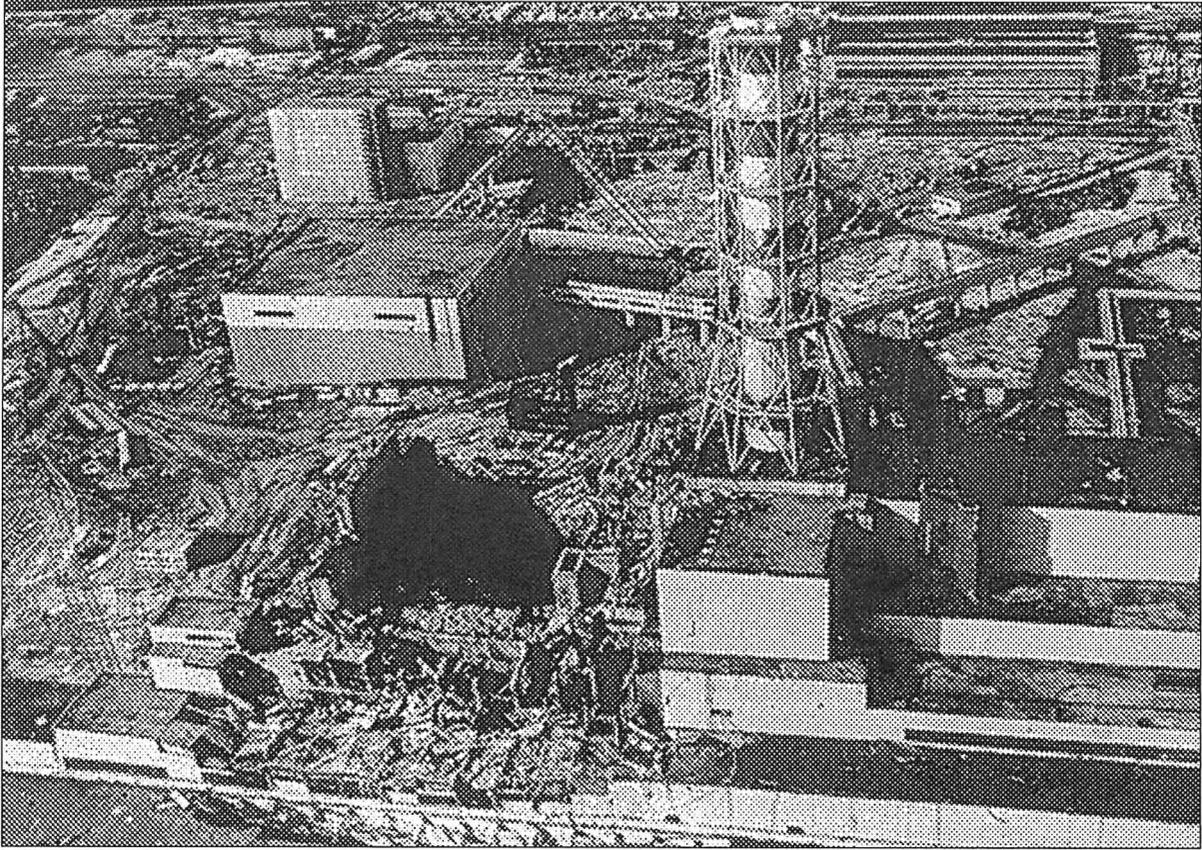
Russia would find it impossible to restore its great power status to challenge the West and NATO as a new military-political bloc without the incorporation of Ukraine. Both leading Russian presidential candidates – Yeltsin and communist leader Gennadiy Zyuganov – know this and have targeted Ukraine as the next link to be included in the new Eurasian empire they are both seeking to forge. Prime Minister Major's visit to Ukraine was therefore a signal to Moscow reinforcing the new Western stance that the independence of Ukraine is seen as a vital test of Russian intentions. Any attempt to incorporate Ukraine within a revamped Soviet Union would be perceived as renewed 'empire building' and could well prove detrimental to Russia's own national interests, leading to a renewal of the Cold War, Russia's isolation from the world community of nations and an end to Western economic and political assistance. □

## Chornobyl – Ten Years On

Vera Rich

On Saturday, 26 April 1986, at 1.24 a.m. local time, the No. 4 reactor at the 'V.I. Lenin' Chornobyl nuclear power station in northern Ukraine exploded, causing serious radioactive contamination to some 150,000 sq. km of territory in Ukraine, Belarus and Russia, with a population at that time of more than 7 million. The authorities of the Soviet Union were unable to conceal the fact of the accident from the outside world. By the following Monday morning, the fallout had reached Scandinavia and Finland, and denials from the Kremlin would have simply made nonsense of Mikhail Gorbachev's new policy of *glasnost*, announced only a month previously. Old habits, however, die hard, and instead of issuing immediate health warnings to the population downwind, Soviet officialdom embarked, as far as its own citizens were concerned, on a policy of misleading silence. The nearby town of Prypyat, which housed the work-force of the power-station and auxiliary services, was evacuated only on the Sunday afternoon. Not until the first week in May were the residents removed from what was to become the 30 km-radius 'total exclusion zone' round the Chornobyl station. Soviet TV carried news-footage from southern Belarus, showing spring agricultural activities proceeding on schedule. It was only 18 days after the accident that Mikhail Gorbachev appeared on All-Union TV, admitting to the fact of the accident in a speech which, at the time, was hailed by professional Kremlin-watchers as a miracle of *glasnost*, but which, when one actually reads the transcript, reveals itself largely as a diatribe against the Western nuclear 'hawks' and President Reagan's 'Star Wars' policy. The unfortunate victims of Chornobyl were, in effect, simply another pretext for Gorbachev to expatiate on the nuclear arms race.

Not all Soviet officials supported Gorbachev's policy. In two settlements in southern Belarus the usual May Day festivities were cancelled. According to one report which reached the West (its source was a now-deceased cousin of a member of the Central Committee of the Communist Party of Ukraine), Ukraine's CP boss, Volodymyr Shcherbytskyi, pleaded by telephone with Gorbachev to be allowed to cancel the parade in Kyiv – but was told that if he did so, Moscow would wash its hands of any responsibility for the accident, leaving the Ukrainian SSR to bear the entire cost of the aftermath. But, for the most part, as well-trained cogs in the Soviet *apparat*, officials in all three republics went along with the politically correct fiction that dangerous radiation levels stopped neatly and uniformly on the perimeter of the 30-km zone. During the course of the summer, a few areas well beyond this limit were quietly evacuated – but it was not until the spring of 1988 that the full extent of the contamination was revealed due to the efforts of such campaigners as Yuriy Shcherbak in Ukraine and Stanislaŭ Šuškievič in Belarus. This unwillingness of the Soviet authorities to acknowledge the full extent of the Chornobyl contamination must be held directly responsible for the legacy of radiation-related illness in the former Soviet Union – a legacy, which, ironically, the Western nuclear-energy lobby now tries to minimise, dismissing the evidence of doctors in Ukraine, Belarus and Russia as being based on faulty methodology.



The No. 4 reactor at Chernobyl shortly after the explosion on April 26, 1986.

The victims of Chernobyl can be divided into several categories.

1. *The 'liquidators'* – that is, the persons involved in the 'clean-up' following the accident, both fire-fighters at the accident site itself and those (mostly military conscripts) involved in the decontamination of the affected areas. The anecdotal evidence collected, in particular, by the Ukrainian writer Yuriy Shcherbak and also scattered throughout various published sources, indicate that many of these had to work in what amounted to suicidal conditions. Certain acts of heroism at the accident site itself were undertaken knowingly; however, the vast majority of those doing decontamination work were obliged to obey orders with little knowledge of the true risk. Protective clothing was at best inadequate, and in many cases absent altogether. Personal dosimeters were not calibrated to deal with such high levels of radiation, and in any case (according to the personal reminiscences of 'liquidators' themselves) army medics were instructed to 'correct' readings downwards to the level of 'acceptable' risk. In some instances, 'liquidators' were forced to continue their service in the contaminated areas beyond even the optimistic Soviet estimates of what constituted a 'safe' limit. (In August 1986, a contingent of 'liquidators' from Estonia went on strike when they were not withdrawn on schedule, and as late as 1990 there were reports of army units being left for long terms in radiation 'hot spots' as a result of bureaucratic muddle and incompetence).

According to the official figures (as presented at a conference in March 1996 in Minsk on EU-funded research related to the aftermath of Chernobyl), two persons died during the accident itself and 237 persons were taken to hospital suspected of over-exposure to radiation. (This figure includes, apparently, both fire-fighters and emergency crews working at Chernobyl, and also members of the power station staff on duty at the time of the accident). Of these 237, 134 were found to be suffering from acute radiation syndrome (ARS). Fifty-six had received radiation burns, of whom 2 had also received thermal burns. Twenty-eight of these patients died within a few weeks as a result of radiation exposure – and one of coronary thrombosis. (The much-publicised efforts of the American, Dr Robert Gale, to treat them with bone-marrow and foetal liver transplants proved, in fact, useless). Furthermore, according to these figures, in the period 1987–90 five patients died, and from 1992 to 1 March 1996, nine more died with a confirmed diagnosis of ARS.

The gap in these statistics is significant – there are no figures for 1991 – the year when the Soviet Union collapsed. The EU-funded projects date only from 1992, and, moreover, relate only to the three republics – Ukraine, Belarus and Russia – most affected by fallout, whereas the 'liquidators' themselves came from all over the Soviet Union. For deaths from ARS the omission of 1991 probably reduced the total of fatalities by not more than one or two. Regarding other consequences of exposure, the degree of under-reporting is undoubtedly more serious.

According to the EU figures, there were, in all, some 800,000 persons involved in the 'liquidation' of the accident – mainly 'non-professionals' (i.e. army conscripts). Of these, 78% were found in 1988 to be 'healthy', but by 1995 the figure had fallen to 20%. A whole spectrum of illness contributed to this situation, the most common being disorders of the nervous, cardio-vascular, respiratory, digestive and osteo-muscular symptoms. Oncological diseases as yet play a relatively small role here; an increase of leukaemia, lymphomas and thyroid cancers

(in comparison with the 'normal' incidence of these diseases) has been observed in the 'liquidators' of 1986 only – not in those of 1987 and later. The total mortality rate of the 1986 and 1987 'liquidators' is said to be no higher than that of a 'reference group' of the population. However, according to the EU data, there is now 'serious concern' over a significant rise in the rate of complete or partial disability among the 'liquidators', especially the 1986 contingent.

A rise in the rate of violent death (including suicide) has also been observed among the 'liquidators', evidently a symptom of the disruptive indirect effects of the disaster. According to one expert, leukaemia 'may well have increased' among those 'liquidators' who received higher doses of radiation, but further studies will be needed to prove it. One problem is that there is no proper data available on the range of activities of the 'liquidators', with estimated doses and the numbers of persons involved in each type of work. (The Soviet statistics tended to concentrate on the gross numbers of those receiving the financial benefits paid to 'liquidators' – but anecdotal evidence suggests that in some cases these were also paid to persons who never actually went near the contaminated areas – bureaucrats in the relevant ministries, scientists who offered advice from afar, etc.). However, any follow-up studies of the 'liquidators' carried out by Western epidemiologists would presumably be done on the premise (based on a naive acceptance of Soviet claims) that all 'liquidators' received more or less uniform doses, since they were all, on an individual basis, removed from the area as soon as they had received a radiation dose of more than 100 millisieverts – an assertion which even the prestigious scientific journal *Nature* seems willing to accept (see *Nature*, Vol. 380, No. 6576, p. 653, 25 April 1996), but which is refuted by the anecdotal evidence of the 'liquidators' themselves. Accepting this premise unchallenged could considerably distort the results of such studies.

2. *The evacuated population.* In 1986, between 27 April (when the neighbouring town of Prypyat, built to house the Chornobyl workers, was evacuated) and mid-August, some 160,000 people were moved from their homes in what the EU reports term a 'justified and effective counter-measure'. (It would, of course, have been considerably more 'effective' had the population at risk been warned of the danger and instructed to take even the most primitive measures of self-protection until they could be moved. Likewise, in a number of instances, people were simply moved from a contaminated site close to Chornobyl to one that was further away but equally, or even more, contaminated!). In addition, between 1990 and 1995, there was a further wave of evacuations – 52,000 people in Ukraine, 106,500 in Belarus, and about 47,500 in Russia – following the 1989 revelations of the true extent of the contamination.

3. *The population of the 'monitored' areas* – that is, those regions where, although 'normal' life and work was not possible, it was officially deemed possible to live, taking special precautions, and (at least in theory) receiving special supplementary income and food supplies from the state. The Soviet philosophy of work meant that agricultural production continued in these areas, even though the produce was unfit for consumption or industrial use and had – officially at any rate – to be destroyed.

In both these two groups, the proportion of 'healthy people' has fallen considerably, and now amounts to only 21% among the evacuees and 24% in the 'mon-

itored' territories. Apart from the exception of thyroid cancer (discussed below), so far no rise in the rate of solid cancers and leucosis has been observed in the 'monitored' areas. The most significant health effects so far observed in these two groups have been psycho-somatic and in particular stress-related diseases.

4. *Children.* A significant rise in thyroid cancer (associated with the ingestion of radioactive iodine-131) has been observed in all three countries among children and young people who at the time of the accident were aged between 9 and 18 years. A total of some 1,000 cases has been diagnosed, the overwhelming majority of which have been shown to be attributable to Chernobyl. This figure is expected to go on increasing, with a peak in the incidence of new cases towards the end of the decade. So far, there have been only three deaths from thyroid cancer, but this figure will undoubtedly increase in the future. All the more so, since the economic situation in all three countries precludes the most reliable form of treatment – the removal of the entire thyroid gland. For such an operation has to be followed by a lifetime's treatment of regular doses of thyroid hormones. The post-Soviet health services cannot ensure such a supply. Western charities are, currently, making major contributions to medical relief for the victims of Chernobyl – but as time passes, and the memory of the accident fades from public consciousness, while new and urgent demands are made on the purses of the charitable – such help must be expected, inevitably, to decline. The only treatment available to these children, therefore, is something of a gamble; the surgeon has to decide how much of the affected gland he dare leave in place to go on producing hormones – knowing that it, too, in the future may prove cancerous!

Child leukaemia, at the present time, poses a problem. One report to the EU conference suggested that a thorough study of the children among the early evacuees 'might', if undertaken, reveal an increase in the incidence of this disease. As far as the population of the 'monitored' (i.e. contaminated) regions are concerned, a study carried out under the auspices of the European Childhood Leukaemia Incidence Project (ECLIS) appears to indicate that the continued exposure has had no observable effect. This result (which is substantiated also for Belarus by the findings of the Institute of Haematology in Minsk), contradicts what was expected both in the Chernobyl-affected countries and in western Europe, and, as one report to the EU conference in Minsk put it, 'will probably not be readily accepted'. All the more so, since a rise in childhood leukaemia is considered the prime indicator of radiation effects – and hence suggests that long-term exposure to radiation (as in the 'monitored' zone, in fact, involves relatively little risk). But this suggestion has been strongly challenged by, in particular, Dr Aleksey Yablokov, head of the Russian Centre for Environmental Policy. Western scientists, he says, are seriously underplaying the long-term risks of such exposure.

A major factor in all work on the medical effects of Chernobyl is the lack of proper data. Soviet doctors were forbidden to compile data on the relevant diseases. Some, in fact, did so in secret, but such reports, even if co-ordinated later, are inevitably patchy. And when, in 1990, an attempt was made, in Belarus, to collate these 'clandestine' records – the computer being used was stolen in the midst of the work, and the diskettes of vital data destroyed! Those who wish to play down the medical effects of Chernobyl can thus cite the lack of data, or the establishment of proper statistical controls. A notable scientific effort has been

made at dose reconstruction – backtracking from the evidence provided by, e.g. milk teeth shed by children from the contaminated areas, but there can be no doubt that the secrecy surrounding the early days and years after the disaster has considerably complicated the tasks facing the impartial researcher.

Finally, the effect which, in the immediate post-Chornobyl period, evoked the greatest fears and ‘black’ anecdotes among those who knew (as the majority did not) the risks to which they had been exposed – genetic mutations. As far as the human population is concerned, it is far too early to estimate the full impact – and to some extent will be reduced by the reluctance of young people resident in (or evacuated from) the affected areas to risk having children at all. (Studies on small mammals – voles – in the 30 km ‘exclusion zone’ began as early as 1986). Enough evidence has already been collected to indicate an increased rate of inherited mutations in both humans and animals living on Chornobyl-contaminated land. The full medical implications of this research have yet to be established, but are unlikely to prove comfortable. □

## Comments on the Draft Constitution of Ukraine (February 24, 1996)

*Bohdan A. Futey*

As Ukraine continues the process of adopting a new Constitution as part of restructuring its government, it is important to remember that no foreign advisor or expert is suggesting the adoption of the Constitution of another nation, such as the United States, Germany, or France. Ukraine, in fact, may draw on its own sources in establishing a democratic nation, for instance Hetman Pylyp Orlyk's Constitution of 1710. This document established democratic principles such as the separation of powers, private ownership of property, and an independent judiciary. Another native source is the 1919 Constitution of the Ukrainian National Republic, which addressed such principles as freedom of speech and the rights of national minorities in Ukraine. The principles embodied in these documents have been the subject of extensive commentary as they appear in the Constitutions and laws of other nations. It is my hope that these prior comments, as well as my own, will assist in the formation of Ukraine's new Constitution.

As the transition of their governmental structures continues, Ukrainians are taking note of the resulting economic market-oriented reforms. They should, however, also consider the legal reforms that must underpin the change in Ukraine's economy. The United States has recognised Ukraine's efforts in these matters, as demonstrated by the American Bar Association's 1996 CEELI Award to President Leonid Kuchma for staying firm on a course towards reform. No greater example of this reform can be found than the evolution of Ukraine's draft Constitution. The latest version from the Working Group of the Constitutional Commission, dated February 24, 1996, contains particularly great strides in the areas of national symbolism, individual rights, the separation of powers, economic liberties, a unified judiciary, and in local self-government. Nevertheless, the present draft of Ukraine's Constitution, like the previous drafts, attempts to encompass too much in one document.

This draft of Ukraine's Constitution also continues to underline the tension that exists between trying to forget the past, while at the same time trying to preserve the social ideals that the former system never lived up to. As evidenced by the latest draft Constitution, the drafters are inclined to obtain and provide for the Ukrainian people the guarantees of political freedoms and liberties they never possessed. At the same time, however, they appear to be wary of the radical social change that has come with the demise of the Soviet Union. Some illustrations of rights in this draft, that were suppressed during the Soviet years, include: the right to travel freely in and outside Ukraine (Article 28), the right to privacy of correspondence and telephone conversations (Article 26), the right of association (Article 31), the right to defend one's life (Article 22), the right of access to government information about oneself (Article 27), freedom from censorship (Article 29), freedom from being used in medical or scientific experiments (Article 23), and freedom from torture and inhumane treatment (Article 23). All of these protections are illustrative of the Ukrainian people's legitimate fear of a re-emergence

of a Soviet-style regime. On the other hand, the proposed draft illustrates the fear (and lack of confidence in a capitalist system) that Ukrainians seem to have in the radical socio-economic change that will result in abandoning the social aspects of a socialist/communist system. Some examples include provisions that guarantee employment (Article 38), the right to housing (Article 42), the right to rest and leisure (Article 40), and to a clean environment (Article 45).

A Constitution may include positive and negative rights. Negative rights protect against government interference by limiting the role of government. They establish basic private rights and personal freedoms, such as freedom of speech, press, religion, and assembly. Negative rights are enforceable under the rule of law. A court may declare a policy or enactment of the government improper or illegal. Positive rights require the government to do something for the benefit of the individual. However, they are practically unenforceable. Examples of positive rights include the right to a job (Article 38), the right to housing (Article 42), and the right to 'satisfactory living standards' (Article 43). A Constitution which gives rights that cannot be enforced would not be considered a serious legal document. Therefore, the presence of positive rights in the Constitution may curtail protections which stem from negative rights. A better place for such 'guarantees' of positive rights is in the Preamble or Declaration of Purpose, where they would be viewed as goals for which the nation strives. The new draft attempts to solve this problem by rephrasing the positive rights, thereby moving in the right direction. For example, Article 38 guarantees 'the right to have the possibility to earn a living'. This limits the state's obligation to create the conditions necessary to exercise this right. Thus, the courts need not require the government to provide a particular job to a particular person. In doing so, the draft has preserved the spirit of rights that appeared even in the communist Constitution, while at the same time avoiding enforcement problems which would affect the credibility of the entire document.

Individual rights are reasonably well enumerated in this draft. Furthermore, Article 17 clearly states that constitutional rights and freedoms may not be abolished. One potential problem is that, while purporting to protect particular rights, the draft opens the possibility of statutes varying constitutional rights over time. Article 60, for example, states that constitutional rights may not be restricted, except in cases prescribed by the Constitution and laws adopted in accordance with it. This provision makes constitutional rights dependent upon the membership of the National Assembly at any given time. As a result, the National Assembly could accomplish by a majority vote what would otherwise require a two-thirds vote to amend a constitutional provision. This situation can be described as a 'claw-back', where one gives something with one hand and takes it back with the other.

In response to the intense discussions on economic reforms, the draft Constitution also addresses property rights. The aim is to introduce a free market economy as a foundation for the economic policy of the nation. The desire for a free market system requires a change from the old command-administrative system. The cornerstone of this change is the principle of private ownership of property in its fullest meaning. Without private property there cannot be a free market economy. The draft guarantees all types of ownership of property, including private ownership (Article 36).

In order to establish a system based on the separation of powers, the Constitution must establish branches of government that are not only separate, but also co-equal. In order to ensure the co-equality of the separate branches, the Constitution must provide each branch with a series of checks and balances. The current draft espouses the principle of separation of powers in Article 6, which establishes the legislative, executive, and judicial branches.

There seems to be a political consensus developing among drafters to establish a Presidential Republic. Nevertheless, the draft could use some fine tuning with respect to the power of the legislative branch to check the executive branch. For instance, although Article 105 requires the President to seek the consent of the Chamber of Deputies in appointing the Prime Minister, the President has no such restriction in appointing other ministers in the Cabinet. Giving the National Assembly a voice in the appointment process for at least half of the Cabinet of Ministers would go far in reducing the risk of governmental authority becoming too concentrated in a single branch. Nevertheless, the President should retain the right to dismiss ministers and other high officials of his administration without the consent of the National Assembly.

Another concern regarding the National Assembly stems from Article 72, which divides the legislative branch into two chambers: the Chamber of Deputies and the Senate. Some commentators fear that a bicameral legislature will result in Federalism, which would lead to the fragmentation of the country. This feature, however, should be viewed as a positive step because it will give the representatives of *oblasts* a greater voice in the affairs of the country. A bicameral legislature alone does not establish Federalism and would not destroy the Unitarian State provided for in Article 2.

Moreover, Article 105 gives the President the power to create and 'liquidate' ministries (clause 13) as well as the authority to create courts (clause 20). These powers, however, are generally considered to be legislative functions. Therefore, assigning these powers to the National Assembly, rather than the President, would strengthen the concept of the legislature's co-equality and allow for a better system of checks and balances.

As regards the Office of the President, further elaboration may be needed on the President's role in the government. Article 101 clearly states that the President is the head of state. This Article also indicates that the President coordinates the activity of state bodies of power with bodies of local self-government. This may be interpreted to mean that the President is also the head of the executive branch and of the government in general. This idea might survive in the final draft. Regardless of the final outcome, the Constitution should clarify who serves as the head of the government and has ultimate responsibility over the executive branch – the President, the Prime Minister, or the Cabinet of Ministers.

A great improvement in the area of checks and balances is the new draft's placement of the Procurator's Office in the executive branch, rather than allowing it to exist as an unchecked fourth branch of government. Article 119 expressly enumerates five powers granted to the Procurator. This is in contrast to the corresponding article in the old draft (Article 121), which granted very broad oversight authority over adherence to the law as well as courts' decisions. Now, Article 101 properly establishes that the President has the authority to guarantee compliance

with the Constitution and to secure civil accord in society. Furthermore, the draft no longer contains the express provision emphasising the Procurator's independence from all branches. Thus, this draft appears to restrict the Procurator's power, a wise choice given the historical experience of this office under Soviet rule.<sup>1</sup>

Chapter VIII of this draft, entitled 'The System of Justice', addresses the judicial branch of government. Article 123 establishes the Supreme Court of Ukraine as the highest judicial body, with other territorial courts falling under the Supreme Court's authority. The drafters are to be commended for this improvement over the old Soviet system of courts.<sup>2</sup> Despite the partial unification of the judiciary achieved in Article 123, this draft maintains a distinction between the Constitutional Court and courts of general jurisdiction. This separation implicates somewhat the doctrine of separation of powers because the courts of general jurisdiction lack the tools necessary to act as a separate and equal branch of government. The Supreme Court and lower courts of general jurisdiction cannot interpret laws nor declare laws and acts unconstitutional. By assigning that authority to the Constitutional Court, the draft Constitution skews the principle of checks and balances in favour of the other two branches. One way to resolve this problem under the proposed system is for the Constitutional Court to be considered as a real judicial branch. While it might be preferable to establish a completely unified judicial system, as exists in the United States, it is important to note that the proposed system is still a great improvement over prior suggestions, such as the three-tiered system that Ukrainians had in the past. Furthermore, one must keep in mind that, despite this potential problem, the current proposal for the judicial system does not represent a rejection of democratic ideals. Ukraine is simply not moving towards the particular system chosen by the United States. Rather, Ukraine is choosing a different option, one prevailing in some European countries, to achieve the same goals.

Additional concerns, however, remain in this draft regarding the Constitutional Court. For example, the draft calls for 14 Constitutional Court judges with seven to be appointed by the President and seven by the Senate of the National Assembly. Unfortunately, the draft does not state how many judges must agree in order to constitute a binding decision. Is a simple majority needed? A two-thirds majority? If a simple majority is needed, what happens if there is a tie? In the United States, when the judges are evenly split, the lower court's decision stands. The draft, however, does not establish a court below the Constitutional Court. Proponents of the 14-judge court suggest that the Chairman's vote would carry more weight and allow that side to prevail, but this idea has not been clearly articulated in the draft. An alternative would be to allow the Supreme Court to appoint 3 judges of the Constitutional Court. This would reduce the possibility of deadlocks and allow the Supreme Court to play a role in selecting judges of the Constitutional Court.

<sup>1</sup> Judge Bohdan A. Futey, 'Preliminary Comments on the Draft of the Working Group of the Constitutional Commission of Ukraine as it Relates to Judicial Power', December 15, 1995.

<sup>2</sup> 'Comments by Judge Bohdan A. Futey on the Proposed Draft of Ukraine's Constitution (Draft of October 26, 1993)'. Presented at the Second World Congress of Ukrainian Lawyers, Kyiv, October 21-24, 1994; see also 'Comments on the Revised Draft of the Law of Ukraine on the Court System (Judicial System)', October 16, 1995.

Another problem is the judges' objectivity. The draft provides for judicial immunity from unpopular decisions, which should enhance the judge's ability to render impartial opinions. Other provisions, however, hinder the appearance of impartiality. For instance, judges of the Constitutional Court serve a 10-year term. As a result, relatively young judges face the prospect of finding future employment and, with that in mind, might favour one party over another. In addition, the judges elect the Chief Judge from their own ranks, which may encourage patronage among the judges. Further, the draft Constitution fails to guarantee the non-reduction of judicial salaries. In order to reinforce the public's confidence in the judicial system, it is important to guarantee judges' independence in making decisions by eliminating pressures from the other two branches and by securing their lifetime tenure and non-reducible salaries. These deficiencies in the draft Constitution may instead create the appearance of impropriety in the public's mind.

Another change is the matter of who has access to the Constitutional Court. Former drafts allowed citizens to bring complaints themselves. They can no longer do so under Article 150 of the current draft. To make up for this change, Article 50 gives persons the right to appeal to various courts and entities for enforcement of their rights. Article 50 also allows persons to appeal to the United Nations or the Council of Europe, although it is unclear how those organisations could enforce rights under the Ukrainian Constitution. Under Article 150, only certain enumerated entities may raise issues before the Constitutional Court: the President, the Procurator General, the Supreme Council of the Crimean Autonomy, the Authorised Representative of the National Assembly of Ukraine on Human Rights, and the National Assembly. Matters raised by the National Assembly must now be sponsored by at least seventy-five Deputies or twenty-five Senators.

Several questions remain that must be answered in the final draft of the Constitution. How independent is the judicial branch? The February 24, 1996 draft establishes checks and balances between the executive and legislative branches. The Constitutional Court, with its power to interpret laws and declare acts unconstitutional, serves as a check on the other two branches. The rest of the judiciary, however, does not enjoy such power. The non-reduction of salaries should be guaranteed for the judiciary. In addition, the impeachment procedures should be the same. Article 125, however, allows for a statute to establish different impeachment procedures for judges. Thus, depending on the statute, it could be relatively easy to remove judges. This would compromise the independence of the judicial branch. Nevertheless, organising most of the judicial system under one 'umbrella' and clarifying the Procurator's role in government are great steps forward on the path to a system based on the rule of law. Given the foundations established in this draft Constitution, it will be interesting to observe the development of future laws on the Judiciary. Another issue that needs refinement is the Constitutional Court's workload. Perhaps a better approach would be to allow the courts of general jurisdiction to address constitutional issues initially, with the Constitutional Court having the final say on appeal.

One noteworthy characteristic of this draft Constitution is its references to symbolism. Article 15 establishes the State Flag, Emblem, Anthem, and capital city. Furthermore, Article 10 declares that the State (official) language is Ukrainian. Ordinarily, Constitutions do not contain references such as these. The drafters,

however, realise the importance of establishing these symbols of sovereignty given Ukraine's experience in the past.

Ukraine is now at the end of the first part of the transition process. On March 20, 1996, the Constitutional Commission successfully put the issues on the table for discussion by presenting its final draft to the Supreme Council. While no one may be one hundred per cent satisfied with the provisions of the current draft, it is a substantial improvement over previous drafts, with a good chance to become the foundation for both freedom and the rule of law. At the very least, the drafters have delineated the provisions that serve as the basis for meaningful debate. All that is needed now is 'a fine tuning with precise language'. After an exhaustive drafting process, as well as commentary on those drafts, the time has come to act. Ukraine must move forward to the second phase of the transition process by actually adopting the Constitution. In doing so, Ukraine will establish the basis for its fundamental law, demonstrate an additional attribute of its statehood, and provide a fitting tribute for the fifth anniversary of Ukraine's independence. If the Supreme Council cannot adopt the draft Constitution by the required two-thirds majority, the only recourse would be for the President and the Supreme Council to agree to submit the draft to a national referendum, pursuant to the Constitutional Agreement. This option might actually be preferable. A recent poll conducted by the International Foundation for Election Systems indicates that 67% of Ukrainians believe that Ukraine should have a new Constitution, and that 64% expressed a desire to participate in its adoption. What is needed is a credible document that will gain the confidence of the people. □

## *Quartercentenary of the Union of Brest*

### **Kyiv-Mohyla Academy: The Cradle of Ukrainian Theological Thought**

*Anatoliy Kolodny*

The first Ukrainian national renaissance (sixteenth–seventeenth centuries) took place under a religious watchword. The return to the Ukrainian community of its right to a national church, the cultivation of the moral, educational and religious merit of its religious activists was the most important question of the national-renaissance process. This religious aim assumed different forms. While it led some to Eastern-rite Catholicism as a national faith, it directed others towards the propaganda of some Protestant teaching and attempts to find in it new means for the manifestation of national life. And one of the routes to realising this aim was the revitalisation of Orthodoxy as the traditional national church. One person who played a particular role in this process was Petro Mohyla (1596–1647). His tenure as head of the Kyiv Metropolitanate (1632–47) formed an entire epoch in Ukrainian Orthodox-Church life.

At the time of Mohyla, the Orthodox Church had loyal relations with the Polish government, and at the same time maintained a formal distance in its relations with the Patriarchate of Constantinople. Mohyla understood that Orthodoxy displayed its inferiority in its confrontation with the arguments of Catholic theology, in which dogmas of themselves are not taken as fundamental postulates, but are a developed system of credible deductions. This was assisted by a close connection with philosophy. Mohyla took as his aim the mastering of this equipment of Catholicism and using it to defend his own creed, without in any way compromising its dogmatic essence.

To his task of revitalising Orthodoxy, the Metropolitan also strove to subordinate the College which he had established in Kyiv, and which later acquired the status of an Academy. Unlike other institutions of higher learning in the Polish-Lithuanian Commonwealth, the Kyiv Academy was an Orthodox establishment. The idea that the Academy, and its predecessor, the College, represented an amalgam of Eastern and Western cultures, and that it was predominantly a Latin-Polish institution has no foundation whatsoever. Defining the role of his College, Petro Mohyla wrote that it had been founded to stem the great loss in human souls and to return to Orthodoxy those who had gone astray. Theological schools were assigned this task not only to serve the needs of the educated strata of the Ukrainian community, but also to counter all influences of Catholic schools, which were being used as a tool of Polonisation. Petro Mohyla envisaged the Kyivan College, in particular, as an effective means of stemming the heterodox propaganda and the raising of Orthodox authority. It carried out this role successfully. In his decree of 1729, Hetman Danylo Apostol stressed that this Kyivan centre of learning was very necessary for the homeland. There the ‘sons of Ukraine and others

stud[ied] the liberal arts and from there g[ave] essential support to the Orthodox Church and the Homeland’.

In the seventeenth century, the Kyiv-Mohyla College played an important role in the development of the Ukrainian literary language. Such distinguished Ukrainian Orthodox activists as Iov Boretskyi, Kasiyan Sakovych, Lazar Baranovych, Ioannikiy Galyatovskiy, and Teofan Prokopovych, many of whose works were written in the Ukrainian literary language, which was closely rooted in the current vernacular form, made a significant contribution to this process. Significantly, the majority of professors and students of the College used Ukrainian as the language of day-to-day communication.

Mohyla, however, did not base the educational system of the College on the Byzantine-Slavonic traditions defended by Ivan Vyshenskyi and Zakhariy Kopysenskyi. While remaining utterly loyal to Orthodox dogmas and rites, he adopted as his model the educational system of the Catholic Church. The uniqueness of the College lay in the fact that it introduced, for the first time on Ukrainian soil, the teaching of theology at an academic level. The course was taught on a professional basis by ‘the most educated people [who] lectured with sincere enthusiasm’. The instruction was of a polemical nature. The first lecturers were the students and successors of Petro Mohyla, Isaiah Kozlovskiy – the first Rector of the College, and Sylvester Kosov – its first Prefect, as well as Isaiah Trokhymovych – one of Mohyla’s senior religious advisers. Mohyla’s systematic exposition of Orthodox dogma, developed during the teaching of the theology course in the Kyivan College, has not survived to the present day. What has survived, however, is the *Orthodox Confession of the Catholic Faith* or the Kyivan Catechism, a theological work compiled by Trokhymovych, which was commissioned by Petro Mohyla and approved by the Holy Synod of Ukrainian bishops in Kyiv in 1640, and later also by all the Eastern Patriarchs. The publication of this work was a triumph for Mohyla and for Ukrainian Orthodox theology.

Mohyla was also disturbed by the fact that ‘opponents and false brethren of Holy Orthodoxy’ harassed the Orthodox, ‘shamelessly calling our clergy uneducated, coarse’. They accused Ukraine of ‘heresy in the conduct and administration of the Divine Mysteries and other religious services’, that it ‘does not know the number, form, material, intention and consequences of Divine Mysteries, cannot explain them and uses various ways in the achievement of the Divine Mysteries’.<sup>1</sup> To counter these criticisms, Mohyla collected and reviewed the Ukrainian liturgical tradition. The consequences of this work were embodied in the book *Eucholegion, or Prayer-Book or Ritual*, published in 1646. This *Ritual* contained 126 orders of service, of which 37 were essentially Ukrainian. Thus, the order of baptism permitted not only immersion, but also aspersion. In the sacrament of Holy Matrimony, the couple had to swear an oath of loyalty to one another. In addition to services and various offices, the *Ritual* also contains remarks and teachings with various explanations. The prayers and services contained in the book are in the Church-Slavonic language, and the majority of teachings and explanations are in Ukrainian.

<sup>1</sup> *Trebnyk Petra Mohyly. Kyiv, 1646*, Canberra, Munich, Paris, 1988, p. 48.

Mohyla also planned to publish a suitably edited text of the Bible and a collection of saints' lives, but his untimely death left these plans unrealised. In his testament the Metropolitan wrote:

Before I became the archimandrite of the Monastery of the Caves, seeing that the decline of the faith and piety among the Ukrainian people comes from nothing other than the complete lack of education and schools in [Ukraine], I made the following promise to God – to allocate part of my whole estate, which I inherited from my parents, and the entire residue of the income from the estates which appertain to the holy office entrusted to me, to the reconstruction of those churches of God which have been destroyed and of which only miserable ruins remain, and one part for the maintenance of schools and the consolidation of the rights and freedoms of the Ukrainian people.

Convinced that he had carried out his promise and brought great benefit to the Ukrainian Church from education and educated people, Mohyla, 'wishing to make provision for the College, as it were for an only daughter, endowed for the future', allocated considerable funds to it.<sup>2</sup>

After the suppression of the Mohyla College by the Poles in 1665, there was a long break in its activities. However, immediately after the restoration of this educational establishment in 1673, its Rector Teofan Prokopovych (the elder), the uncle of his namesake, the notable student and activist of the Kyiv-Mohyla Academy, organised the teaching there of theology and philosophy. However, at first there was no formal theology course at the Kyivan College, since in the Polish-Lithuanian Commonwealth, of which the Ukrainian lands formed a part, only recognised higher educational institutions had the right to teach theology – and for a long time the Polish authorities were unwilling to grant the College the necessary recognition. According to the Polish historian Jablonowski, they feared that 'it might become the focus of a cultural schism and Rus' separateness', a tool for preparing a weapon against the expected achievement of 'appeasing the Greek faith'.<sup>3</sup> Under these conditions, the study investigation of individual theological topics was embodied in courses on philosophy.

In 1689, on the request of Hetman Ivan Mazepa, a theological course was inaugurated at the Kyiv-Mohyla College, which itself received the status of an Academy. From then on, there were regular courses in theology as an academic discipline. These were taught subsequently to the philosophy course and soon became the dominant academic discipline. The Department of Theology was headed by the Rector.

Only two textbooks from the theological course at the Kyiv College have come down to us. The first was published in 1642–46. It comprised the teachings of St Thomas Aquinas, without any significant changes. The other was derived from the theological course taught at the Academy in 1693–97. The duration of this course was four (later three) years. If one takes into account that the philosophy course at the College lasted three years and the poetry course – only one year, the

<sup>2</sup> Quoted from M. Voznyak, *Istoriya ukrayinskoyi literatury* (History of Ukrainian Literature), Lviv, 1992, Vol. 1, pp. 386–7.

<sup>3</sup> Quoted from Z.I. Khizhnyak, *Kievo-Mogilyanskaya Akademiya* (The Kyiv-Mohyla Academy), Kyiv, 1988, p. 69.

significantly greater time devoted to the study of theology is in itself evidence of the importance of this course in the curriculum of the College.

The first four-year course in theology took place in 1689–93. It was taught at the School of Divinity by the Prorector and Prefect Ioasaf Krokovskyi. During his final years at the Academy (1696–99), the distinguished churchman Stefan Yavorskyi taught two courses – in contemplative and exegetic theology. These courses included polemics against militant Catholicism, in the form of an exposition by his theologians of individual dogmas of the Christian faith, and their views on the position of the Church in general and the Pope in particular in the history of Christianity.

The main attention of the theological course at the Academy was focused, first and foremost, on the fundamental matters of faith and questions which were open to discussion or not readily comprehensible from the viewpoint of mundane reasoning. The content of each theme was dealt with rather too extensively, and included the clarification even of its most minute propositions. Uniting in itself both the theoretical and the practical subtext, theology thus became at the Academy a mixed discipline. This was due to the very aim of the course – not only to confirm the students in the truth of their own Orthodox faith, but also to create in them the habit of 'repelling all attacks of their enemies and even overcoming them'. The professors of theology, and likewise their colleagues from philosophy, solemnly promised not to teach anything contrary to the doctrines of the Orthodox Church.

We cannot give a detailed analysis of all the theology courses taught at the Academy over the various years. They were taught in Latin, and have to this day not been translated and published in Ukrainian. A preliminary analysis of the contents of these courses indicates that each of them consisted, basically, of 8–11 tractates. These considered mainly the same theological problems, however, the lectures were given in different sequences, often without any interconnection or internal logic. This is explained by the fact that every lecturer took as the basis of his course the *Summa theologiae* of St Thomas Aquinas, and thereafter practically did not depart from Aquinas's proposed schema of theology and his understanding of it. If one of the lecturers of the course did adhere to the Thomist schema in its entirety, this was due either to the large volume of relevant scholastic material from which the lecturer wanted to select only the most essential parts, or else to his own particular interest in certain theological problems. Hence between these tractates there is often an absence not only of internal, but also of any perceptible external connection.

Almost all the professors opened their theology courses with a Tractate on God and His attributes. Inokentiy Popovskyi (1705–6) called his 'God the All-Merciful, the Absolute, the Perfect'. Only Teofan Prokopovych (1710–16) allowed himself to leave the discussion of God, His existence and His attributes to the fourth Tractate. He began his course with lectures on the essence of theology itself.

Ioasaf Tomilovych (1717–21), Iosyf Volchanskyi (1721–25) and Amvrosiy Duniyevych (1729–33) discussed in the first Tractate the Holy Trinity, considering there, too, questions of the attributes of God. Prokopovych devoted only his fifth Tractate specially to this problem. Unlike his other Tractates, which bear the traces of his philosophical style of thought, this Tractate is entirely grounded in the content of the Bible and is aimed to some measure against the Socinians, who denied the Trinity. Each hypostasis of the Trinity, in Prokopovych's view, is a real and true

God, but there exist not three gods but one God. In order to illustrate his view, the theologian turned to geometry: the triangle, in which all the angles are truly distinct from each other, while at the same time the figure occupies a single space. Prokopovych paid especial attention to substantiating the equal divinity of Christ, using for this purpose the Old Testament figure of the 'Angel of the Lord on high'. It was this angel, he said, through whom God chose the Israelites, gave Abraham the joy of his son, and appeared to Moses in the Burning Bush. This Old Testament angel passed over into the New Testament, and became like unto Jesus, in whom the divine nature was united with the human.

In the majority of the theological courses of the Kyiv-Mohyla Academy, we find separate Tractates on the essence of the holy incarnation of God, the Blessed Sacrament, and on the angels of God. A separate block in each course of lectures was made up of Tractates with a religious-anthropological, and most frequently a moral-ethical content. Thus Teofan Prokopovych, counting on the election of man by God, describes in every way the special features of the state of human perfection. Furthermore he and other professors analyse the essence of man's virtues and the nature of his sins. Inokentiy Popovskiy and Khrystofor Chernutskiy (1706–10) concluded their theology courses with a Tractate on the Sacrament of Penance.

As we have already observed, Teofan Prokopovych played a considerable role in the formation of a positive tradition of theological lectures in the Academy and in the creation of a system of academic theology. Unlike his predecessors, he tried to draw a clear distinction and a structural division between theology and philosophy. In his works the two disciplines are distinguished in their object, principles and methods. Thus, while the object of theology is divine Revelation, that of rational philosophy is logical operations, that of natural philosophy is the natural world, and that of moral philosophy is the moral and social life of man. Theology, according to Prokopovych, is with methodological foundations taken from various books of Holy Writ and are arranged in a certain order for convenience in studying the sacred ideas and texts necessary for the glory of God and human salvation. In his Prolegomena to the course, Prokopovych defined theology as scholarship 'for the knowledge of God and the honour of God, imparted about God through His word, for His glory and our salvation'. Prokopovych called upon those beginning the study of theology to master in depth the discipline of dialectics, and equip themselves with a knowledge of languages, especially Hebrew (for the Old Testament), and Greek (for the New). In his opinion, in order to master the content of the Bible, it is necessary to have a strong faith in its divine origin, a desire to become thoroughly acquainted with the treasury of its mystery, and an eagerness to penetrate into the essence of its every word, since in Holy Writ one and the same word may have diverse meanings. And although Prokopovych considered Luther's teachings to be blasphemous, yet his method of approach to theology was closer to Protestant scriptural exegesis than to the Catholic scholasticism, which he had mastered during his time in Rome at the Collegium Romanum. Expressing a certain inclination to the theological tradition of Catholicism and Protestantism, Prokopovych asserted that 'the true knowledge of God exists only in the Church, in the Orthodox Church'.

Prokopovych not only condemned the scholastic method of teaching theology, with its homage to pseudo-scientific dogmas and *a priori* assertions; he also ex-

horted the professors of the Academy to independent thought, requiring them not merely to follow the paths laid down by other scholars, but also to have their own, independently formed, scholarly convictions. He introduced into academic theology the new comparative-historical method developed by Protestant scholarship and based not on expounding the truths of the faith only as logical concepts, but on the rational study of Holy Writ and the history of the Christian Church. For him there existed no dilemma of faith versus reason, but only the unity of faith *and* reason, because, while reason aspires to knowledge, faith is its support. Without restricting himself to the strict conditions of a system, Prokopovych conscientiously worked out each of the eight Tractates of his theological course, paying prime attention to the Tractate on God and His hypostasis. In discussing God, Prokopovych often departs from the traditional Christian understanding of Him as a person. In his opinion, God existed before the creation of the world as perfect reason.<sup>4</sup> The only way to a knowledge of God, he considered, was to approach him 'from creation', from nature. To give reasoned grounds for His existence, Prokopovych used only *a posteriori* proofs. He had eight such proofs. The first arises from a consideration of the world, the second from a consideration of man, the third from the inherent nature of the moral law, the fourth from the existence of a conscience in man, the fifth from the universality of the idea of God in mankind, the sixth from the necessity of a first cause for everything that exists, the seventh from the existence of purposefulness in nature, the eighth from the indisputability of the truths of Holy Writ and its prophecies.

Prokopovych mocked the teaching of the anthropomorphists, who considered that God, like man, had physical members. In the works of Prokopovych, God appears both as the creator of nature and as the guarantee of its preservation, and as the first cause of its motion. He is both the very essence of existence and the expression of the absolute spirit of creation. Having created nature, God has 'bound Himself by law'.<sup>5</sup> In Prokopovych's view, no one and nothing can change the laws of nature. 'God', he writes, 'never contradicts Himself, and does not revoke the laws which He had once established'.<sup>6</sup> Although God has a great number of attributes, Prokopovych says, He is none of them, but is the organic unity of them all. But God in Himself, according to Prokopovych, is beyond comprehension. Man cannot attain the divine essence in all its infinite fullness. God can be known only in such measure as He Himself reveals to us. 'God is wisdom itself, but that wisdom which is in God I do not know at all. Hence, whatever I think, God is not that which I think about Him'.<sup>7</sup> Therefore Prokopovych considered that it is impossible to define the incomprehensible God in terms of any concept. He is subject only to description: that His essence is one, spiritual, independent, eternal, free, immeasurable, all-wise, almighty, all-perfect, that He exists in the hypostases, the Father Who begets, the Son Who is begotten, and the Holy Ghost Who proceeds from that same Father.

<sup>4</sup> Teofan Prokopovych, *Rassuzhdeniye o bezbozhii* (Considerations on godlessness), Kyiv, 1774, p. 11.

<sup>5</sup> V.M. Nichik, *Feofan Prokopovich*, Moscow, 1977, pp. 36-8.

<sup>6</sup> Teofan Prokopovych, *Rassuzhdeniye o netleniya moshchey svyatykh i ugodnikov Bozhiikh* (Considerations on the incorporeal might of the saints and confessors of God), Moscow, 1786, p. 85.

<sup>7</sup> Quoted from V. Smirnov, *Feofan Prokopovich*, Moscow, 1994, p. 54.

Prokopovych was the first person at the Kyiv-Mohyla Academy to distinguish dogmatic from moral theology, becoming a specialist in both of them and clearly stating their teachings. But as an orderly system of knowledge, Christian morality was taught at the Academy only in the courses of moral theology given by Varlaam Iyashevskiy and Sylvester Lyaskoronskiy. They took as the basis of their lectures the Biblical Decalogue, and developed its propositions with respect to the various stages and examples of the life of 'fallen' man.

A comparatively well-developed theological course which had a certain internal logic and the necessary argumentation of its views was provided by the lectures given at the Academy by Sylvester Kulyabka, whom the students called 'the golden-blessed teacher'. His Tractates were distinguished by originality of style and breadth of material. This lecturer did not simply expound the questions of his subject, but he also stressed the importance of those assertions which could be maintained against opponents of the Orthodox faith. While in his first Tractate, Kulyabka speaks of theology in general, he then goes on to clarify questions of the one God in His existence and His attributes, the Holy Trinity, the incarnation of God the Son, the immaculate Virgin Mary, the angels and even the anti-Christ. The course concluded with a Tractate on the existence of man in a state of non-covetousness.

But not all the innovations of such professors as Prokopovych and Kulyabka had their followers within the Academy, since their approach demanded from the lecturers of the course considerable work and independent thought. It was simpler to follow the traditional way of teaching theology in Western religious educational establishments, making use of their methodology and handbooks.

Although the academic staff of the Kyiv-Mohyla Academy was called upon to counteract Catholic influences on Orthodoxy, it could not avoid them. One of the reasons was that the lecturers of the theological courses at the Academy had been to the West – to Lviv, Warsaw, Rome, Paris and other religious centres to learn the experience of Catholic theologians, who, understandably, acknowledging the authority of their own church, strove to give it as logical a foundation as possible in their teaching. Hence the very form of the language of the theological tractates of the Kyiv-Mohyla scholars is highly reminiscent of Western scholastic handbooks. First some theological question or other is formulated and its conceptual apparatus acknowledged, and then an answer is given to it. The latter will be one or several opinions, each of which is substantiated by quotations from Holy Writ, the Fathers and Doctors of the Church, and the theological arguments of the scholastics. Towards the end of the tractate are given possible counter-arguments concerning the solution of its problem in the context of Orthodox theology and possible variants of their resolution.

Two distinct periods may be distinguished in the theology teaching at the Kyiv-Mohyla Academy. The first is marked by the relative freedom of the professors teaching this course from any scholastic requirements. Evidence of this is provided by the professors' autonomy in deciding the titles of the tractates, the position of these tractates in the structure of the course and the consistency of presentation of the material. The theology professors tried not simply to transmit mechanically the content of the dogmas of the faith, but also to give them an appropriate philosophical substantiation, and to create an Orthodox system of theological scholarship. While, earlier (up to the eighteenth century), the argumentation of the truth of this or that propo-

sition of the Orthodox faith had recourse only to Holy Writ or Tradition, and was simply a compilation of thoughts from these sources without any logical deductions, in the Kyiv Academy, Orthodox teaching was brought into a full, logically substantiated and consistent system. Hence it may be asserted unequivocally that in its entire theological culture, the Ukrainian Orthodox Church at the beginning of the eighteenth century came close to the contemporary position of Catholic theology.

The second period in theological lecturing at the Kyiv-Mohyla Academy began in 1759, when at the insistence of Metropolitan Arseniy (Mohylyanskyi), Rector Davyd Nashchynskyi was forced to introduce a course on 'The Orthodox Confession of the Catholic Eastern Church' using a syllabus and textbooks which were the same for the whole of the Russian Empire. Towards the end of the eighteenth century, this course was given the title 'Orthodox teaching or abridged Christian theology'. It lasted only half a year. The theological system of Teofan Prokopovych was chosen as the basis of the course, and each of the lecturers could develop it in his own way, provided that he kept to the overall syllabus.

From 1798 onwards, in accordance with the directives of the Holy Synod, in all religious academies, including the Kyiv-Mohyla, several theological courses were introduced. These included a 'Complete course in theology', 'Church history', 'Hermeneutics', 'Holy Writ', 'Moral Theology', etc.

The educational work in the Academy was entirely dedicated to the training of 'oblates' of the Orthodox Church. In addition to the academic courses, the congregations – student brotherhoods dedicated to the Blessed Virgin, the heavenly protector of the Kyiv-Mohyla Academy, also served this purpose. The members of the brotherhoods had to attend the church of their congregation; this, at first, was the church of the Brotherhood Monastery, and from 1740 onwards, the Epiphany Basilica which was built on the campus of the Academy itself. During the church services, the students were taught the order of the Orthodox Divine Service, and acquired the habits of liturgical reading and singing. Here for the minor instruction of students of the junior classes, they taught the Catechesis, and in the major instructions of the senior students they taught the New Testament.

The theological courses themselves at the Kyiv-Mohyla Academy had only a fairly small number of students. This is explained, certainly, by the fact that, throughout the entire period of its existence, the Academy was a general educational institution, not a specifically religious one. And the teaching process in it did not shape a desire for clerical work. Thus out of the 52 young men who completed the theological course in 1729, only 16 took Holy Orders. The majority of the graduates from these courses refused the monastic life. Thus, in 1758, the Prefect of the Academy, Samuil Myslavskyi, in reply to an enquiry from the Holy Synod, wrote, 'The students of the Kyiv Academy, who study philosophy and theology, do not want to become monks'.

The theological courses included no means of assessment of knowledge, such as marks or tests. Instead, wide use was made of disputations, to which the adherents of different Christian confessions were invited. Towards the end of every semester, the theology students wrote what were called 'great dissertations', which were defended in the presence of the entire faculty.

As early as the end of the seventeenth century, the Kyiv-Mohyla College had become not only a higher educational institution and the only leading promoter

of cultural-religious renaissance among the Slavonic peoples of the entire Orthodox East, but also the only conduit in these territories of the fundamental achievements of Western culture.<sup>8</sup> As Kyrylo Trankvilion-Stavrovetskyi stresses, the Academy gave such servants to the Church who more than others could spread among their compatriots – both in speech and writing – ‘the world of the recognition and the world of the salvation of the faith’. And not only among their compatriots. From its walls there went forth famous activists of the Orthodox Church and culture of other countries. These included Simeon of Polacak and Hierohy Koniski (Belarus), Milesco Spafarie and Udrice Nasturel (Moldova), and Dionisiy Novakovic and Simeon Baltic (Serbia). The Kyiv-Mohyla Academy had a very great influence on religious developments, and the flowering of culture and education in the state of Muscovy/Russia in the seventeenth and eighteenth centuries. From the Academy came many famous church and state activists, archbishops, and lecturers of religious seminaries.

But while the representatives of the ‘Kyivan theological scholarship’, which in the first half of the seventeenth century acquired great popularity throughout the entire Christian East, began to extend its area of cultural-religious activity beyond the bounds of Kyiv, and, in particular, in Muscovy, the representatives of the Russian clergy sharply condemned that teaching as heretical, and the Moscow hierarchs forbade the circulation of any Ukrainian literature. However, thanks to the energetic endeavours of progressive circles in Muscovy, by the beginning of the second half of the seventeenth century, conditions had been established such that ‘Kyiv scholars... began to enjoy great authority there’ and had ‘decisive influence on the further intellectual development of the Great-Russians’.<sup>9</sup> The authority of the representatives of ‘Kyiv scholarship’ was recognised not only in theological matters, but in questions of church governance and law and order.

The development of Ukrainian-Muscovite religious connections and the spreading in their territories of the religious and cultural traditions of Kyiv in the second half of the sixteenth and first third of the seventeenth century was viewed differently by the rulers of Muscovy on the one hand, and the clergy and general population on the other. While the former perceived in the drawing together and even the union of the Ukrainian Church with that of Muscovy a chance to snatch their state out of darkness and backwardness and to bring it towards the cultural achievements of education and scholarship of the leading European countries at that time, the latter, and in particular the illiterate clerics, considered it as an attack on the established forms of their existence and religion, as the falsehood of heretics and anti-God ‘sophists’. Aware that ‘in our country the priests are illiterate and do not understand the Divine Mysteries’ and that ‘they need to study so that they can teach the Orthodox people the truths of Christianity’, Peter I advised Patriarch Adrian ‘to send a few score of them to Kyiv to the schools there to study’<sup>10</sup> and decided to appoint to key posts in the Muscovite state and church representa-

<sup>8</sup> B. Korchmaryk, *Dukhovni vplyvy Kyveva na Moskovshchynu v dobu hetmanskoji Ukrayiny* (Religious influences of Kyiv on Muscovy in the Hetman era of Ukraine), Lviv, 1993, pp. 7-20.

<sup>9</sup> B. Eingorn, *O snosheniakh malorosyiskago dukhoventva s Moskovskim pravitelstvom v tsarstvovaniye Alekseya Mikhaylovicha* (On the relations of the Little Russian [Ukrainian] clergy with the Muscovite government during the reign of Aleksey Mikhaylovich), Moscow, 1893, Bk. 2, p. 235.

<sup>10</sup> N. Ustryalov, *Istoriya tsarstvovaniya Petra Velikogo* (History of the Reign of Peter the Great), St Petersburg, 1858, Vol. 3, pp. 355-6.

tives of 'Kyiv scholarship'. In the Holy Synod, which he set up in 1721, Peter I entrusted the post of President to Stefan Yavorskyi, a professor of the Kyiv-Mohyla Academy and later metropolitan (with the executive duties of the former patriarch), and as Vice-President, Metropolitan Teofan Prokopovych, the author of the *Clerical Rule-Book*, which he took as the basis of the activity of this new ecclesiastical institution. This Metropolitan in general filled the role of an unofficial co-ruler of the country, and an initiator of all the Tsar's reforms.

It should be noted that, during the first half of the eighteenth century, not only the episcopal sees, but all the positions of hierarchs in the government of the Moscow Church, and in particular in the Holy Synod, were filled by graduates of the Kyiv-Mohyla Academy. At least 200 of them, in the period 1721–50, were Superiors of Russian monasteries.<sup>11</sup> As Bulgakov wrote, all these with their teaching 'went forth to all the ends and borders of Russia'.<sup>12</sup>

The unwearying work of these clerics from Ukraine in Christianising Russian society and raising the level of its cultural-religious life was so significant that such highly esteemed representatives of 'Kyiv scholarship' as Dmytro (Tuptalo) of Rostov, Inokentiy of Irkutsk, Iosafat of Bilhorod, Ioan of Tobolsk, Pavlo of Tobolsk and Arseniy of Rostov, were recognised by the Muscovite Church as saints. Particularly honoured among them was Dmytro Tuptalo. His works *The Lives of the Saints*, *The Spiritual Alphabet*, *The Search, or a View of the Schismatic Faith of Bryn*, *The Chronicle*, *Words of Instruction*, *The Mirror of the Orthodox Confession* and others became a fundamental base for the development of Russian theological thought and are considered as 'Holy Writ' even in our time.

In a letter to Metropolitan Rafayil (Zaborovskyi) of Kyiv in 1739, Bishop Gedeon of Smolensk wrote that from the Kyiv-Mohyla Academy, 'all Russia has acquired well-springs of wisdom, and all its newly opened schools have drunk deep and prospered'. But this, certainly, can be said about the first period of its activity, when it trained and took into its professorial family such famous scholars as Stefan Yavorskyi, Teofan Prokopovych, Inokentiy Gizel, Ioannikiy Galyatovskyi, Dmytro Tuptalo, Hierorhy Koniski and others. And, certainly, the reason that Ukrainian researchers paid little heed to the theological works of the professors was not because, as Hrushevskyi asserted, they did not expect to find 'significant nourishment' in them, but simply because they were inaccessible. The latter is true not only of the language (Latin), but also of the conceptual apparatus which these scholars used. All this still requires special research.

Hrushevskyi's assertion may be properly applied only to the second period of the Academy's activity, when it indeed produced not a single strong theologian, or independent thinker, and its graduates were for the most part well trained polemicists, canon lawyers, and compilers who followed the theological tradition of the Muscovite Church.<sup>13</sup>

With the accession of Catherine II in 1762 began a period of the total ruination of Ukrainian Orthodoxy, and at the same time the severing of the teaching process

<sup>11</sup> K. Kharlampovich, *Malorosiyskoye vliyaniye na velikoruskuyu tserkovnuyu zhizn* (Ukrainian influences on Russian church life), Kazan, 1914, Vol. 1, p. 251.

<sup>12</sup> M. Bulgakov, *Istoriya Kiyevskoy Akademii* (History of the Kyiv Academy), 1843, p. 173.

<sup>13</sup> M. Hrushevskyi, *Z istoriyi rehlyimoyi dumky na Ukrayini* (From the history of religious thought in Ukraine), Lviv, 1927, p. 84.

in the Kyiv-Mohyla Academy from its native soil and the national needs of the Ukrainian people. In an Instruction to Count Piotr Rumyantsev, who in 1764 was appointed governor of 'Little Russia', the Empress advised him to pay especial attention to the Kyiv Academy, since he 'who studies theology there and takes Holy Orders' does so 'in accordance with the dissolute rules of the Roman clergy' and also is 'imbued with many sources of insatiable avarice and greed for honours'.<sup>14</sup>

Nevertheless, the imposition of uniformity on the work of all religious academies in the Russian Empire at the end of the eighteenth century did not entirely suppress the creative spirit of the Kyiv Academy. Its professors transplanted the European level of theological thought to Muscovite soil. We are fully justified therefore in speaking of an original Kyivan theological school, whose creative legacy still awaits the painstaking work of scholars. The first task must be the translation of the theological works of the professors of the Kyiv-Mohyla Academy into Ukrainian, and their publication. □

<sup>14</sup> S. Golubyev, *Istoriya Kiyevskoy dukhovnoy Akademii* (History of the Kyiv Religious Academy), Kyiv, 1886, p. 218.

## From the History of the Union of Brest, 1596

Ivan Franko

The article which follows was written in 1895, in preparation for the tercentenary of the Union of Brest, by the eminent Ukrainian writer, Ivan Franko. In addition to his writings – poetry, creative prose and publications, in Ukrainian – Franko also wrote extensively for the Polish press of the Austro-Hungarian Empire – a process which he referred to with some feeling as ‘hiring out to the neighbours’. This article first appeared in the Polish journal *Przegląd Historyczny* (No. 1, 1895). A Ukrainian translation is given in Franko’s *Collected Works* which restores the original sixteenth–seventeenth century Ukrainian of the material quoted. The translation published here was made from the Polish text; the quotations, however, have been taken from the sixteenth–seventeenth century originals. A number of the footnotes have been taken or adopted from the *Collected Works*.

Franko, it may be noted, was well qualified to write on the Union and its consequences – his degree dissertation at the University of Lviv had been on Ivan Vyshenskyi, one of the key figures surrounding the Union. He also published a major prose work in Ukrainian on Vyshenskyi (*Ivan Vyshenskyi i yeho tvory*, Lviv, 1895), and in 1899 a somewhat imaginative narrative poem about Vyshenskyi’s final days as a monk on Mount Athos. Although Franko’s views expressed in the article published below have not (as the notes will indicate) been universally accepted by historians, this work constitutes, nevertheless, a fascinating addition to the literature of the Union, from the pen of one of Ukraine’s greatest scholars.



The Synod of Brest of 1596, which sanctioned the union of part of the clergy of Rus’<sup>1</sup> with Rome, is among the most important events in the history of Southern Rus’. It was convened for motives which had far more to do with politics and administrative discipline than with dogma and religion. The Union of Brest immediately introduced an enormous ferment among the people of Rus’, and caused a temporary outburst, a quickening, an intellectual movement, lively disputes, evoked from both sides an ardent zealotism, and brought into being an extraordinarily interesting polemic literature. But in the final analysis, it weakened Rus’, demoralised it by fraternal hatreds, mutual distrust and intolerance, and was one of the causes of the Cossack wars, which brought ruin to Ukraine and planted the seed of Poland’s political decline.

But the significance and influence of the Union of Brest did not stop with the downfall of Poland. On the contrary, from the end of the eighteenth century, in that part of Rus’ which then came under the sceptre of Russia, there began the real tragedy of the Union with countless episodes, filled with tears and blood, a tragedy which even now has not come to an end. Under the sceptre of Austria, its fate was

<sup>1</sup> As used by Franko in this article, the word Rus’ is used in the sense of Ukraine and Belarus. When he refers to Ukraine specifically, he says ‘southern Rus’’. The adjective *Rus’ki* (pertaining to Rus’) is normally rendered by a periphrasis or by the word Rus’ used adjectivally. In one or two cases when it refers to scholars of Franko’s day, it is simply translated as ‘Ukrainian’.

significantly different; it even seemed that the political foresight of such monarchs as Maria-Theresa and Joseph II laid solid foundations for its successful development. But this did not materialise. On the contrary, we have seen an extraordinary and strange fact: during long decades, the high dignitaries of the Uniate church, its acknowledged representatives and historians, absolutely unequivocally considered it to be the misfortune of Rus', the fruit of the betrayal of the people and their native faith, and the result of Jesuit intrigues fatal both for Rus' and for Poland. It is sufficient to mention the names of such Uniate historians as Harasevych, Malynovskiy, Petrushevych, Kachala, and from the laity Didytskiy,<sup>2</sup> to have an impression of the spirit and the views about the beginning of the Union in which the younger generation of Galician Ukrainians has been brought up. In the opinion of these historians, the Union was not only the consequence of betrayal and crime, but it was introduced by the Polish government by force: the tricks of certain hierarchs of the type of Afanasiy Krupetskiy,<sup>3</sup> the Uniate Bishop of Peremyshl, indicate beyond any shadow of doubt the responsibility of the Polish government and magnates, although one of the main representatives of the Polish aristocracy, Szczasny Herburt,<sup>4</sup> protested vociferously in the Warsaw *Sejm* against the expansion of the holy Union with the aid of whips and fetters.

Only during the past few decades has a new spirit been blowing among the Ukrainian Uniates, running counter to what I have just discussed. A number of young scholars, for the most part Roman doctors, like the Sembratovych brothers,<sup>5</sup> Pelesch,<sup>6</sup> Milnytskiy,<sup>7</sup> Samytskiy<sup>8</sup> and others are endeavouring in their work to re-establish the apologetic stance regarding the Union of Piotr Skarga.<sup>9</sup> The

<sup>2</sup> Mykhailo Harasevych de Neustern (1763–1836), baron, historian, eminent Galician church activist, and arch-priest of the Lviv Cathedral Chapter. Through his efforts in Vienna (1806) and Rome (1808) he helped the restoration of the Galician Metropolitanate, the establishment of the Lviv Cathedral Chapter and won for the Greek-Catholic Church an equal and independent status from the Polish Roman-Catholic Church. Author of the *Annales Ecclesiae Ruthenae* (Annals of the Ruthenian Church), 1863.

Mykhailo Malynovskiy (1812–94), Ukrainian Catholic priest and activist, and church historian. Member of the Galician *Sejm*, 1861–66. Administrator of the Lviv archbishopric, 1869–70. His works include *Die Kirchen- und Staats-Satzungen bezüglich des griechisch-katholischen Ritus der Ruthenen in Galizien* (Church and state statutes on the Greek-Catholic rite of the Ruthenians in Galicia), 1861. He also published Harasevych's *Annales Ecclesiae Ruthenae*.

Stepan Kachala (1815–88), Ukrainian historian, author of *Korotka istoriya Rusi* (A short history of Rus'), Ternopil, 1886.

Bohdan Didytskiy (1827–1909), Ukrainian writer, publisher and social activist of a 'Russophil' tendency, editor of the newspaper *Slovo*.

For Petrushevych, see note 27 below.

<sup>3</sup> Afanasiy Krupetskiy (?–1652), the Uniate Bishop of Peremyshl [now Przemysl in Poland].

<sup>4</sup> Jan-Szczasny Herburt (1567–1616), who urged friendship between the Polish and Ukrainian nations.

<sup>5</sup> Iosyf Sembratovych (1821–1900), Uniate Metropolitan of Lviv, 1870–82, and Sylvester Sembratovych (1836–98), Uniate Metropolitan of Lviv from 1885, Cardinal from 1895.

<sup>6</sup> Julian Pelesch (1845–96). In 1878–80, he published in Vienna the two-volume *Geschichte der Union des ruthenischen Kirche mit Rom von den ältesten Zeiten bis auf die Gegenwart* (History of the Union of the Rus' Church with Rome from earliest times until the present).

<sup>7</sup> Iosyf Milnytskiy (1837–1914), Uniate Church activist, from 1880 pro-Rector of the Lviv Theological Academy, editor of the journal *Halyskiy Sion* (Galician Zion), 1880–82. In 1881–94, he published in Lviv *Zhytyia svyatykh v suvazakh istorichnykh* (Lives of the saints in historical connections) (2 vols.).

<sup>8</sup> Klyment Samytskiy (1832–1902), abbot of a [Uniate] Basilian monastery, and Professor of Lviv University.

<sup>9</sup> Piotr Skarga (1536–1612), a Jesuit and one of the key figures in the events leading up to the Union. A native of Grójec in central Poland, he became interested in the issue of Church unity when

most significant work of this new school in the field of historiography is the well-known *Geschichte der Union* of Pelesch, a work which is somewhat weak on the historical side in spite of its considerable erudition, but written in an immeasurably more systematic manner than the chaotic compilations and collections of documents of Harasevych and Malynovskiy. Moreover, this work from beginning to end pursues its aim – to show that indeed union with Rome was the original faith of the people of Rus', that the Union of Brest of 1596 was a solemn consummation and renewal of ancient tradition, and that the Union was immensely beneficial to Rus', since it brought it into direct contact with West European civilisation. Without going into a critical appraisal of these guiding ideas of Pelesch, we shall note only that this factographic recreation of the history of the Union – as Polish historians have already stressed – to a considerable extent leaves one wishing for something better, however we are concerned not so much with the history of the Union, but rather an apologia for it.

In the case of the Russian historians, we can observe a certain interesting evolution. The most important work on the Union of Brest still has to be the two-volume work of Koyalovich,<sup>10</sup> *The Lithuanian Church Union*. In spite of an abundance of scattered source material, the anti-Polish outlook of the author is very apparent in it. Of the later historians, we have Kostomarov,<sup>11</sup> Solovyov,<sup>12</sup> Kulish<sup>13</sup> and Metropolitan Makariy.<sup>14</sup> These are all, naturally, antagonistic towards the Union; they all fish out from the records and documents of the time mostly what is disadvantageous to the Union and its initiators. They all trust the word of polemicists and apologists of the Orthodox side, rebutting with their arguments the demonstrations of the other side, but they are all the same far from what the new historiography calls the critical appraisal of the documents themselves. Only the younger historians of the Kyiv school, Antonovych, Golubyev, Orest Levytskyi,<sup>15</sup> have made an important step in the new direction; they

he was sent, as a young priest, to Lviv as Chancellor to the Catholic Archbishop. In 1577, he published one of the key works of the period 'The Unity of the Church of God under one Pastor', the text of which is published in *Russkaya Istoricheskaya Bibliografiya* (The Russian historical bibliography), VII, p. 228, the first edition of which he dedicated to Prince Vasyl Konstantyn Ostrozkyi. A detailed study of Skarga's role in the Union is given in J. Tretiak *Skarga w dziejach i literaturze Unii brzeskiej* (Skarga in the history and literature of the Brest Union), Kraków, 1912.

<sup>10</sup> Mikhail Koyalovich (1828–91), Russian historian and Professor of the St Petersburg Theological Academy, who held strong pro-monarchy and pro-aristocracy views, and supported the Slavophil concept of a 'single Russian nation'. Here Franko has in mind his Master's Dissertation: *Litovskaya Tserkovna Unia* (The Lithuanian Church Union), St Petersburg, 1862.

<sup>11</sup> Mykola Kostomarov (1817–85), Ukrainian historian, specialising in the seventeenth century. His works reveal a populist stance, emphasising the role of popular movements and minimising that of the ruling hetmans.

<sup>12</sup> Sergiy Solovyov (1820–79), Russian historian. He discusses the Union in a number of works, in particular his 29-volume *Istoriya Rossii s drevneishykh vremen* (History of Russia from the earliest times), 1851–79.

<sup>13</sup> Panteleimon Kulish (1819–97), Ukrainian writer, historian and ethnographer.

<sup>14</sup> Makariy (Mikhail Bulgakov, 1816–82), Metropolitan of Moscow from 1879, and a noted church historian, the founder of a (recently revived) prize for works in Russian religious history.

<sup>15</sup> Volodymyr Antonovych (1834–1908), founder of the 'Kyiv school' of historians, which, focusing on the history of the lands of the mediaeval Kyiv-Rus' state and on particular events of subsequent Ukrainian history, laid the foundations of modern Ukrainian historiography.

Stepan Golubyev (1849–1920), a lecturer in history at the Kyiv Theological Academy. His publications include *Bibliograficheskyya zamechaniya o nekotorykh staropechatanykh knigakh XVI i XVII vv.* (Bibliographical notes on some old printed books of the sixteenth and seventeenth centuries),

have published a great quantity of new documents, reprinted and made critical appraisals of the important examples of the polemic literature of that time from both the Rus' and the Polish sides, and thus have laid a sound foundation for a really critical appraisal of the history of the Union. The same line is being pursued further by young scholars of the school which has grown up around *Kyivan Antiquity*,<sup>16</sup> a journal of immense merit as regards the deepening of existing research into the history of Rus'.

As for the Polish historians who address issues of the Union of Brest in greater or lesser detail, it will be sufficient here to name the principal, typical ones and give a brief description of their views. The most detailed interest in the Union of Brest was that of Fr. Edward Likowski<sup>17</sup> who devoted to it major articles in the Poznan *Przegląd Kościelny* (1884) and the Krakow *Przegląd Polski* (1886).<sup>18</sup> Like all Fr. Likowski's works, these two articles are marked by a marvellous mastery of the sources, both Polish and Russian, and their critical appraisal. But it cannot be denied that Likowski does not avoid and does not in the least conceal a certain bias in favour of Rome and the Jesuits and against the Orthodox, while in his discussion of the main principles of the Union, he does not go beyond the arguments of Skarga. That Skarga's biographer, Count Maurycy Dzieduszycki,<sup>19</sup> was filled with enthusiasm and admiration for the role which Skarga played in the establishment of the Union and regarded it completely through the eyes of a Jesuit, has long been known and has often been noted as a failing of this monograph, which, in other respects, is outstanding. I would add, further, that Bobrzyński, in his *Outline of the History of Poland*,<sup>20</sup> considering the Union of Brest from the point of view of the Polish state, comes to the conclusion that it had, without doubt, its good sides but also its negative ones, and these, unfortunately, were predominant. The negative sides Bobrzyński saw, first and foremost, in the reli-

Kyiv, 1876, *Kyivskiy mitropolit Petr Mogila i yego spodvizhniki* (Kyiv Metropolitan Petro Mohyla and his associates), Kyiv, 2 vols., 1883–98, *Drevniya i novyya skazaniya o nachale kievskoy akademii* (Old and new legends about the beginning of the Kyiv Academy), Kyiv, 1885, and *Istoriya kievskoy dukhovnoy akademii. I. Domogilanskiy period* (The history of the Kyiv Theological Academy. I. The pre-Mohyla period), Kyiv, 1886.

Orest Levytskyi (1849–1922), Ukrainian historian, archivist, ethnographer and creative writer. He was the author of *Vnutrenneye sostoyaniye Zapadno-Russkoy Tserkvy v Polsko-Litovskom gosudarstve v kontse XVI st. i Uniya* (Internal state of the West Russian [sic] church in the Polish-Lithuanian state at the end of the sixteenth century and the Union), Kyiv, 1884.

<sup>16</sup> *Kievskaya Starina* (Kyivan Antiquity), a Russian-language monthly published by the Historical Society of Nestor the Chronicler from 1882–1906. It took advantage of the loopholes in the official prohibition on the use of the Ukrainian language and promotion of Ukrainian culture to publish many important academic works on Ukrainian history and ethnography.

<sup>17</sup> Edward Likowski (1836–1916), Polish historian and cleric. From 1887, he was titular Bishop of Aureliopolis and Suffragan of Poznan, from 1914 Archbishop of Gniezno and Primate of Poland. Author of *Dzieje Kościoła unickiego na Litwie i Rusi w XVIII i XIX wieku* (History of the Uniate Church in Lithuania and Rus' in the XVIII and XIX centuries), 1880.

<sup>18</sup> It should be noted that the *Przegląd Kościelny* (Church Review) and the *Przegląd Polski* (Polish Review), were published respectively in Prussian and Austrian Poland. In the part of Poland under Russian rule, Likowski's pro-Rome and pro-Union views would have been unpublishable.

<sup>19</sup> Count Maurycyusz Dzieduszycki (1813–77), Polish historian and publicist, author of *Piotr Skarga i jego wiek* (Piotr Skarga and his age), Lviv, 1850–51.

<sup>20</sup> Michał Bobrzyński (1849–1935), Polish historian and political activist. Professor of the Jagiellonian University of Kraków and a founder of the 'Kraków school' of historians. His *Dzieje Polski w narzysie* (An outline of the history of Poland), which Franko cites here, propounded the view that the downfall of the Polish Commonwealth was due to a lack of strong government.

gious intolerance which the Union breathed into the Rus' national organism, and in the division of the people of Rus', which later, in the time of the Cossack wars, bore bitter and fatal fruit. It is interesting that in this appraisal, the Catholic Bobrzyński agrees with that of the Protestant Lukaszewicz, who gives a similar appraisal of this historical event in his *History of the Church of the Helvetian Confession in Lithuania*.<sup>21</sup>

There is not the least shadow of doubt that the difference in the views of historians regarding this important historical effect, apart from the unavoidable and more or less obvious social, political regions and national sympathies or antipathies of the historians themselves, is explained to a great extent by the richness and diversity of the source material, which makes it possible for a writer to make use of certain materials and give them pre-eminence, while ignoring others, and conversely. Speaking of the *diversity* of the sources, I have in mind, too, the great number of documents which are undoubtedly forgeries, but which latter-day historians very often accept without an appropriate critique and cite them as grounds for, in the main, inaccurate conclusions. In addition, in the diverse works and polemical pamphlets of the time, which often were dictated by engaged passions and personal conflicts, we find very many brief references, facts and innuendoes, omitted in other fairly well-known sources, which the historian can consider either as gossip and fabrications, or as sincere historical truth, depending on his position and previously developed views.

The approach of the 300th anniversary of the Union of Brest should, in my opinion, provide an impulse towards well-grounded and truly scholarly research into its history. This is not as simple as might appear at first sight, since it is necessary to begin with a critical appraisal and study of all the material which has until now served as a source for the shaping of the history of the Union, and also supplementing the gap in the existing materials by new searches in the archive publications. One such preliminary work I propose to my readers. Being interested in this question rather as a historian of Ukrainian literature than as a historian of the church, I have set myself the task of a critical analysis of one of the sources for the history of the Union of Brest – a source which, in spite of its polemical tendentiousness, even such historians as Kostomarov and Kulish compared to a[n original] document and is a very good supplement to the documental data. In this connection, it has often been used, and the most striking parts of it have been simply reproduced by historians, often however with smaller or greater changes and omissions, which they generally made silently. It will not be an over-exaggeration if we say that for a description of the Synod of Brest of 1596 and its antecedents, except for documents which are often contradictory or muddled, there exist only two types of coherent eyewitness accounts of the events. There is the type represented by Skarga's description in his work *Defence of the Union of Brest*<sup>22</sup> published in the very year, 1596, and the type represented by the description in works dedicated to its dissolution.

<sup>21</sup> Józef Lukaszewicz (1799–1873), Polish historian. Franko refers here to his *Dzieje kościołów wyznania helweckiego w Litwie*, Poznan, 1842–43.

<sup>22</sup> The actual title of the work is *Synod Brzeski i jego obrona* (The Synod of Brest and its defence). In other sources, the publication date is given as 1597.

I am referring here to the pamphlet entitled *A Necessary Warning to the Orthodox Christian for the Approaching Times*.<sup>23</sup> The fate of this work has been very interesting. It has come down to our time in a single, unique copy, which was the property of the Lviv Stauropigea.<sup>24</sup> From this, in around 1850, Denys Zubrytskyi<sup>25</sup> made a copy, which he sent with his observations to the St Petersburg Archaeographic Commission. The latter published it in 1851 in the four-volume edition *Acts Relating to the History of Western Russia* under the name which Zubrytskyi himself had given it and which expressed his view on the date and author of the work: 'Historico-polemical investigation of the beginning and expansion of the Union in Lithuania and Western Rus', and of the actions of its partisans, written by a certain Lviv priest who was present at the Council of Brest, as a warning to the Orthodox. Circa 1600–1605'. How far the views expressed in this title are correct, we shall see later; here we shall simply add that in the manuscript itself one finds the famous Lviv Chronicle,<sup>26</sup> transcribed in the same hand as the *Warning*. In the opinion of Fr. Petrushevych,<sup>27</sup> who in circa 1865 saw this manuscript and once again transcribed the *Warning* from it (his copy, which was more complete than that of Zubrytskyi, he published in the Chronicle of the Stauropigean Institute in 1867), this manuscript was written by a certain Mikhail Hunashevskiy, born in 1610. It is unknown how he reached this conclusion, but on its basis Fr. Petrushevych assigned to Hunashevskiy the authorship of both the Chronicle and the *Warning* – whether correctly or not, we shall see later. As for the manuscript itself, it mysteriously disappeared from the library of the Stauropigea. There was a rumour that Zubrytskyi stole it and sent it to Pogodin<sup>28</sup> in Moscow, however, Fr. Petrushevych has assured me that this is incorrect, and that the manuscript 'has not crossed the Zbruch'.<sup>29</sup> But where it is now, is unknown.<sup>30</sup>

<sup>23</sup> The text of this work has been published in M.S. Voznyak, *Pismennyska diyalnist Ivana Boretskoho na Volyni i u Lvovi* (Literary activity of Ivan Boretskyi in Volhynia and Lviv), 1954, pp. 25–63.

<sup>24</sup> The Lviv Orthodox Brotherhood was one of the most influential of these associations of Orthodox laymen, which sprang up in the mid-sixteenth century in Ukraine, devoting themselves, in particular, to the support of educational activity. It enjoyed Stauropigean privileges, i.e. it held a charter from the Constantinople Patriarchate exempting it from the jurisdiction of the local bishop.

<sup>25</sup> Dionisiy Zubrytskyi (1777–1862), Ukrainian historian and political activist, who took a strongly anti-Polish line in his work. His writings include (in Polish) *Historyczne badania w drukarniach rusko-slowanskich w Galicji* (Historical research in Ukrainian-Slavonic presses in Galicia) (1836), *Kronika m. Lwowa* (Chronicle of the city of Lviv) (1848), *Granice miedzy ruskim i polskim narodem w Galicji* (Boundaries between the Ukrainian and Polish peoples in Galicia) (1848), (in German) *Die Frage in Galizien von einem Rusinen* (The Galician question by a Ukrainian) (1848) and (in Ukrainian) *Istoriya balytsko-ruskoho knyazbestva* (History of the Galician-Ukrainian principality) (1852–55).

<sup>26</sup> The Lviv Chronicle is a Ukrainian Chronicle of the first half of the seventeenth century. The only copy is located in the manuscript collection compiled by Mykhailo Hunashevskiy, who, some scholars believe to have been the author of the Chronicle. It is published in O.A. Bevno, *Lviyskyi litopys i Ostrozkyi litopys* (The Lviv Chronicle and the Ostroh Chronicle), Kyiv, 1970.

<sup>27</sup> Fr. Antony Petrushevych (1821–1913), Ukrainian Catholic priest, scholar and political activist. From 1861–77, a deputy in the Galician *Sejm*, and from 1873–78 a member of the Austrian Parliament. He published over 200 works on Galician and church history, including *Svodnaya Galitsko-Ruskaya Letopis 1600–1800* (Summary of Galician-Rus' chronicles 1600–1800), 1874–91.

<sup>28</sup> Mikhail Pogodin (1800–75), Russian historian and publicist.

<sup>29</sup> The boundary between the Austro-Hungarian and Russian Empires.

<sup>30</sup> The Hunashevskiy Manuscript is now held by the Manuscript division of the Central Library of the Ukrainian Academy of Sciences.

The *Warning* consists of two parts, unequal in size and fairly clearly divided: historical and theological-polemical. The second part, which is aimed against the Uniates and Catholics, the author puts into the mouth of a certain member of the Stauropegean Brotherhood, who is supposed to have delivered it in the presence of the King<sup>31</sup> and the Uniate Bishops, Terletskyi<sup>32</sup> and Potiy,<sup>33</sup> at the Warsaw *Sejm* in 1598. From the very composition and tone of this seeming speech it is clear that in reality it was never delivered, and that the author included it in his exposition only in order to give his Orthodox readers, in addition to his revelation of the facts about the founders and genesis of the Union, a certain amount of Orthodox arguments to be used to combat the Uniates and Catholics. Without making a detailed analysis of this second part, we shall consider carefully the historical account of the *Warning*, especially that part of its content, in which the course of the preparations for the Union of Brest and its actual establishment are described.

At the beginning of the book, the author carefully spells out the aim of his work; he wants to warn his co-religionists

that certain bishops..., who until now had always been under the power and jurisdiction ... of the Patriarch of Constantinople, and later not for the salvation of their own souls or those entrusted to them, but for certain personal reasons and for worldly gains... had abandoned their Patriarch and given themselves into the jurisdiction of the Pope of Rome, and caused a great turmoil among the people.

After then referring to the arguments of the Uniates, with which they justify their action, the author proceeds to the historical exposition proper, which we shall consider here.

The historical introduction to the book deserves attention. Noting that Rus' received Christianity from Greece 25 years earlier than Poland did from Germany,<sup>34</sup> and ignoring completely the question of whether at that time the Photian schism<sup>35</sup> or unity with Rome prevailed in Greece, he then gives an account of the princes of Rus' who

were great zealots who at great cost built many churches and monasteries and provided them with estates and endowed the church with gold, silver, pearls and precious stones, and collected a great number of books in the Slavonic language, however, that which was most necessary, to found schools, they did not do.

<sup>31</sup> Sigismund III Vasa (1536–1632), King of Poland, 1587–1632.

<sup>32</sup> Kyrylo Terletskyi (d. 1607), church activist, from, possibly, Pinsk, where he was later arch-priest. From 1572, Bishop of Pinsk and Turau, and from 1585, Bishop of Lutsk and Ostrih. In 1595, he travelled with a delegation to Rome, where he made preparations for the introduction of the Union of Brest. In 1596, he took part in the Synod of Brest, which ratified the Union with Rome.

<sup>33</sup> Adam (later, in religion, Ipatiy) Potiy (1541–1615), courtier of Sigismund III and then Castellani of Brest, his religious beliefs, in the course of his life, changed from his original Orthodoxy, through Calvinism and Socinianism to the Union with Rome. In 1600, he was elected Metropolitan of Kyiv, although still, at that time, a layman. He was the author of several works of polemic theology, also sermons and homilies.

<sup>34</sup> The traditional date of the 'baptism' or conversion of Poland is 966, that of Kyiv-Rus' under Volodymyr I is 988. Franko seems to be referring here to the conversion of Volodymyr's grandmother, Olha, which appears to have taken place ca. 955–57, i.e. a decade earlier than the conversion of Poland, and not, as the author of the *Warning* says, 25 years.

<sup>35</sup> Photius (born ca. 810–20, died ca. 891–97), Patriarch of Constantinople, under whom there first began to develop the split between Eastern and Western Christianity which eventually resulted in formal schism in 1054.

As a result of this, with time, the descendants of those princes, ignorant and envious, became divided. Some remained here (that is, in southern Rus') and others established their rule in the northern lands of the state and

tore each others eyes out for the state, tearing one at the other, going against each other with the aid of neighbours, such as Hungarians, Poles and Lithuanians, and causing great bloodshed between themselves. In time, these helpers, or more properly enemies, conquered the princes themselves, and the Rus' dominions came into their hands. As a result of this, the church and adornments likewise came into their hands: gold, silver, and precious stones were carried off... Kraków itself and the Roman [Catholic] churches were full of this. You can find great stores of Slavonic books, closed up, which they will not allow out into the world; likewise in Lviv at the Dominicans' there is a great store of our Slavonic books of instruction, carried off for sale after the destruction and conquest of the Rus' state. And so much harm was thus done to the Rus' state that it was impossible to spread schools and common learning, and none such were founded, for if they had had learning, then they would not have come to such destruction as a result of their ignorance.

After relating further how the upper strata of the people of Rus' became Polonised, accepting Polish 'customs of dress', learning and language, and then faith as well, the author writes further that as a result

Greek Orthodoxy grew cold, it came into contempt and disregard. Persons of worthy condition, despising Orthodoxy, ceased to turn to their spiritual leaders, to which posts unworthy men were appointed to please the common people. As a result of this, there appeared in the capital, lazy and worthless metropolitans and bishops, church canons fell into neglect, books, where they still remained, fell into dust, all the divine services came into contempt, so that not only the nobility but also the common people turned to dissent and heresy.

Meanwhile, Constantinople had fallen into Turkish hands,

however, that tyrant who had established himself there... permitted the Patriarch to remain in his capital and to have spiritual sway, so that the monasteries would remain intact, and the clerics remain in them quietly: by a certain compulsory loan, that is, giving a ducat per head, each was able to run its own handicrafts and divine services; he also permitted that the common people, accorded to established custom, should elect the Patriarch, who then had to be consecrated by three Patriarchs, and confirmed by him [the Sultan].

I have cited almost literally a large part of this introduction because it gives a marvellous picture of the author, and his mode of understanding history and writing. From this very introduction we see that he was a patriot of Rus', but that he was far from that patriotic self-exaltation which was the custom of the time, especially among unskilled historians. Our author had a temperate and critical understanding, he perceived clearly the principal failings of old princely Rus', the lack of education of the people and the dissensions between the princes. The motivation for the Polonisation of the nobility – that Rus' was inferior as regards education – cannot satisfy us today, when we see what political and social interests pushed the nobility of Rus' to merge with that of Poland – but, in those times, when this process was explained simply as a sinful yearning for novelties and a change of faith, his explanation was a step forward. However, our author's critical faculty was only relative; it did not prevent him from repeating legends, according to which ancient Rus' books had been collected

and hidden in some underground stores. It is hard to say from whence the author took this legend, but it is worth noting that the version about the seeking out, buying up and destruction of the books of the opposite side in the era of implacable polemics has been repeated fairly frequently. Was not Skarga the first to state it publicly, complaining in 1590 in the foreword to the second edition of his work, *On the Unity of the Church of God*, that the first edition of 1577, 'Orthodox Rus' bought up and burned'. At that time Ivan Vyshenskyi<sup>36</sup> showed very well that such rumours were unfounded, and who knows if the legend quoted by the author of the *Warning* was not generated as a reaction by the analogous legend of the Jesuits. Moreover, in those sectarian times there was indeed no lack of factual bases for such legends to arise. First and foremost, the Jesuits were distinguished by the great zeal with which they sought out and burned heretical books and manuscripts, especially grimoires and books of magic – there are numerous examples of this, especially in the diary of Wielewicki.<sup>37</sup> In any case, this was still some way from the seeking out and burning of Rus' liturgical and theological books.

The author then distinguishes the activity of Prince K.V. Ostrozkyi,<sup>38</sup> who, unlike the old-time princes, planned to strengthen Orthodoxy not only with the aid of monasteries and bishoprics, but especially with the aid of schools and printing-houses. Here he notes a number of particular historical facts, namely, that Stefan Batory,<sup>39</sup> by a Privilege granted to Prince Ostrozkyi, empowered him with supremacy over the entire Orthodox hierarchy while [the King] bound himself to make presentations to Orthodox bishoprics and metropolitanates only on Ostrozkyi's recommendation. I have not been able to find such a Privilege and I am even doubtful whether a king could empower a layman with supervision over the ecclesiastical hierarchy. As for making presentations, the information given in the *Warning* is only partially correct: it was not Stefan but Sigismund III who, in a charter of 21 October 1592, did indeed promise Ostrozkyi that 'having regard for the services rendered to this Commonwealth by Your Benevolence and Your Benevolence's forebears, we gladly permit that only on Your Benevolence's instructions shall we grant offices in the Greek religion to deserving and pious persons'.

This charter is cited in Bronskyi's *Apokrisis*,<sup>40</sup> if King Stefan had really granted such a Privilege as the *Warning* says, then Bronskyi, who wrote using informa-

<sup>36</sup> Ivan Vyshenskyi (died ca. 1625), a monk of Mount Athos, and author of some 20 religious and polemical works only one of which was printed at the time. He was opposed to all modern trends, and believed that the true Church is always persecuted and the true Christian is a mystic and an ascetic. His life provided Franko not only with the subject for his doctoral dissertation, but also for a (largely fictional) narrative poem dealing with the closing phase of Vyshenskyi's life.

<sup>37</sup> Jan Wielewicki. (1566–1639), Polish Jesuit and historian. His publications include *Historja jezuitow krakowskich* (History of the Kraków Jesuits), a Polish translation of 'The imitation of Christ' by Thomas a Kempis, and *Historia diarii domus professae S.J.*

<sup>38</sup> Prince Vasył Konstantyn Ostrozkyi (1526–1608), Palatine of Kyiv and Marshal of Volhynia, was considered to be a direct descendant of the old Kyivan dynasty of Rurik. Under his rule, the city of Ostrih was developed into a major centre of Ukrainian culture. He founded a college there (ca. 1580) with a printing press, which produced, in 1581, a complete text of the Slavonic Bible. Skarga had hoped to find in him a patron of the Union; instead he emerged as a major champion of Orthodoxy.

<sup>39</sup> Stefan Batory (1533–86), Prince of Transylvania, 1571–76, and from 1576 ruler of the Polish-Lithuanian Commonwealth.

<sup>40</sup> The *Apokrisis*, a polemical anti-Union work, published in Polish in 1597 and Old Ukrainian in 1598,

tion and documents given him by Ostrozkyi, would undoubtedly not have neglected to cite such a document in full, or at least to make an allusion to it.

Furthermore, referring to the visits to Rus' first of Patriarch Joachim of Antioch and then Patriarch Jeremiah of Constantinople,<sup>41</sup> the author of the *Warning* also refers to a Privilege given to the latter by King Stefan on the recommendation of two senators – Ostrozkyi and Skumin-Tyškiewiĉ.<sup>42</sup> By this Privilege, the King recognised the Patriarch as the supreme pastor and authority of the Orthodox Church of Rus', and gave him the right of jurisdiction over the entire Rus' clergy. It is evident what importance this document had; in it one may recognise one of the principal factors which impelled part of the hierarchy of Rus' towards the Union. While the Catholic prelate Likowski puts all the blame on the dispositions of the Patriarch, in our opinion the King's Privilege which gave the Patriarch the grounds for such dispositions was of far greater significance. This Privilege created a precedent, unknown until then in Rus'. The Church of Rus', besides its dependence on the Patriarchate of Constantinople, had never been under the jurisdiction of the Patriarch, but had ruled and judged itself entirely autonomously. The imposition of Patriarchal jurisdiction opened wide the doors to all kinds of abuse and compulsion, all the more so because at that time it was an exception if the Patriarchal Throne in Constantinople was occupied by an educated and pious man of the type of Meletiy Pigas or Kyryl Lukaris,<sup>43</sup> far more frequently it was acquired by simonists<sup>44</sup> and other unworthy persons who were inclined to abuse so important a privilege. It is interesting that the author of the *Warning*, although he wrote only a short time after the granting of this Privilege, nevertheless makes a gross error in the date, ascribing this document to Stefan, although it was in reality granted by Sigismund III on 15 July 1589.

Without making any reference to the Synod which took place in Vilnia on 21 July 1589, at which the Patriarch presided, the author of the *Warning* makes a summary mention of the deposition of the Metropolitan of Kyiv Onesifor Divochko,<sup>45</sup> and the consecration of Mykhailo Rahoza.<sup>46</sup> 'Prompted, it would seem, by the Holy

attributed to Martyn Broniovskiy or Kh. Bronskiy, the pseudonyms of Khrystophor Philalet, a writer of Protestant leanings. The chapter cited by Franko is published in *Pamyatniki polemicheskoy literatury v Zapadnoy Rusy* (Relics of polemical literature in Western Rus'), St Petersburg, 1882, Bk. 2, col. 1294.

<sup>41</sup> The visits to Rus' of Patriarch Joachim Dau of Antioch and Jeremiah Tranos of Constantinople took place respectively in 1586 and 1589. This is the unique occasion in history when an ecumenical Patriarch of Constantinople visited Rus'.

<sup>42</sup> Fiodar Tyškiewiĉ (?–1618), a Belarusian magnate, Palatine of Novahrudak. He first supported the Orthodox, and later the Uniate side. Franko, for some reason, refers to him by his father's name, Skumin.

<sup>43</sup> Meletius Pigas (1536–1602), Patriarch of Alexandria from 1593, and Kyryl Lukaris (1572–1638), the future Patriarch of Constantinople, both gave considerable support to the Orthodox of Rus' in their campaign against the Union. A study of the role of Pigas in these events, which was accessible to Franko, is contained in L. Malishevskiy, *Aleksandriiskiy Patriarkh Meletiy Pigas i yego uchastiye v delakh Russkoy tserkvi* (Patriarch Meletius Pigas and his participation in the affairs of the Russian Church), 2 vols., Kyiv, 1872.

Lukaris had taught at the Orthodox Academy at Ostrih. At the time of the Union, he was acting as representative of Pigas, who sent him to Ostrozkyi telling him to stay in Lutsk and participate in the struggle against the Union.

<sup>44</sup> i.e. clerics guilty of the sin of simony – the buying or selling of ecclesiastical office.

<sup>45</sup> Onesifor Divochko, Metropolitan of Kyiv from 1579. A layman until his appointment as Metropolitan, he neglected his duties to such an extent that as early as 1585 the Orthodox nobility wrote him a letter full of complaints. He had little respect for ecclesiastical law and in particular permitted second and third marriages of the clergy. (He himself had married twice).

<sup>46</sup> Mykhailo Rahoza (1540–99), a scribe of the Castellan of Vilnia, later entered a monastery in

Ghost', the author adds, 'foreseeing that the latter would become a renegade, the Patriarch proclaimed during the consecration, before a great number of worthy people of Vilnia: "If he is worthy, then let him be worthy according to your words, and if unworthy, then replace him by one who is worthy; that is your responsibility"'. From these words, Fr. Likowski drew the conclusion that the Patriarch seemingly consecrated Rahoza unwillingly, that he perceived his inclination towards the Union; but it seems to me that even if these words were historically certain (and they are not), they would not give grounds for such a conclusion.

Chronology in general, as Fr. Likowski has already pointed out, is the weak point of the author of the *Warning*, who evidently wrote from memory and confused later events with earlier. And so, according to him, after the deposition of Onesifor from the Metropolitanate and the consecration of Rahoza, the Patriarch went to Moscow and instructed the bishops of Rus' that as soon as he returned from Moscow they should convene a Synod for the purpose of improving Church relations, at which he himself wished to be present. This account is a complete muddle because the deposition of the Metropolitan and the consecration of Rahoza took place precisely after the return of the Patriarch from Moscow.

It is known that before his departure from Rus' to Constantinople, the Patriarch made an unusual appointment, which has puzzled later historians: he nominated Kyrylo Terletskyi, Bishop of Lutsk, as his Exarch. Likowski erroneously gives the date of this document as 6 August; in fact, it bears the date of 14 August. Further, Likowski gives a completely fantastic account of how the knowledge of this nomination spread through Rus' and says that 'the Patriarch in his Charter stated that Exarch signifies what Cardinal does in the Latin Church'. In the Charter there is nothing of the kind to be found. However, up to that time, the creation of such an office had been unknown in Rus', and the conferring of it on Terletskyi must have seemed puzzling to his contemporaries in Rus', as the author of the *Warning* bears witness, for, to explain the Patriarch's move, he wrote a whole history of banditry, which we shall summarise here. Namely, according to him, Jeremiah went from Vilnia to Zamość, where he stayed for a long time with Zamoyski,<sup>47</sup> Great Hetman of the Crown. From there, he sent Hryhorko Zahorskyi,<sup>48</sup> the Secretary of the Metropolitanate, who had been staying with him, to the Metropolitan, informing the latter that he should convene a Synod as quickly as possible, since complaints and accusations against various bishops had reached him. Meanwhile, the bishops against whom the most charges had been made, Gedeon Balaban<sup>49</sup> of Lviv and

Miensk, becoming Abbot there in 1579. King Sigismund III named him Metropolitan of Kyiv and Volodymyr Volynskyi in 1588. At the time of the Union, the Jesuits of Lviv referred to him as 'a honest, modest, and pious man, though already elderly'. See 'From Florence to Brest 1439–1596' in *Sacrum Poloniae Millemium – Rozprawy, Szkice, Materiały Historyczne*, Vol. 5, Rome, 1958, p. 279.

<sup>47</sup> Jan Zamoyski (1541–1605), one of the leading political figures of this era. He was instrumental, in 1576, in bringing about the election of Stefan Batory to the Polish throne. Shortly afterwards, Batory appointed him Chancellor and Great Hetman of the 'Crown' (Kingdom of Poland). Although brought up as a Calvinist, he himself was a fervent advocate of Catholicism and the Union.

<sup>48</sup> Hryhoriy Zahorskyi, sometimes known as Herman Ivanovich. According to Oskar Halecki, a Polish specialist on the history of the Union, Zahorskyi is 'much less known' than the other prelates, who played a leading role at this time. He notes, however, that 'according to his seal he belonged to a noble family using the coat of arms Gozdawa'. See 'From Florence to Brest 1439–1596', op. cit., p. 279.

<sup>49</sup> Gedeon Balaban (ca. 1530–1607), Orthodox Bishop of Lviv from 1565. He at first supported the Union, but later reverted to Orthodoxy.

Kyrylo Terletskyi of Lutsk, fearful for their episcopal thrones, came to Zamość. When they heard that Zahorskyi had been sent to the Metropolitan, they sent their own people after him. These caught up with him beyond Pinsk, seized the Patriarch's letter, beat him up, and left him lying in the fields, close to death. Then, when no answer came from the Metropolitan, Gedeon and Kyrylo presented themselves before the Patriarch, humble and penitent, but, nevertheless, blackened the other bishops, so that the Patriarch, who was in a hurry to get started on his journey, instructed Kyrylo to preside in his name at the Synod which was to be convened; for this purpose he nominated Kyrylo Exarch, and then, seen off by the two bishops, set out for Wallachia.<sup>50</sup>

Fr. Likowski preserves a complete silence about this story. With the erroneous date of Terletskyi's nomination as Exarch, there would be very little time for all this history; in reality there would have been time enough. It must, moreover, have seemed improbable to Fr. Likowski that the Patriarch would call for a Synod only a few days after such a Synod had taken place in Vilnia. But here it must be said that since the Vilnia meeting was not a Synod, the Patriarch's call for a Synod to be convened would be entirely probable. That Balaban and Terletskyi must have been very afraid for their high positions is today beyond any doubt, after the publication of a whole pile of documents which present Terletskyi as a common litigant, an adventurer, an organiser of forays and robberies, and even the perpetrator of various murders for very base motives. Fr. Likowski, in the face of historical truth, tries to present him as an energetic man, attentive to the good of the church, as a pure and spotless character, acting in accordance with ideals and purely ecclesiastical motives. Having this tendency, Fr. Likowski simply ignored anything in the sources available to him which could throw doubt on the character of Terletskyi, and so omitted the above story.

Unfortunately, this story, although it contains a grain of historical truth, does not contain the whole truth, and is even mixed with some obvious inaccuracies. The decree of the Patriarch nominating Terletskyi Exarch, relates somewhat shamefacedly, but nevertheless unambiguously, the antecedents of this nomination. 'There were with us', writes the Patriarch,

the Bishops of Volodymyr, Lutsk and Lviv. The two first, having received our blessing, departed. Gedeon of Lviv, remaining with us, began to speak to us in his absence about the Bishop of Lutsk, Kyrylo, and to relate revolting things. We became convinced that this Gedeon did this out of enmity and blackened Kyrylo in his absence; but in his presence said nothing against him and was in brotherly amity with him; however, when the latter had departed, he even gave us a letter against the Bishop of Lutsk to sign. And when we realised this, we forbade him. And if,

the Patriarch added further,

without our knowledge through some craft of Gedeon, (since we do not understand the Rus' and Slav languages) something was brought up against the Bishop of Lutsk, this is not the truth and not with our will. Hence we have sent Father Kyrylo from us, justified and blessed for all his life, to the bishopric of Lutsk. And if in some place letters appear against him, under our title and name, against the person of the said Bishop of Lutsk, or against his clerical affairs, and touching upon either the Zhy-

<sup>50</sup> i.e. present-day Moldova.

dychyn monastery or other clerical affairs under his authority and blessing, and any statements whatsoever against him and his clerical affairs, Bishop Gedeon, or whosoever else dares and presumes to show, wheresoever, now and henceforth, at whatever date, either before or after this our letter; we, the Patriarch, by this our letter repudiate forever and render null and void. And as a further sign of our Patriarchal favour and blessing to the aforesaid Kyrylo, Bishop of Lutsk and Ostrih, seeing him to be a capable man and expert and learned in all actions according to the rules of the holy fathers, we have given him seniority over all bishops, that is, the exarchate, senior governance in spiritual affairs, by the power which he has to govern all bishops and in every way to warn and admonish them between them, and even to replace those who are unworthy, as our deputy. And when we are in Brest, we ourselves shall celebrate the liturgy, the divine service and consecrate Bishop Kyrylo of Lutsk, blessing him with the blessing of the Lord and the hand of our patriarchate, so long as he shall live.

One does not have to be a great genius to read in this document a history, which although not as brigandish as that given in the *Warning*, is nevertheless equally interesting. According to this version, the Patriarch was accompanied from Vilnia to Zamość by Bishops Terletskyi, Balaban, and Meletiy Khrebtovych-Bohurynskyi<sup>51</sup> of Volodymyr. Terletskyi and Khrebtovych left earlier; Balaban remained alone and exposed to the Patriarch a whole range of Terletskyi's murky affairs, in particular as regards the Zhydychn monastery, jurisdiction over which had, since 1570, been held jointly by the Bishops of Lutsk (originally Krasenskyi and later Terletskyi) and Lviv (Balaban and his kin). Balaban probably moved the Patriarch to issue a decree in his favour, transferring this rich monastery from Kyrylo's jurisdiction. It is no less probable that Balaban also moved the Patriarch to sign still other such documents compromising Terletskyi, and then, having obtained them, set out for Lviv. When, however, news of this brotherly service reached Terletskyi, the latter set off straightway to Zamość, and not only managed to talk the Patriarch round and move him to annul the decrees delivered to Balaban, but also found a means of ensuring himself against any similar attacks in the future, by tricking the Patriarch into issuing a decree appointing him as Exarch. As to what kind of arguments he used to this end we cannot have the least moment of doubt – knowing the character and financial position of Patriarch Jeremiah. Likowski gives the information (we do not know whence he obtained it) that when the Patriarch was departing for Wallachia, Jan Zamoyski gave him 2,000 ducats<sup>52</sup> – a considerable sum for that time. Why? For what? Likowski opines that Zamoyski entertained the Patriarch not without political intentions, and, maybe, tried to bring him round to the idea of creating a Patriarchate in Kyiv, and to that end sacrificed so great a sum of money. And sacrificed it in vain. It is difficult to imagine something like this about so great a political genius as Zamoyski, and although the supposition about the Patriarchate might seem probable enough, a much more likely supposition is that this money – irrespective of who actually delivered it to Jeremiah – came from Terletskyi's coffers, that Jeremiah was aware of this, and that

<sup>51</sup> Meletiy Khrebtovych (d. 1593), his role in the synods of 1590 and 1591, preparing for the Union, seems to have been rather passive. See Halecki, *op. cit.*, p. 245.

<sup>52</sup> Literally 'red *zloty*'. Gold coins were not struck in Poland until the mid-sixteenth century. Italian gold ducats, however, circulated there freely, and were known as *zloty*. When, in the reign of Sigismund II Augustus (1457–1548, King of Poland 1506–48), gold coins were minted in Poland, the term *zloty* was transferred to them, and the foreign ducats became known as 'red *zloty*'.

it was the price of the decree of 14 August 1589. We remarked earlier that this document was shame-faced; that is perhaps putting it too mildly. The Patriarch expresses his anger at the envy and calumnies of Balaban, but he does not mention by what means he was convinced of those calumnies. He mentions explicitly the fact that Terletskyi and Khrebtovych left him before Balaban, but does not mention when and in what manner he saw Terletskyi again, nor in what manner he interrogated him on the matter of Balaban's calumnies, and what was the result of these interrogations. And yet such an interrogation, and even a confrontation of the two bishops, would have been his duty. He himself betrays the fact that he saw Terletskyi before departing for Wallachia, adding that he was in Brest and there consecrated Terletskyi to the rank of Exarch. Why did he go from Zamość to Brest, when he was hurrying to Wallachia? It was certainly not on his route. In a word, this document raises various doubts, and leads us to the conclusion that the establishment of an Exarchate in Rus' had no general, church-wide significance, and was not a vote of no confidence in the freshly appointed Metropolitan Rahoza, but was an act of Terletskyi's personal interest, and was one of the first symptoms of the corruption which the Patriarch of Constantinople would have introduced in ever increasing measure into the life of the church in Rus', making use of the King's Privilege, had not the Union of Brest effectively blocked the path of course. There remains one further possibility, which is also not very unlikely, that the entire document was forged by Terletskyi. In favour of this would be the fact that the document is known to us only in the Rus' text, and with the signature of the Patriarch in Cyrillic letters, and also – which is more important – by the fact that Terletskyi, in reality, never exercised power as an Exarch nor used the title in later documents. It would be possible, however, to adduce arguments in favour of the authenticity of this nomination. We know from other examples that the Patriarch and other dignitaries of the Greek church, when travelling in Rus', on a number of occasions signed documents written in the Rus' language. Whether the Patriarch's signature to this document of nomination is authentic, maybe only an autopsy could decide. An important argument in favour of authenticity is the fact that his contemporaries had no doubt about Terletskyi's possessing the rank of Exarch, although they could not explain the Patriarch's motives, and that the Patriarch himself did not remonstrate against this nomination.

Let us return, however, to the further narrative of the *Warning*. While the Patriarch was in Wallachia, he received from Bishop Meletiy Khrebtovych the news that Terletskyi and Balaban had intercepted his letter to the Metropolitan, sent by Hryhorko. So the Patriarch sent his envoy – whither is unknown – to discover if this were true. It was indeed confirmed. Then the Patriarch sent his Exarch Dionysius, a Greek bishop, who was travelling with him, to Meletiy, instructing him to deal with this matter at the next Synod, and if something were indeed proved, he and Dionysius should punish Kyrylo with the Patriarchal authority. After delivering this new decree to Meletiy, Dionysius went to the Metropolitan and demanded that he should convene a Synod without delay and should return to the Patriarch the sum of 15,000 *aspry*<sup>53</sup> – the cost of his consecration. The Metropolitan, who had already been turned against the Patriarch by Terletskyi, replied that he would neither give back the money nor convene a

<sup>53</sup> A Turkish coin, worth one-third of a para.

Synod. At this, Dionysius departed. Meanwhile, Meletiy Khrebtovych, who was staying with Terletskyi, expostulated that he had something against him. Suspecting some new stratagem, Terletskyi went with Meletiy to Volodymyr, where he became Meletiy's guest. Spending the night in his host's residence, Terletskyi stole the keys to his chest, opened it and stole the Patriarch's letter, giving the new exarchate to Meletiy. The next day, pleading urgent necessity, he departed to his own estate, Khvalymyn, taking with him Meletiy, who remained a long time at Khvalymyn, as if in captivity. Meanwhile, having met with Balaban, the two of them decided to shut the mouth of Hryhorko, who had been beaten by their envoys and robbed of the Patriarch's letter. To this end they obtained the bishopric of Polacak<sup>54</sup> for him from the king and consecrated him to it as quickly as possible. 'During this consecration, The Lord God showed a miracle', the author adds, 'when during the ringing for Divine Service an unclean spirit seized Hryhorko and cast him to the ground. And there he lay without memory through the entire Divine Service, but this in no wise disturbed those who were consecrating him'. Present at the consecration was, of course, the Metropolitan; the author adds that 'the same Terletskyi, seeing the Metropolitan, exclaimed that the Patriarch had demanded from him not *aspry* but ducats. And this he did to estrange further the Metropolitan from the holy Patriarch.

And this narration is totally misleading. From the documents published in the *Monumenta Confraternitatis Stauropigianae Leopoliensis*, and especially the letter of Rahoza to the Stauropigeon Brotherhood of 4 December 1592, we know that even without Terletskyi the Metropolitan knew perfectly well about the 15,000 *aspry* and about the Greek Bishop Dionysius.

For this is what the Metropolitan wrote:

I thus make known to Your Grace concerning Dionysius, Archbishop of Tarnów, who recently came to Vilnia [obviously a long time after the Patriarch left Rus' – I.F.]. It was given to me to know about him, and at once I abandoned everything, and rode day and night, with great disquiet, rode my horse to a standstill, incurred great losses and almost ruined my health. For two weeks, I entertained him lavishly, I honoured him with gifts, vessels and money. He, however, having snatched [i.e. counterfeited – I.F.] the seal of the Patriarch... here in Vilnia (of which there are reliable witnesses to this day), he gave a letter to me as if from the Patriarch, in which he writes in the name of the Patriarch that I should return to him the 15,000 *aspry* which he gave me at my consecration. Since not only I was oppressed to this, but also all those to whom I turned for counsel, I made my refusal, desiring to write to the Patriarch myself, whether this is so or not. As a result of this, this Dionysius being angered with me, straightway departed.

From this letter, undoubtedly authentic but until now unknown, we see that Rahoza knew only too well that it was not the Patriarch, but only a swindler and forger, who called himself Metropolitan of Tarnów, on the basis of a forged let-

<sup>54</sup> Polacak (Polotsk) was the second most important see in Rus', and was, in fact, an archbishopric. As a rule, its archbishop also held the position of Bishop of Viciebsk. Nevertheless, its importance was not always reflected in the choice of incumbent. Thus, in 1592, when Archbishop Afanasiy Terletskyi died, King Sigismund III gave the see to an otherwise entirely unknown Bohush Siletskyi as a reward for his military service in the defence of Ukraine, who then neglected to attend the synods of the hierarchy just as his predecessor had done. It was only on the eve of the Union when the see of Polacak was again vacant, that a more suitable candidate was chosen.

ter from the Patriarch, who demanded from him 15,000 *aspry* (not ducats), and that he, Rahoza, did not give them to him, not because he was opposed in principle to returning the costs to the Patriarch, but because he had strong doubts, first of all, to write to the Patriarch himself about this matter. This Dionysius next stayed a long time in Lviv with Balaban, where, in the interests of that bishop, he forged another letter from Patriarch Jeremiah, depriving Rahoza of the rank of Metropolitan, and instructing Khrebtovych, Balaban and Terletskyi to institute an investigation against him and formally deprive him of the metropolitanate. This forgery, which is undated, but which in the opinion of the publisher of *Monumenta Confraternitatis Stauropigianae* comes from November 1592, is to be found in the said publication. Khrebtovych is named in it as Protothronius<sup>55</sup> and Patriarchal Exarch, and Terletskyi as a simple bishop. Since this document is an undoubted forgery, and is moreover the only document in which Khrebtovych is assigned the rank of Exarch, and since Balaban had the audacity to have this document recorded in the Lviv city record and strove to give it the maximum publicity, we may understand that it was one of the sources from which there arose the legend repeated by the author of the *Warning* of the role played by Khrebtovych after the departure of the Patriarch from Rus'. What the author of the *Warning* writes about Dionysius, as the companion of the Patriarch during his journey in Rus', and then sent back from Wallachia to Rus', is likewise historically incorrect, as is seen from the very chronology of events; the Patriarch left Rus' in 1589, while Dionysius was roaming about there until 1592.

Undisguised anger and aversion breathes in the next step of the *Warning*, where it speaks about Potiy. 'At that time', writes our author, heedless of chronology,

Bishop Meletiy of Volodymyr died. And to his place, on the commission and instruction of the Prince-Palatine of Kyiv, came Lord Potiy, the Castellan of Brest, who was a widower, but who had tried out all faiths and has spent some time in each of them, not bypassing even the Jewish faith, and had almost gone as far as studying the Turkish Koran. When Kyrilo professed him as a monk in Volodymyr in the presence of the Prince-Palatine and conducted him to the altar, according to custom, naked and clad only in a single smock made ready for the purpose, there came, it is not known from whence (for the doors were shut), a whirlwind, and lifted the skirts of this smock and threw it over his head, so that his whole spine was laid bare to the sight of all those who were in the church. And just as Konstantin Kopronim<sup>56</sup>... when he was baptised, spat in the font, which was a bad and evil sign, since later the church of God knew persecution from him. So now the church of God knew from Potiy... great unquiet and disturbance. And not only Rus', but also the Poles came to internal war among themselves, the *sejms* broke up, all evil came from this and still there is no end.

However, the author cannot deny that, having become a bishop, Potiy 'showed himself to be very zealous, temperate, ascetic, good and obedient to all laws of the church, involving himself in no lay matters whatsoever'.

His involvement in the issue of the Union, according to the author of the *Warning*, was preceded by an unpleasant adventure which happened to Terletskyi. The latter fell ill and was treated in Sandomierz. A report came to Lutsk that he had

<sup>55</sup> Protothronius indicates first rank among the bishops.

<sup>56</sup> Constantine V Copronimus (719–75), Byzantine emperor (crowned 741), a supporter of the iconoclast heresy.

died, and at once one of the Ostrih castle officials broke into his apartments and carried something off. Once he was recovered, Terletskyi began a case against this official, accusing him to the Prince: in revenge, this official disclosed to the Prince all the Bishop's abominable deeds, which until now had been concealed from him. Ostrozkyi summoned the Bishop, called witnesses, and became convinced that the accusations were correct. Terletskyi, seeing that the protection of the Prince, which he had hitherto enjoyed, was lost to him, and fearing the further consequences of his crimes, incited Bishops Gedeon of Lviv, who was ill-disposed towards the Patriarch due to the establishment of the Stauropigea, and Mykhailo Kopystenskyi<sup>57</sup> of Peremyshl to go to Sokal. When they arrived there, they reached agreement concerning the Union. Then Terletskyi also persuaded Potiy that they should demand that the Metropolitan convene a Synod in Brest. At this Synod, Terletskyi proposed that

great wrongs are happening in the church of God, especially in those lands subject to the Polish crown. Therefore it is necessary that each of you should take a sheet of parchment, sign it with your own hand, and then give it to that one of us who on this blank sheet will write to the King a letter of complaint.

To this they all willingly consented. Some, who already knew what had been happening, consented willingly, and the others, who, like the Metropolitan, did not know, were persuaded. And so, taking a few sheets of parchment, they delivered them into Kyrylo's hands and themselves dispersed with nothing. But Terletskyi, having these blank sheets in his hands, began to persuade Potiy to the Union, citing the fact that the Bishops of Lviv, Peremyshl and Cholm had already agreed to it, and that the Greek faith would be equally honoured with the Roman, that bishops would sit in the senate, and that sequestered church property would be returned. Potiy agreed with this proposal, and the Lat[in-rite] Bishop of Lutsk, Bernat Maciejowski,<sup>58</sup> was informed of this; he reported it to the King, and the King, delighted at the news, wrote to them that they should come to Kraków.

Let us first look at the chronology of this account. The last event which we discussed in the previous section in connection with the departure of the Patriarch from Zamość, the appointment of Hryhorko Zahorskyi as Bishop of Polacak, took place not in 1589, as one might deduce from the context, but only in 1595; Potiy's consecration as Bishop of Volodymyr took place in 1593, the council of bishops in Sokal in 1594, and the Synod in Brest, at which they spoke of the wrongs suffered by the church, in 1590. As we can see, the author has turned the entire chronology of events upside-down, hence it is hardly surprising that the connection between them, which at first glance appears to have been made very pragmatically, is, in reality, a total fantasy. The passage on the changes of religion through which Potiy passed contains a grain of truth, but is grossly exaggerated.

<sup>57</sup> Mykhailo Kopystenskyi, Bishop of the Ukrainian see of Peremyshl (there was also a Roman-rite see based in the same city) is notable as being one of the two bishops who failed to attend the 1590 synod. (The other was Archbishop Afanasiy Terletskyi of Polacak, who apparently had some justification for his absence). When the participants in this synod decided to implement Patriarch Jeremiah's suggestion and hold annual synods in Brest, they resolved that bishops who failed to show up for future synods would be fined, and even, in the case of repeated, unjustified, absence, deposed.

<sup>58</sup> Bernat Maciejowski (1548–1608), at this time, Bishop of Lutsk, later, Cardinal and Primate of Poland.

Potiy, who was born of Orthodox parents, for a certain time, as was the universal fashion in those days, adhered to the Evangelical faith, but in 1573, he reverted to Orthodoxy. The author's representation of Potiy, during his time as Bishop, as an innocent Adam in Eden, falling prey to the temptation of Satan – Terletskyi, is not entirely correct. From a letter of Bishop Maciejowski to the Papal Nuncio, we know that Potiy, while still a layman and the Castellan of Brest, leaned with great ardour towards union, and if so, then we can say immediately that he returned from Calvinism to Orthodoxy, moved from the lay state to the clerical, and renounced his seat in the senate in order to take part in the Synod, only in order for Orthodox Rus' to come into union with Rome.

The author of the *Warning* is muddled and inexact also concerning the private meeting of the bishops. There were two such meetings; the first in Belz in 1590, before the Synod in that year in Brest, and the second in Sokal in 1594, after the unrealised Synod in Brest, which is also called a private meeting. At both these meetings union with Rome was discussed; it was in fact at the Belz meeting that the declaration was drawn up, which was later falsely dated as being from Brest, after Rahoza's signature to it was obtained. No document was drawn up at the Sokal meeting, however we may postulate that the result of this meeting was the *Decretum deliberationis et conclusionis* on the question of entering into union, dated 2 December, and signed by the Metropolitan and all the bishops, which became the basis of negotiations, firstly between Terletskyi himself, Zamoyski and the King, and then between Potiy, Terletskyi and the representative of the Polish Crown in Rome in 1595.

One mystery, which has still not been explained, is the matter of the blank sheets, which, supposedly, were given by the bishops to Terletskyi in Sokal for some quite different purpose, but which were treacherously used by him for the purpose of the Union. The story of these blanks was probably put into circulation by Balaban at the beginning of 1595. It is mentioned by Prince Ostrozkyi in a letter to Potiy, which was mentioned under the incorrect date of 25 March in Arkudiy's work *Antirrbesis*,<sup>59</sup> the materials for which were provided by Potiy. Ostrozkyi's letter must have been written earlier, for 25 March is the date of Potiy's reply, in which the latter asserts that he knows nothing about such blanks, and never gave anything of the kind to anyone. Since, as late as 28 January, Balaban was inclined to the Union, and in its support had even convened a meeting of the clergy in Lviv, it must be assumed that in February he changed his colours, went over to Ostrozkyi's side, and from being a proponent of the Union, became its principal opponent. This assumption, however, runs into difficulty, since, as late as 12 June, Balaban, signed the declaration of the bishops assembled with the Metropolitan at the Synod of Brest, which categorically supports the Union. In truth, Balaban was not present at this Synod, and on 1 July, in the presence of Prince Ostrozkyi and other persons, he delivered to the Volodymyr municipal court a protest against his signature having been put on this declaration, and at the same time accused Terletskyi of embezzling the blanks given to him at

<sup>59</sup> The *Antirrbesis*, an anti-Orthodox polemic, published in Vilnia (1599 in the Rus' language, 1600 in Polish). In Franko's day, the author was thought to be Petro Arkundiy, a teacher in Uniate schools. Most modern scholars, however, attribute it to Ipatiy Potiy.

the Belz meeting in 1591, in order to write and present to the King the wrongs done to the Greek church. Terletskyi replied to this protest, and also ordered his reply to be placed in the city record of Lutsk. In his reply, Terletskyi categorically denies the story of the blanks, and affirms that Balaban knew very well what it was all about when he gave his signature. In this way the story of the blanks got into Bronskyi's *Apokrysis*, where only one blank is mentioned, and it is unknown when it was given to Terletskyi, and into the *Warning*, which mentions several blanks. Ukrainian historians accept all this story as coin of the realm, although it contains many hidden improbabilities, while Harasevych, trying to reconcile the conflicting details, simply asserts that the bishops gave Terletskyi signed blanks on two occasions – in Belz in 1591 and in Sokal in 1594. I think that I will not be mistaken in considering the entire story as rumour. People so cunning, such litigants as Balaban, do not let themselves be caught by such tricks, nor give blank sheets with their signature to their implacable enemy. Moreover, Balaban's assertion and the narratives based on it, that the blanks were meant for listing the wrongs done to the Rus' church and presenting them to the King, do not stand up to criticism, since neither at Belz in 1591 nor at Sokal in 1594 was anything said about the wrongs done to the church; the discussions were about the Union, and Balaban himself, together with Terletskyi, was one of the initiators of the idea of coming under the sovereignty of the Pope. If then such blanks really were handed over at Sokal, then Balaban must have known quite well what was to be written on them. And in this case what was to be written on them was the *Decretum deliberationis...*, dated 2 December 1594, after which Terletskyi obtained Rahoza's signature to it.

The author of the *Warning* then gives a cursory account of the journey of Terletskyi and Potiy to Kraków, their meeting en route in Lublin with Ostrozkyi, who warned them not to make a Union, but they denied it and swore that they had no such idea, and afterwards they went secretly to Kraków and on the perfidiously obtained blanks wrote letters to the King and to the Pope, testifying that they would make their submission to the latter. The King, at his own expense and with the help of the Jesuits, sent them to Rome, where they completed the Act of Union, adopted the new calendar and printed a pamphlet about it. When they returned from Rome, they went into hiding for a time, but already the people of Rus' knew about everything and from all sides letters came to the Patriarch, to Constantinople, appealing for help. The Patriarch tried first of all to rebuke the bishops by letter, and when they would not receive his letters, he sent his Protocyncellus Nicephorus<sup>60</sup> with plenipotentiary powers to convene a Synod and bring this affair into order.

In this brief account there are many inaccuracies and distortions. The author knows nothing about the presence of Terletskyi himself in Kraków in January 1595. It is untrue that when the two bishops were on their way to Kraków, they both met Ostrozkyi in Lublin; it was only Potiy who saw him, and if we believe the account in the *Antirrhexis*, begged the Prince on his knees to cease his campaigning against the Union. It is, furthermore, untrue, that the King sent the bishops at his own expense to Rome from Kraków. On the contrary, when they had finished their dealings in Kraków, the two returned to their own sees, while

<sup>60</sup> Protocyncellus is the highest legal office in the administration of the Orthodox Church.

Terletskyi had to pawn part of his episcopal estates to a certain Kandyba in order to have the wherewithal for his journey to Rome. The information about the adoption of the new calendar and the printing of a brochure in the Rus' language is, however, correct. Of this first publication in the Rus' language printed in the Apostolic See (1595), entitled *The New Roman Calendar*,<sup>61</sup> there have survived until our time only two tattered gatherings, discovered by Holovatskyi<sup>62</sup> in Vilnia.

We shall not give a detailed account or analysis of the remaining text, the subject of which is the Protocyncellus Nicephorus and his journey to Poland. The Ukrainian historian Kudrynskyi,<sup>63</sup> who devoted a special monograph in *Kievskaya Starina* to Nicephorus and his fate in Rus', although he bases his account of this journey mainly on the *Warning*, nevertheless, he leaves several points unremarked, in particular, that Zamoyski wanted to recruit Nicephorus into his newly-established Academy,<sup>64</sup> but the latter refused. On the other hand, the author of the *Warning* remains silent on a very important, and, for Nicephorus, fatal, fact that the latter had barely set foot on Polish territory when he was arrested on the frontier as a spy, imprisoned and held captive for six months, until he managed at last to escape and made his way to Ostrih.

Opening his account of the history of the Synod held in October 1596 in Brest, the author of the *Warning* writes: 'And inasmuch as I was there, whatever I shall write will be the truth before God, who knoweth the heart of man!' When the Orthodox had come, writes the author, Prince Ostrozkyi with his son and others immediately put the question to the Metropolitan:

'Do you wish to remain with us in Orthodoxy, or to become involved with the apostates?' He replied clearly 'As I did not recommend it to those falsifiers, my Orthodoxy and the pastor who ordained me to this dignity, I shall not abandon and will come to you'. But after we had departed, the apostates came to him by night, and with a diabolical temptation persuaded him to join them, so that the very next day he went to them.

The further course of the Synod is not described by the author, in spite of the fact that he was present at it: he simply presents the legend, already well-known from the *Apokrisis*, and the letters of Vyshenskyi, that when the Uniate bishops, as a sign of concord, said Mass together with the Latin bishops in a Latin church, there was

<sup>61</sup> The work in question is not, as Franko implies, a general dissertation on the Gregorian calendar (introduced in Catholic countries in October 1582), but rather an explanation of how to calculate Easter according to the Gregorian reckoning. Entitled *Klyuch na pashebalyu vodlub novoho kalendara rymnskoho, napravlennyi Leonarda Arelya, episkopa sidonskoho* (Key to the Paschal feasts according to the new Roman calendar, prepared by Leonardo Arelia, Bishop of Sidon, Rome, 1596). In Franko's day, this work was known only in a defective copy discovered by Yakiv Holovatskyi.

<sup>62</sup> Yakiv Holovatskyi (1814–88), Catholic priest, folklorist, philologist and social activist. He and his fellow-students from the Lviv Theological Academy, Markiyani Shashkevych (1811–43) and Ivan Vahylevych (1811–61), known as the 'Ruthenian trinity', were the leaders of the national revival in west Ukraine in the 1830s, based on the journal which they founded *Rusalka dnistrova* (Nymph of the Dnister). In 1848, he became a lecturer and in 1863 Rector of Lviv University. In 1867, he went to Vilnia where he headed the Archaeographical Commission.

<sup>63</sup> O. Kudrynskyi, 'Sudba ekzarkha Nikifora v Zapadnoy Rossii' (The trial of the Exarch Nicephorus in western Russia, *Kievskaya starina*, 1895, Vol. 49, pp. 399–419; Vol. 50, pp. 1–9).

<sup>64</sup> This Academy was founded in Zamość in 1595 as an institution of higher learning, with its own library and printing press. During the seventeenth century, it began to decline, and in 1784, it was transformed into a lyceum.

a miracle: during the service the wine in the chalice turned to water. Skarga challenges this assertion, not denying it categorically, but suggesting that by a mistake, the celebrant-bishop had had water poured into the chalice instead of wine.

With this, we shall end our review of the *Warning*. The remainder of its contents comprises a description of the trial of Nicephorus, the speech of Ostrozkyi at the *Sejm* in 1597, and finally some polemical invective against the Uniates, supposed to have been uttered by a certain member of the Stauropeigan Brotherhood at the said, 1597, *Sejm*, and at the end an appeal to the Orthodox, which also contains a polemic against the Uniates and Latins; this also deserves a special review which would not fit into the framework of this present work. I shall therefore conclude with a few observations on the significance of the *Warning*, on its date and on its author.

From what has already been said, one may assert that, as a historical document, the *Warning* is by no means of high quality. Its chronology is misleading, the facts are muddled, there are a great many inaccuracies, omissions and distortions, and, in addition, many details of unknown origin, which give the impression of rumours, probably derived from oral sources of those times, when passions were aroused, and fantasy was raised by religious polemic. However, while we must treat the *Warning*, as a historical source, with the greatest wariness, the absence of which, unfortunately, makes even such historians as Kostomarov fall into error, as a literary relic it ranks extremely highly. This is a politico-religious pamphlet written with no small talent. The beautiful language, almost purely the language of Rus', the fluent diction, the lively imagery, the lucid grouping of examples, the characteristic belletristic fantasy, all this puts the *Warning* among the finest works of literature of that period, beside the *Key to the Kingdom of Heaven* of Herasym Smotrytskyi<sup>65</sup> and the polemical-moralistic letters of Ivan Vyshenskyi.

As for the date of this work, the opinion of Zubrytskyi, who assigned it to the years 1600–5, must be acknowledged as accurate, especially as regards the *terminus a quo*. Certainly, the author's narrative breaks off with the Warsaw *Sejm* of 1598, at which there was a discussion of the case of Terletskyi, who was charged with the murder of a certain Fr. Stefan Dobrynskyi,<sup>66</sup> but in his text, the author of the *Warning* makes a number of allusions to later events. Thus he knows about the death of Rahoza (May 1599), the death of Hryhoriy-Herman Zahorskyi, and finally the death of Protocyncellus Nicephorus in Malbork, which is taken to have occurred in 1599.<sup>67</sup> However, he knows nothing of the death of Prince Ostrozkyi in 1606.<sup>68</sup> These are the principal facts which allow us to assume the date of composition of the *Warning* to be 1600–5.

<sup>65</sup> Herasym Smotrytskyi (?–1594), a deacon and one of the editors of the Ostrih Bible, 1581. He was attached to the court of Prince Vasyl Konstantyn Ostrozkyi. As father of the controversial Meletiy Smotrytskyi, Archbishop of Polacak, his social background became a source of Catholic-Orthodox polemic, and he is described by various sources as, on the one hand, a castle scribe, and on the other a nobleman and vice-Castellan. His *Key to the Kingdom of Heaven*, published in 1587, is considered one of the noteworthy works of Ukrainian literature of this age.

<sup>66</sup> Franko's original says (in Polish orthography) 'Dobrianski' – presumably a typographic error. The correction to Dobrynskyi was made by the editors of the *Collected Works*.

<sup>67</sup> Nicephorus Paraches (?–1599), former lecturer at the Padua Academy, he was sent to the Polish-Lithuanian Commonwealth to organise anti-Union opposition. He was imprisoned by the Poles in the Malbork fortress, where he died.

<sup>68</sup> Modern historians now ascribe Ostrozkyi's death to 1608.

Who was the author of the *Warning*? Zubrytskyi, also without giving his reasons, asserts that it was a certain priest from Lviv, and this assertion has been accepted without criticism by later Russian historians. The mention of the *Warning* in the Lviv Chronicle under the year 1592 means only that the relevant entry in the Chronicle was written after the writing of the *Warning*. It is a significant circumstance that the *Warning* is found in the same manuscript in which the Lviv Chronicle is also found further on; this is the main argument in support of the view that the *Warning* is the work of a resident of Lviv, a member of the Stauropigeon Brotherhood. It seems to me that the author is writing of himself, when, recalling the speech of Terletskyi and Potiy at the 1598 *Sejm*, he adds: 'And to this one of the Orthodox from the Lviv Brotherhood replied as Your Grace will discover in the course of reading this'... The words are put into the mouth of this anonymous apologist for Orthodoxy, obviously put there *a posteriori*, and not uttered at the *Sejm* itself, but, nevertheless, it is an interesting document of the religious polemic of that time, and, moreover, it is taken up with the same dominant ideas which characterise the author of the *Warning* in other passages, where he writes directly from his own experience. It appears, as Zubrytskyi recognised, that this speech is the work of the author of the *Warning* himself, on which basis he asserted that its author was a priest. I consider, however, that this assertion is based on a superficial judgement, that is simply on the circumstance that this speech has a theological content. But was it really the case that, in those times, lay persons, even those like the Palatines Ostrozkyi and Skumin-Tyškivč, never wrote on theological matters? Was the finest monument of Rus' polemical literature of the end of the sixteenth century, Bronskyi's *Apokrysis*, not the work of a layman? And I can find no other arguments to support the view that the author of the *Warning* was a priest. Fr. Petrushevych, in his *Svodnaya Letopis*, expresses a different view. He considers that the author of the *Warning* was Mykhailo Hunashevych, born around 1610, and consecrated deacon in 1647, in Lviv. As I have already remarked above, the assertion, which is based on the single circumstance that the manuscript in which the *Warning* has come down to us must have been written by Hunashevych, rests on very shaky foundations, all the more so, since on the basis of its content, it is simply impossible to displace the date of writing of this work by thirty years, to the seventeenth century. It is sufficient to note that the author of the *Warning* stresses on a number of occasions that he was present at the Synod of Brest in 1596, that he was probably at the Warsaw *Sejm* in 1597, when Nicephorus was being tried, and when the case of Terletskyi, charged with murdering Dobrynskyi, was discussed, to reach the conclusion that Hunashevych could not have been the author of the *Warning*.

So who was he? Above, I have expressed my view that the theory that the author was a priest is poorly substantiated. Lay authorship seems to me far more likely. I base this opinion on the extremely lay and, as I say, materialistic view of history taken by the author of the *Warning*. Without going into the fact that there is in it not a trace of the clerical viewpoint, common in the Rus' chronicles and in later works, that God has sent such-and-such misfortune upon us, due to our human sins, it seems to me completely out of character for a cleric of that time to rate the establishment of secular schools more highly than the building and endowing of churches and monasteries. This view runs through the entire *Warning*, and gives it a definite lay character, while we cannot encounter this viewpoint in any contemporary or later work of Rus' clerics. Equally characteristic of our author

is his constant emphasis on the participation of laymen in clerical matters, in the choice of bishops, the convening of synods, etc. Speaking of the governance of the Greek church under the Turks, he states directly that the Sultan permitted the common people to choose the Patriarch, and that the other patriarchs had to consecrate him, after receiving confirmation from the Sultan. Out of the entire activity of Patriarch Jeremiah in Rus', he puts in the foreground the establishment of brotherhoods and schools, and the introduction of teachers; Ostrozkyi's deeds he admires in the same way: the building of hospitals, the printing of books. Using the example of Vyshenskyi, he speaks of Christ who disdained the high priests and those learned in the law, and called to himself simple fishermen, carpenters and saddlers<sup>69</sup> as his apostles. And, finally, it is not priesthood nor even Orthodoxy that breathes from the Protestant assertion that the Pope vainly calls himself the successor to St Peter in the See of Rome, since St Peter was never in Rome.<sup>70</sup> The author's comments are discerning and fully in accord with the latest theological learning, and reveal in him a man well read in the Protestant literature of the time, where similar opinions are also expressed. No Orthodox priest would have dared adopt such ideas, since the Orthodox church, just like the Catholic church, takes St Peter's sojourn and death in Rome as established fact.

If the above observations are right, then there can be no further doubt as to who our author is. In the Lviv Brotherhood of that time, we can observe two outstanding persons: Ivan Krasovskyi and Yuriy Rohatynets.<sup>71</sup> The first of these, a wealthy burgher, was the soul of the Stauropigea and the Wallachian church-building enterprise; he was an entrepreneur, unwearied in his services to the Brotherhood, a good administrator, and all-in-all a practical person. He was widely known in Rus' and enjoyed support, which is known from Ivan Vyshenskyi's letter to the Stauropigean Brotherhood. The second was a learned man, as appears from his correspondence with Ostrozkyi and even with the Patriarch of Alexandria, Meletiy Pigas. He, it appears, was the chief promoter of the dispute of the Stauropigea with Balaban, and probably also the author of the letters and documents to the Patriarch of Constantinople, complaining about the antics of Balaban and the corruption of the Orthodox church, which serve later historians as the principal sources for the characteristics of the state of the church in Rus' at that time. In the name of the Stauropigea, he signed, under pressure from Ostrozkyi, the agreement of 1 December 1596 between the Brotherhood and Balaban. His letter of 16 November 1599 to the Vilnia Brotherhood on church affairs, in which he counsels perseverance in the struggle against the Union, is well-known. In the (so-called) *Barkulabau Chronicle*<sup>72</sup> published by Kulish, we find

<sup>69</sup> Apart from the four fishermen and one tax-collector ('publican'), the New Testament is, in fact, silent about the trades or professions of the apostles. Franko's mention of 'carpenters' may be an oblique allusion to Christ's own home background. The allusion to 'saddlers' is more difficult to explain – but could just possibly allude to St Paul, who, as a tent-maker, would have worked with hides and leather.

<sup>70</sup> The view that St Peter was never in Rome, which Franko presumably found in some anti-Catholic polemic, is not, in fact, a common feature of Protestantism.

<sup>71</sup> The merchant Ivan Krasovskyi and the saddler Yuriy Rohatynets were leading figures in the Stauropigean Brotherhood in Lviv at the turn of the sixteenth–seventeenth centuries. The Christian name of Rohatynets was George – the most common form of which, in Ukrainian, is Yuriy. He seems, however, on occasion to have used the alternative form Heorhiy – hence the confusion, noted here, with Hryhoriy (Gregory).

<sup>72</sup> The *Barkulabau Chronicle* is a Belarusian chronicle covering events in Belarus and Ukraine from

the exceptionally intriguing information that in 1592 the Vilnia Brotherhood invited the learned men Hryhoriy (more correctly Heorhiy) Rohatynets and Stefan Zyzyaniy<sup>73</sup> to Vilnia from Lviv to rescue Orthodoxy, which was under threat from the Jesuits. 'A mighty and great war with the Romans was waged', writes the chronicler, 'not only in city halls and in the market place, and in the streets, but also in the holy church itself, there was a great struggle; and even the Lord God [adds the Uniate author] against their great stubbornness and insane laws and rules did not help and does not help'.

Yuriy Rohatynets was still alive in 1606, since in that year, on Palm Sunday,<sup>74</sup> the famous monk from Mount Athos, Ivan Vyshenskyi, who was at that time in Univ, wrote to a certain Sister Dominika (i.e. a nun) in Lviv that she should try to make peace between Rohatynets and Krasovskiy, and should, in general, try to influence Rohatynets that he should control his temper. Vyshenskyi also mentions the rumours being spread by the Uniates that Rohatynets was inclined to the Union and was negotiating with Potiy. Rohatynets, in his letter to the Vilnia Brotherhood in 1599, mentions this too, and solemnly disavows any leanings towards the Union, though he does not deny that he knew Potiy and had spoken with him on a number of occasions.

These are the meagre facts which exist in the documents about Rohatynets. However, in my opinion, they are quite sufficient for us to attribute the authorship of the *Warning* to this already well-known activist. And this, together with his other literary works, gives him the right to the title, if not of an outstanding historian, at any rate of an exceptionally able polemicist, and also to that of one of the best writers in the Rus' language at the turn of the sixteenth–seventeenth centuries. As a historian, he is inexact, and swayed by prejudice, writing from memory, often on the basis of rumours or opinions, and as a theologian, he certainly speaks out in defence of Orthodoxy, but does not always bother to make clear whether he is fighting in defence of Orthodoxy or Protestantism; Rohatynets was, however, a fervent patriot of Rus', who was no stranger even to ideas of an independent Rus', ruled by princes and nobles. A lover of learning, he rated the founding of schools and the printing of books higher than the building of churches and the endowment of monasteries, he valued more highly an active life, devoted to public affairs and the fight for his beliefs and their dissemination than the quiet, withdrawn, life of an ascetic, even if spent in the greatest piety and most profound meditation. This is how Yuriy Rohatynets is portrayed in all the documents known so far to us, and this is how we see him in the *Warning*. The *Monumenta Confraternitatis Stauropigianae*, which are currently being published, will add to his portrait many new data; in this work, unfortunately, I have still had no chance to use them. □

1545–1608, the authorship of which is attributed to the priest Fiodar Filipovič from the township of Barkulabau. It was published by Panteleimon Kulish in his *Materialy dlya istorii vossoyedineniya Rusi* (Materials for the history of the unification of Rus'), Moscow, 1877, Vol. 1, pp. 45–89.

<sup>73</sup> Stepan Zyzyaniy (?–1600), a teacher at the school run by the Orthodox Brotherhood in Vilnia. He engaged in bitter polemics against the Union. In 1595, he fell foul of Metropolitan Mykhailo Rahoza of Kyiv, who forbade him to teach. Zyzyaniy protested against the ban – and as a result was imprisoned in a dungeon, from which he escaped through a chimney-pipe. He was able to resume teaching only after Rahoza's death.

<sup>74</sup> According to the editors of the *Collected Works*, modern researchers attribute the date of this letter to Palm Sunday, 1605, and not, as Franko has it, 1606.

*The Arts*

## The First Translator of Shevchenko in the English-Speaking World

On the Eightieth Anniversary of the Death of Andriy Humnytskyi

*Roksolana Zorivchak*

The first attempt to introduce Shevchenko to the English-speaking world was made 128 years ago – on 1 March 1868 – by Ahapiy Honcharenko (real name Andriy Onufriyovych Humnytskyi), an activist of the Ukrainian national movement, a priest and a journalist. He was born on 19 (31) August 1832 in the village of Kryvyn (now Kryve, Popilyany district, Zhytomyr province) in the family of a priest. He studied in the Kyiv theological college and seminary, and in 1853 took holy orders in the Kyiv Monastery of the Caves, adopting the name Ahapiy. Often the young monk was sent on various duty visits to surrounding villages, where he observed with horror the lives of the serfs, but he found pleasure in books. He was a natural linguist, and was fluent in the ancient Greek and Hebrew languages, and was very well versed with world history and architecture. Thanks to his abilities and intelligence, Humnytskyi attracted attention to himself, and was appointed deacon at the Russian Embassy chapel in Athens in the autumn of 1857. In Athens, Humnytskyi became interested in *Kolokol*, the first Russian revolutionary newspaper, and established links with Aleksandr Herzen and Nikolai Ogarov. Over a certain period of time, he was a regular contributor to this newspaper.

Humnytskyi's anti-government articles alerted the tsarist regime. In February 1860, spies caught Humnytskyi red handed in the process of sending his next manuscript to Herzen. Within half an hour he was in captivity. Humnytskyi was to be transported by ship to Odessa and subsequently handed over to the church authorities. Fortunately, Humnytskyi's friends bribed his guards in Constantinople and helped him to escape. The main role in this was played by Osyp Honchar (1796–1876) – a descendant of the Don Cossacks – who had been acquainted with Herzen for a long time.

In March 1860, Humnytskyi arrived in London under the assumed name of Honcharenko, which he used constantly since then. There he met Herzen and Ogarov for the first time. From 8 April 1860, when L. Chernetskyi opened a printing press ('Free Russian Typography'), Honcharenko worked in it as a compositor.

Learning from I. Turgenev about the death of Taras Shevchenko, Herzen personally informed in the newspaper *Kolokol* of 1 April 1861 about this great tragedy. Under the report was published an article by Honcharenko. In it the author refers to Shevchenko as an 'enemy of tyranny of any type', a 'fighter against the Tsar, and officials, and noblemen, domestic and foreign'. Honcharenko wrote that Shevchenko's word 'filled with hope the hearts of his oppressed and perse-

cuted fellow-countrymen abroad, cheered our people in captivity'. This was the only article in Ukrainian in *Kolokol*. It is sometimes referred to as an obituary, although this is not an altogether true description. Mykhailo Drahomanov was, perhaps, right when he called it a lament: through the lips of Ahapiy Honcharenko the nation mourned for its most famous son.

But Honcharenko did not remain in London long. In Greece there prevailed at the time a severe monarchic regime and Honcharenko grieved for the fate of the Greek people with whom he felt a close affinity. When he learnt that the Greeks were rising for a struggle against tyranny, he immediately (1 September 1861) went there, understanding full well that he was risking his life. In Ukraine, he was cursed as an 'exceptional criminal'; in August 1861, the Synod declared him unfrocked; the tsarist regime offered a large financial reward for his delivery dead or alive. On 9 January 1862, Honcharenko arrived at Mount Athos, where he was ordained a priest.

On 1 January 1865, he arrived in the USA. When, in 1867, Tsar Alexander II sold Alaska to the USA, Honcharenko had the idea to settle in San Francisco (this city was the gate to Alaska) and to publish a newspaper there: the fate of the population of Alaska (where there were many descendants of the Zaporozhian Cossacks), which was transferred from the oppression of the Russian Tsar to the rule of an American military garrison, greatly perturbed him. In November 1867, in San Francisco, Honcharenko founded the first printing press on American soil which had Cyrillic letters in addition to the Latin alphabet. There he also founded the first Slavonic library in the Western hemisphere.

On 1 March 1868, Honcharenko began to publish the bi-weekly *The Alaska Herald*. Initially, it came out only in English, but later systematically published articles in Russian and occasionally in Ukrainian. In the first edition of *The Alaska Herald* Honcharenko published his own work 'Curious ideas of the poet Taras Shevchenko', a free prose translation of particular extracts (lines 89–106:

A good slice of the world is ours;  
Siberia, think! – too vast to cross!  
Jails? People? Counting takes too long!  
From the Moldavian to the Finn  
Silence is held in every tongue...  
All quite content... In our domain  
The Bible is made plain to us,  
The holy monks explain it thus: –  
A king, who used to pasture swine,  
Murdered a friend, and stole his wife,  
– And thus he won eternal life!  
Just see who's in *our* Paradise!  
You're unenlightened, you don't know  
The truths the Holy Cross can show!  
So learn our rule! Fleece, fleece and give;  
    And when you've given –  
    Straight off to heaven,  
And take the family if you like!

and 128–29: 'Why, then wast Thou crucified, Christ, Thou Son of God?') from the poem 'The Caucasus' (1845). As a prose recreation of poem text and, moreover, not altogether semantically true, Honcharenko's text cannot be regarded as a

translation in the present understanding of the word. But it is of great significance in the history of literature, in as much as thanks to it Shevchenko's word for the first time sounded in the English-speaking world.

In *The Alaska Herald* Honcharenko sometimes printed in the original quite long extracts from Shevchenko's works: the poem 'The Caucasus', the Epistle 'To my fellow countrymen, in Ukraine and not in Ukraine, living, dead, and as yet unborn...' (1845), the poem 'Dumy moyi, dumy moyi...' (1839). These were the first publications of Shevchenko's works in the original in America.

In May 1872, he sold his English typeface and continued the publication of materials in Slavonic typeface, now under the name *Svoboda*. From 1 September 1872 to 1 June 1873, only 5 editions of *Svoboda* appeared, in Russian and a few in Ukrainian. Thereby to Honcharenko belongs the honour of being the publisher of the first newspaper in Cyrillic in America. In the last edition of *Svoboda*, Honcharenko reprinted from *Kolokol* his 'lament' for the death of Taras Shevchenko. There he gave in the original those lines of the poem 'The Caucasus' which were published in English in the first edition of *The Alaska Herald*.

In his letters, primarily to the writer Mykhailo Pavlyk, Honcharenko often quoted extracts from Shevchenko's poems. Particularly interesting is Honcharenko's letter to Pavlyk from 15 December 1895, which is preserved in the M. Pavlyk collection of the Central Historical Archive of Ukraine in Lviv (file 1, document 211, folio 298). In this letter, Honcharenko wrote: 'I have nothing else in our Ukrainian language than the "Kobzar", which the late T. Shevchenko himself sent to me in London in 1860'. This quote cannot fail to move researchers and to raise numerous questions.

In the summer of 1873, Honcharenko was forced to give up publishing. He bought a plot of land in Hayward, near San Francisco, and settled there, calling his homestead 'Ukraine'. At Pavlyk's request, Honcharenko sent his memoirs to Lviv, where they were published in the journal *Narod* in 1894. That year, they were also published separately in Kolomyia, entitled *Memoirs of Ahapiy Honcharenko, a Ukrainian Cossack-Priest*.

In the *Memoirs* Honcharenko talks about himself and his family, giving a more detailed account of his childhood, his youth, and the London period of his life. The language of the memoirs was that of popular speech, containing many phraseologisms ('I am moulded of different clay', 'even sharpen a stake on his head' (he is very obstinate); sayings ('the gruel is ours, and the borshch is our parents'); Shevchenkisms ('In one's own house, – one's own truth, One's own might and freedom'); folklorisms ('my father is a potter, and I am his son, potter and gruel-boiler'); etc.

Honcharenko never saw Ukraine again: he died on 5 May 1916 at his Californian home. But he has a sure place in Ukraine's history as a participant of the national-liberation movement of the second half of the nineteenth century, and as the first populariser and translator of Shevchenko's works in the English-speaking world. □

## The Art of Glass in Ukraine

*Yevstakhia Shymchuk*

Today, Ukrainian artistic glassware is having an unprecedented 'career', and becoming an integral part of the multicoloured international glass scene of Europe and America. This is a normal and natural process of our time. On occasion, it results in a metamorphosis of traditional artefacts – the vase, the plate, or that Ukrainian favourite, the bear – which comes as a shock to traditionalists. This is a consequence of the development of art in Europe and the USA in the twentieth century. Historical circumstances separated Ukraine temporarily from the socio-cultural evolution of the world. This must be taken into account when analysing the many art forms that developed between the 1940s–60s. Nevertheless, the conceptualism of the West, with its philosophical subtleties and discoveries, reached even Ukraine. Here one should mention as examples: the geometrical symbolism of the sculpture of Oleksander Arkhymenko, the compactness of Pablo Picasso, or the lost structure of material in the paintings of Salvador Dali. The specifics of Ukraine's official culture imparted certain unique features to artistic glassware; certain canons were developed, which hardly anyone dared change. In this was taking place a slow transformation of aesthetic criteria.

The art of free-blown glass evokes associations, depending on the degree of intellect and sensitivity of each individual. These associations have a time-bound nature, which, in its turn, is fixed in our memory and creates a visual contour of the subject or concept. Our associative imagination works quickly, as far as a complete symbolic definition is concerned, so time is needed for it to make a clear impression in the consciousness. Often in the circles of artists 'battles' flared up – is it possible to use glass to depict certain spatial objects, self-sufficient in form? A universe of the unknown was being born before our very eyes. Twentieth century art has been distinguished by the conceptualism of formal searches – the geometricised diversity of the world, a laughter-generating disintegration of matter – and, simultaneously, by the ever-valid *sacralia* of the classical understanding of Beauty. One need only recall the canons of the Antique world, the 'divine ratio' of classicism and, finally, the 'golden section' used by the Swiss Le Corbusier, in order to feel the need of a great respect for the ideal harmony in the works of all conscientious artists.

These factors naturally influenced attitudes towards the glass artefacts produced over the last few decades by Ukrainian artists. A number of deliberately controversial artistic innovations were introduced to this genre, in order to destroy the inertia which comes from the use of the same old well-known forms (for example, vases and sets of tableware), and auxiliary materials (wood, metal, sand, string) were introduced in order to extend the potentialities of glass. The modification in the development of Ukrainian glass-making at the end of the twentieth century manifested itself in various ways in the works of Andriy Bokotey, Franz Chernyak, Albert Balabin, Ivan Apollonov, S. Martynyuk, B. Halytskyi, B. Voytovych (1947–91), Vitaliy Ginsburg, and Oleksander Zvir. The inclinations of the majority focused on certain associations, drawn from the ambient material world. This gave rise to such works as Ivan Apollonov's wine-service 'Handzya', O. Hushchyn's

vase 'Rus', and the vases and compositions of Z. Maslyak (1925–84), M. Tarnavskiy, Mechyslav Pavlovskiy, Ya. Matsiyevskiy, and Franz Chernyak.

However, even now certain artists do not set themselves new challenges, confining their activities to the presentation of the form, colour and the embodiment of the images stipulated by such titles as 'Autumn', 'Apple', etc.

In the artistic milieu, the 1970s and 1980s were notable for the 'dramatism' in their opposition to the official line. Exhibitions abounded with slogan-type compositions with the same old names: 'Revolution', 'Flame of revolution', 'Red May', and so on. But at the same time, in the ateliers, there were on-going discussions on the aesthetics of ceramics, glass and textiles. The desire to circumscribe and regulate these forms had grown weak both on the side of the authorities, and also on account of the wise policy of Zinoviy Flinta (1935–88), the long-standing leader in decorative-applied art. The lead was taken by the ceramists. Here it is appropriate to recall the exhibitions of T. Levkiv, O. Bepalkiv, N. Fedchun, M. Kachmar-Savka, and the artefacts of T. Drahan, R. Petruk, Andriy Bokotey, Zinoviy Flinta et al. Glass was, moreover, in a favourable situation – the material itself is attractive and self-sufficient, and differentiated by function. Every artist produced his own forms, successfully developing sets of tableware or free compositions. The ability to name works on the model of 'decorative composition', 'decorative sculpture', made the experiment possible. Glass was used as a material for monumental works: stained-glass windows, lamps, decorative lattices, interior mouldings. Over several decades, Ukrainian glass-blowing became enriched by technological experiments and discoveries. I would like to note the Venetian filament of Mechyslav Pavlovskiy, the clarity of infused colours in the works of B. Valka, the diversity of form of the vases of Petro Dumych and R. Zhuk, the *recherché* compositions of Ya. and M. Matsiyevskiy and I. Chaban. It is worth noting also the fact that the Lviv ceramic-sculpture factory was an experimental creative base: in Lviv there worked leading artists in glass from various regions of the former Soviet Union, and their productions invigorated the development process of modern glass.

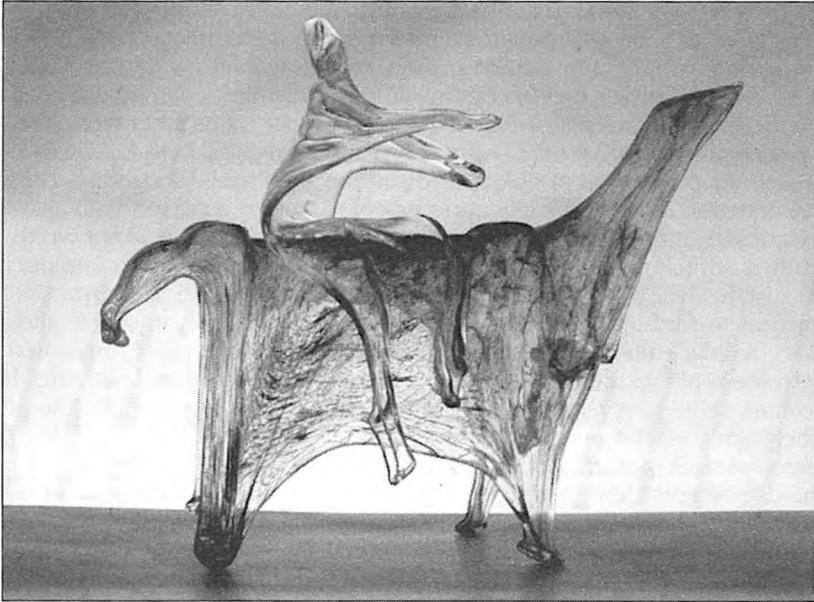
A diverse set of artistic principles was elaborated: 1. when glass displays the range of its possibilities, let us say, only by variation of colour and minimal change of form; 2. when the concept demands the introduction of auxiliary material; 3. the dissonance of glass as matter and the compositional closure; 4. the artistic material – glass *per se* can be the subject of passion. These principles are not binding on all, each artist has his own intellect and certain temperament, his own experience, outlook on the world, and thus lives and creates in the space of certain schemes, making use in his work of new techniques or fashionable philosophical sub-texts. The works of B. Halytskyi, B. Vasylytsiv, B. Voytovych, Ye. Shymonyak-Kosakovskiy, I. Onyshchuk, V. Ryzhankov are splendid examples of the knowledge of various technologies and their use. S. Martynyuk reaches an ideal perfection in his compositions, working within the strict framework of theory, elaborating the sequence: form, colour, surface and light.

The whole load of achievements of the nuclear twentieth century, with the landing of man on the Moon, drives the restless to search for new dominant themes.

The 'cult of glass' in the works of Franz Chernyak and Andriy Bokotey achieved such artistic reflexes that the fundamental postulates of Ukrainian glasswork were transformed to a different, qualitatively new, level. The exhibitions

'Glass. Image. Space', 'The Glass of Franz Chernyak', and 'The Glass of Andriy Bokotey' revealed new vistas of development in several directions which continue to develop today. The decorative sculptures 'The Chumak trail' (1978), 'The birth of matter' (1980), the series 'The Universe' (1979) by Andriy Bokotey, and the compositions 'The Cosmos' (1980) and 'The Sea' by Franz Chernyak were directed towards the search for form in space, the pure plasticity of glass. Artists worked with different results, but they had a common idea – the use of glass.

Andriy Bokotey felt a divergence of the artistic language of material. His various images 'Executive toy', 'The Great Bear', and 'Variations' existed not *sui*



Andriy Bokotey. 'Rider'. Glass. 1992

*generis*; they were a logical expression of the identification of the individual life experience with an understanding of the enormous possibilities of glass. The artist created spatial forms and in parallel mastered his inner space. His discoveries were, to a certain degree, his own 'proposition-recipes' for the understanding of other artists. The composition 'The Chumak trail' resonated with the sculpture 'Homage to Henry Moore' (1983). And a broad spectrum of innovations is developed in the series with the general title: 'Objects in space'. With the artistry of a regisseur, Bokotey develops the interior space, often with little attention to the outer form of the work. The glass itself is subordinated to his 'fancies'; thus there emerge a sphere from a spiral, a figure of a human – (or is it a bird?), a drop or an abstract stain (usually localised). He finds a significant measure of combining glass with metal oxides, salts, foil, enamels, glass fibres, oils, and crystalline fragments. He made hundreds of attempts, with many failures and

inharmonious proportions, but his stubborn desire to find the most telling interior structure persisted. As a result, he achieved innovations unique in the history of Ukrainian glass, for example, a figure of blown glass within a glass sphere, a holographic image of a landscape, an integral glass form containing a drop of gallium which melts from the warmth of the hand, portraits in glass, generously 'inscribed' in many plates. His works: 'Ecology', 'Cuttlefish', 'Mamay the Cossack' and 'The bird of Pharaoh' are a continuation of this search.

The symposia in Novyi Bir and Lviv gave a fresh impetus to his expression. A new enthusiasm is now appearing in Bokotey's works as he reveals the mysteries of unfolded glass planes. The interior tensions which formerly gave him rest have now been pushed into the background. They have simply ceased to interest him. It is as if he had pulled them out on to the surface of his unfolded planes. For example, the transformation of the resolution of the object in 'Executive toy' found its logical continuation in 'Pram' and outlined the perspective of the concept and realisation of 'People in space'. This latter work became the symbol of the international symposium on blown glass, held in Lviv in 1992.

An abstract perception of objects allowed the artist to rediscover a successful course of action. It is completely unnecessary to portray a person with anatomical exactitude, and reproducing the human form naturalistically is not worth the effort. It is sufficient to determine the silhouette of the person (in a particular pose) and this will work for the convincingness of the image, its sharpness. The temptation to find an abstraction of the formula of 'Person in space' allowed Bokotey to place his 'heroes of sharp tales' on horizontal planes mounted on wheels; these planes are treated as being composed of smaller glass forms, bent in a certain sequence, reminiscent of figures seated on a long bench. These can be freely put together at will and scenes revealed into which the artist has programmed elements of irony and humour.

The use of unfolded glass planes led to new innovations at the level of the image ('The Crucifixion' and 'Christ' – a composition presented to the Vatican collection). The retrospective exhibition of the Lviv symposium (1992) included his two works: 'Weariness' and 'We are sitting'; these remarkably vivid and emotionally accurate works gave a new breadth to reality and opened yet another avenue for experimentation, which was continued by an artist in France. Andriy Bokotey, it appears, was the first Ukrainian glass-blower to reveal an unrestrainable desire to expand the range of capabilities of free-blown glass.

Diverse technological and formal explorations in glass on the path towards absolute beauty of the image make a synthesis of the cultural traditions of Ukraine and the finest achievements of mankind. It is natural that artists turn to them also in glass, offering new images in the powerful language of colour and form.

Religious subjects, augmented by psychological intuition and literary clarity without social motives, became the basis of Franz Chernyak's works 'Crosses', 'Countenances' and 'Figure'. This is a new facet of the interests of the artist. In short, decades of work in Ukrainian glass would be inconceivable without the works of Franz Chernyak. The artistic milieu of Ukraine well remembers the magnificent impression made by his first personal exhibition in the Lviv picture gallery. This released the block of the traditional view of glass in Ukraine. Chernyak is one of the few professional artists who has a complete mastery of the

glass-blower's skill. This enables him to perceive the whole spectrum of the 'nature' of glass from the initial lump of molten glass to the finished image.

Franz Chernyak's compositions 'Pumpkins', 'Birds', 'Poplars', 'Peas' and 'Penguins' long-since became classics of Ukrainian artistic glass, an autonomous re-creation *sui generis* of the forms of nature in the fantasy of the artist. The ideal perfection of the wealth of flora and fauna was not copied, but created anew in glass.

One can only wonder at the profound quality of the image and great mastery of execution which characterise the works of Vitaliy Ginsburg, Ivan Apollonov and Albert Balabin. Ginsburg is a virtuoso of the 'figurine', which he produces using a small gas furnace. But success in this field has not narrowed his interest to three-dimensional figures. He experiments with various techniques of working with glass, in order to feel himself 'free'. The works of Apollonov, Balabin and Ginsburg, after long experiments, have become distinguished at international private viewings for their original talent.

A number of artists are seeking the absolutely physical, a brilliant play with the colour of texture: matt, gloss, smooth, rough or 'magma'. This approach is characteristic of the works of Balabin ('Figure', 'The Chumak trail'), B. Halytskyi ('Decorative composition'), S. Kadochnikov ('Nostalgia').

From the point of view of the critic, the radical changes in the approach to glass at the turn of the 1980s to 1990s is interesting. There are no restrictions – other than those of technology and money. With the abolition of government censors, artists received, together with the independence of Ukraine, the gift of the freedom of creativity. This, in its turn, permits the development of the unique talents of everyone not indifferent towards the imagination and work. At times, fantasy produces miracles and completely new courses appear in the well-known techniques of glass-working.

The creations of young Ukrainian artists, in particular Oleksander Zvir, stress the symbol in space. There takes place a visual transformation of the real contours of the glass surface, giving the illusion of spatial forms, created by the 'fantasy of the artist' with a great number of possible metaphors. His competitions have an internal tension, they are filled with a severity of form, but are nevertheless always gracious.

The symptom of originality drives the development of Zvir's talent. He compels various forms to live anew, filtering their visible properties: translucency, colour, texture of surfaces (smooth or reticulate) at their points of intersection or tangency. His works become symbols of physical bodies recreated in space.

The birth of each new talent is always an event. The one-man show of Roman Dmytryk revealed the difficult course of choice and separation of oneself from the established authorities in the consolidation of one's own existence. The brilliant compositions shown at various exhibitions ('Khutir', 'The glass of Roman Dmytryk', 'International symposium of blown glass') are filled with a magic power of the balance of relations between the form and the mass of glass, the play of light and the ambient space. The glass objects of Dmytryk possess a dynamic and conform to the spirit of the 'modern' twentieth century. In my opinion, it is worth giving their due, as an advance, to young artists, in the hope of seeing, in due time, a truly original talent.

The new generation of artists working in glass is aspiring to look outward to the world. They have mastered the grammar of the language of glass, and their own

course of development in glass-working. This has been facilitated by the updating of teaching procedures in the department of glass of the Lviv Academy of Art, and also the symposia in Lviv organised by Andriy Bokotey, the visits of groups of young artists to France and visual contact with the classics of the world art of glass – all of which represent sound ‘investments’ in the future development of Lviv glass.

The works of Lesya Mandryka, Oleh Datsyuk and Serhiy Korsay were introduced into the complex world of cultural memory and made their debut at the Second International Symposium. Lesya Mandryka, who has discovered a simplicity in the transmission of certain romantic moods was represented by the pictorial compositions ‘Penance’ and ‘Night’. It is appropriate, too, to mention here the works of Serhiy Korsay and Oleh Datsyuk. To their magnificent thin-walled light, refined objects of glass, there were added auxiliary accessories: draperies and flora (parsley, guelder-rose, carrots), which envisaged a *sui generis* demonstratively-playful gesture. The freshness, even moistness, of the vegetable life ‘felt’ well beside the smooth, elastic dynamic surfaces of the glass forms. In these exhibits, the material of nature was placed, quite openly, in an interesting dualistic formula. A true freedom of creativity is close to us. Processes of free contemplation rejecting past achievements in glass are characteristic of the works of Oleksander Shevchenko. A pull to investigate certain linguistic symbols is opening up yet another facet in the development of Ukrainian glass-work.

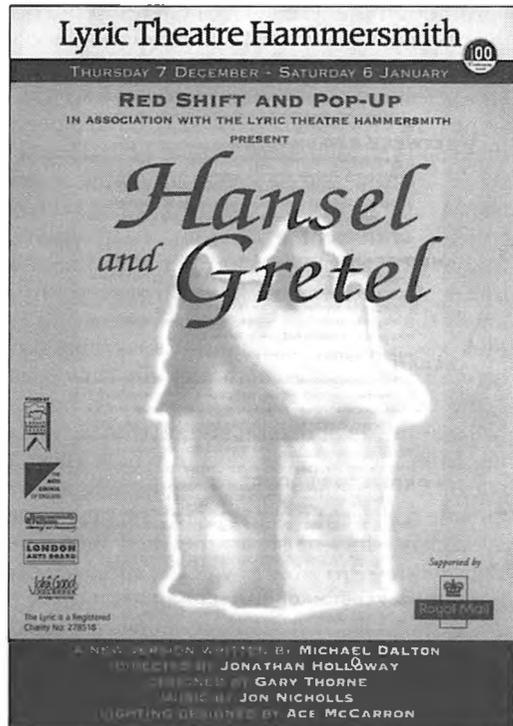
Such an approach cannot be common to all. Shevchenko first of all ‘destroys’ in order then to build. The especial make-up of his intellect and his own particular characteristics of perception of the world as revealed in his ideal treatment have become the distinguishing features of his works ‘Lot’s Wife’, ‘Portrait’ and ‘Hands’. This artist’s works are splendid in their particular beauty, since the various elements – glass, wire, the play of light – all work towards the attractiveness of the entire picture, which is created for the first time, due to his particular manner of thinking, in the spatial depths of his ‘ego’.

The flourishing of diverse truths, the manifold nature of searches for logic, the continuation of traditions and the destruction of generally accepted courses – all these are facets of modern Ukrainian glass-work. A process is going forward, developed in an appropriate formula of the ‘structural form of glass’ which stresses the spatial qualities and dynamic of the unexpected in the sources of creative thought. □

**Hansel and Gretel**, a new version by Michael Dalton, presented by the 'Red Shift' and 'Pop-up' theatre companies, Lyric Theatre, Hammersmith, London, December 1995–January 1996

This play was a daring attempt to rephrase the folk-tale of Hansel and Gretel within the context of today's Ukraine. As such, it was attacked by virtually all the mainstream drama critics; however, the present reviewer took to the performance a representative of that section of the public for whom it was primarily intended – a ten-year-old girl. And as far as this young critic was concerned, the play certainly 'worked', and in the interval and on our way home, she carefully explained to me all the psychological niceties she thought I might have missed. For, although, being written in the British 'pantomime' tradition, the characters were somewhat one-dimensional and, even, caricatures, nevertheless, the play had an underlying and deeper message – the need for mutual understanding between generations and across the years.

The outer structure of the play represented a Scottish folklorist Peter Peterson and his son Harry, arriving in Kyiv on Ukrainian Christmas Eve, 1996. Harry's mother is recently dead, and his father is clearly trying to kill his grief by throwing himself into a research project on Ukrainian folk-lore and folk-customs. Harry, tired from his journey, falls asleep in front of the stove, and dreams himself into the role of Hansel. Finding himself (in the dream) trapped in a pantomime situation, in which the other characters – Gretel and the woodcutter parents – apparently can only hear him when he speaks in rhymed couplets, he manages to perform the first part of his role (leaving a trail for them to find their way back to the cottage), while remaining conscious of his own identity as 'Harry' (in a manner reminiscent of the 'hidden observer' phenomenon in certain cases of hypnosis). He is hired by his father, but a little later falls asleep again, and returns to his role as 'Hansel'. But this time, 'Gretel' is also aware of her other identity as 'Malenka' – a Ukrainian child from 1946. Between enacting the various episodes of the story, the two converse about their backgrounds, and we see on stage an episode from 'Malenka's' life in Kyiv, when her mother, an actress, was trying to



revitalise Ukrainian theatre after the devastation of the war. Finally, the two children return to their own eras – and Harry, waking in Kyiv, resolves to try to find out what has become of ‘Malenka’ – only to discover (inevitably, perhaps), that she is now the old actress in whose apartment they are staying – and whom, on his arrival, Harry had found, to say the least, uncongenial.

Although the ‘Hansel and Gretel’ sequences are envisaged as a joint dream of the two children, what we see is, undoubtedly, Harry’s own version of events, mediated by the few facts and impressions he has of Ukraine. Viewed in terms of psychological credibility, his very entry into the ‘Hansel and Gretel’ story, rather than some other folk-tale, can be said to have been triggered by his father’s reference to the Stalin-made artificial famine of 1933 and to the announcement by the young actor, Anatoly, that he had got a part as a woodcutter in a forthcoming film. (The Hansel and Gretel story begins, it will be recalled, by a woodcutter and his wife, stricken with famine, deciding to abandon their children in the forest). Significantly, the forest, which in the first dream-sequence has no name, acquires one by the second. For, in his brief period of waking, his father asks him: ‘Do you know that Chernobyl means “Wormwood”?’ So, in the second dream-sequence, the forest has become the sinister Worm Wood – suggesting that once it was the habit of a dragon, even though the only hazard the children actually have to face is the cannibalistic witch. The play to be performed in the 1946 Kyiv theatre is, likewise, a tale of dragon-slaying (the very story that Peter Peterson had been hearing from their hostess, and in which Harry professed to have no interest whatsoever). While the name of the famous actor ‘Skavinsky Skivar’ who is to perform the title role clearly comes from the nineteenth-century British ballad (still popular at student sing-in) about the duel between Ivan of that name with Abdul the Bulbul Emir! Probably few of the audience consciously noticed these points. Subliminally, however willing the superstition of disbelief – a story-line will only work if it exhibits its own, consistent, internal logic.

To judge from the comments of my young companion, this story-line did, indeed, ‘work’ – in spite of the scathing reviews by the British theatre critics. What inspired the author, Michael Dalton, to set it in Ukraine, is unclear – but, having decided to do so, he and the producers made sure that the audience acquired at least some basic facts about Ukraine. For the souvenir programme – a really excellent production, with competitions, puzzles and outline drawings for colouring, also included an excellent outline of Ukraine’s history and current situation, by Marko Bojcun, head of Ukrainian studies at the University of North London. □

## *Conferences & Exhibitions*

### **International Symposium: 'Four Hundred Years Church Union of Brest (1596–1996). A Critical Revaluation', Hernen and Nijmegen (The Netherlands), 28–30 March 1996**

This symposium, organised jointly by the Institute for Eastern Christian Studies (Nijmegen) and the Interuniversity Institute for Missiological and Ecumenical Research (Utrecht), combined a scholarly reassessment of the history of the Brest Union and its aftermath (including its huge legacy of polemic literature), with a review of the current position of the 'Uniate' Churches in the



Conference participants outside Hernen Castle, The Netherlands

world today and the possibilities of their acting as a 'bridge' to Catholic-Orthodox rapprochement. This was no easy task; as the Director of the Institute for Eastern Christian Studies, Dr Ed de Moor, said in his opening address, 'few subjects are as delicate' as that of the Union. And, as the symposium itself revealed, there are, alas, on the Orthodox side, many closed minds on this matter – even in an avowedly scholarly meeting such as this. In particular, in her paper 'An evaluation of the origins of the Union of Brest' Dr Sophia Senyk argued convincingly against

the often reiterated view that King Sigismund of Poland was one of the key figures in the genesis of the Union, fostering and promoting it for his own political ends, showing, rather, that not only was the King essentially on the margins of the negotiations, but that he was actually, at least initially, somewhat wary of the implications of Union. Yet on the closing day, Fr. Georgiy Zyablyotsev from the office of the Moscow Patriarchate of the Orthodox Church showed no signs of having noted her exposition – he simply read a prepared paper reiterating the same traditional line, attacking the machinations of Sigismund and the Jesuits and denouncing ‘uniatism’ as a barrier to ‘real’ church unity. (This was, of course, a prepared paper, and presumably, at least in part, expressing his own views, he showed no sign of moving away from the same old anti-Union clichés).

The symposium focused almost exclusively on the Union as it affected and affects Ukraine. Other Uniate Churches, in Belarus and Romania, received only passing mention, though the case of the Church of Antioch, part of which took its own route to communion with Rome, was discussed at some length and provided some interesting comparisons. (In particular, the very different political ambience in which Antiochene Union took place meant that it did not generate the violence which, unhappily, was one of the results of Brest). The material presented fell into three main divisions. The first two days (at Hernen Castle, near Nijmegen) were devoted respectively to the history of the Union and its current implications, the third day – at Nijmegen University, with the lessons of the Union from the point of view of improving Catholic-Orthodox relations.

The ‘historical’ papers on the first day tended to focus on specific key figures in the Brest negotiations and subsequent polemics: Meletiy Smotrytskyi, Lev Krevza, Zakharya Kopystynskyi and the *starets* Artemy all were the subjects of special presentations. Equally important, perhaps, were the various aspects of the Union which did *not* have papers of their own, but yet which emerged as major strands in the history of the era, and might well be taken up by other speakers in the various other ‘Union’ conferences scheduled for later this year. Such aspects include the remarkable role of the lay Orthodox brotherhoods, both in their encouragement of education and printing, and also in the remarkable freedom of action which they had in religious matters, being in many cases empowered to act independently of the control of the local bishop. Many still unanswered questions – in particular the motives which impelled Sahaydachnyi and his Cossacks to take so fierce a stand against the Union – also deserve further specialised scholarly attention.

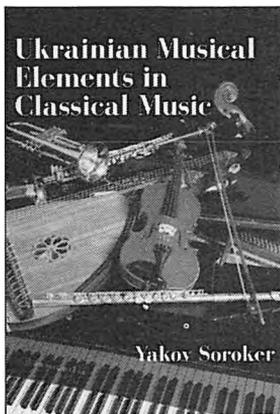
The second (contemporary) part of the programme was highlighted by Bishop Michael Hrynchyshyn’s exposition of ‘The current situation of the Greek Catholics in Ukraine’. This session engendered some considerable discussion as to whether what took place at Brest was a true ‘Union’ at all. Opponents of the Union resorted to philology: the Latin for ‘union’, they pointed out, was *Unio*. But Brest is always referred to as *Unia* – which, they said, was a ‘Polish neologism’ coined to describe a new phenomenon, in effect the subjugation of Eastern Christianity to the theological traditions of Rome. Certainly, over the past 400 years, the record of Roman-rite Catholics towards their Greek-rite brethren has been, to put it mildly, far short of the Christian ideal, and the paper of Dr Johan Meijer (a priest working with Uniate communities in the Netherlands) on ‘Greek Catholics today: how

does it feel living at the border between East and West?' was eloquent about the uncertainties and tensions so generated. However, the concept, inherent in certain Orthodox schools of thought, that this is the result of a deliberated and well thought-out Vatican policy of 'uniatism' seemed able to produce even a working definition of it – and without an agreed definition of one's terms, productive debate becomes virtually impossible.

At times it seemed that the 'ecumenical' aspects of the conference were an obstacle to scholarly debate. Many of the participants were clerics – albeit clerics of a considerable academic standing. A gathering of 'uncommitted' lay scholars would, perhaps, have avoided some of the tension palpable behind even the most courteous disagreements. But even if there were sufficient learned expertise in lay circles to make this possible, the deliberations of such a meeting would have borne, at the most, only the intellectual fruit of the published 'proceedings'. The organisers of this symposium, however, wanted it to have an ecumenical as well as an academic purpose, and to make it at least a small contribution to the healing of 400-year-old wounds.

In fact, such are the ironies of history, the inevitable Catholic-Orthodox tensions were to some extent offset by parallel, and much more recent, tensions within the Orthodox contingent itself. For the latter included adherents of both the Constantinople and Moscow Patriarchates – two jurisdictions currently at loggerheads over the allegiance of the Estonian Orthodox Church. The fact that, with all these complex circumstances, the symposium took place, nevertheless, in an atmosphere of warmth and cooperation at the personal level, is not only a remarkable achievement (for which the ambience provided by the organisers must take a major part of the credit), but is also, one may hope, an encouraging sign for the future. □

## Reviews



**Ukrainian Musical Elements in Classical Music.** By Yakov Soroker (Canadian Institute of Ukrainian Studies Press, Edmonton-Toronto, 1995), 155 pages

This erudite and fascinating work is the first-ever attempt to give a comprehensive survey of the influence of Ukrainian musical elements and motifs in classical music, from the eighteenth to the first half of the twentieth century. It covers a range of musical compositions, from deliberate evocations of the Ukrainian style (Moniuszko's song 'Kozak' in the *Śpiewnik domowy*; Liszt's 'Ballade d'Ukraine', Taneev's *Ukrainskie narodnye pesni*) to subconscious echoes of Ukrainian motifs. (The latter include not only individual phrases and echoes of Ukrainian works, but also the minutiae of harmony and intonation). At the same time, it interprets 'classical' music in a fairly broad sense, including not only Mozart's operas and Hayden's Oratorio *The Saviour's Seven Last Words on the Cross*, but also some of the more glaring examples of Soviet *sotsrealizm*, such as Prokofiev's opera *Semen Kotko*.

The book falls into four main sections. The first presents a detailed musicological analysis of the melodic features which Soroker considers to be 'a set of standard features typical of Ukrainian folk music both in Ukraine proper and beyond its borders', stressing, in particular, those which are not shared by the musical folklore of neighbouring peoples – the ascending minor sixth, the augmented second, the Lydian fourth, and changes of modality within a single work. In particular, he identifies two variants of what he calls a 'signature' melody among Ukrainian songs in general '... a descending minor sixth with a direct resolution (often a cadence resolution) into the tonic... [and] the descending minor sixth with a resolution into the tonic by means of the II degree...'. He calls this stereotype the 'melodic turn of the Hryts' song' on account of the occurrence of the first variant in the folk song 'Oi ne khody, Hrytsiu, ta na vechernytsi', explaining that he did so 'because of its widespread popularity among Ukrainian folk songs'.

The 'Hryts refrain' features prominently in the second part of the book, dealing with 'Classical Composers'. Soroker finds its presence in the works of such composers as Hayden, Mozart, Beethoven, Boccherini and Brahms. He identifies a *kolomyika* theme in Mozart's *The Abduction from the Seraglio*, and notes of this composer's Divertimento no. 17 in D Major that 'the theme of the second movement... is so characteristically Ukrainian in spirit and structure of intonation that there is no need to point out its particular features, such as the melodic turns present in literally every measure and motif'. The identification of Ukrainian themes in these works is of considerable musicological significance, indicating how far this native Ukrainian musical idiom had become part of the general vocabulary of European composers – or at least of composers in that part of Europe

represented in the nineteenth century by Germany and the Austro-Hungarian Empire. For, significantly, all but one of the composers discussed in this section were native to those areas, with the exception of Boccherini who, although Italian, 'had many concert engagements in Europe, particularly in Vienna', spent 'many years as a court musician in Germany' and 'travel[led] to countries where Ukrainian songs were well known'. Soroker, indeed, stresses the interest of these composers in folk song collections, paying due note, of course, to the fact that Ukrainian songs were in many such collections referred to as Russian. He makes a valiant attempt to disentangle the strands of what is generally termed 'Russian' influence in Beethoven's works, asserting that several of the 'Russian' motifs identified by musicologists in fact go back to an earlier, Ukrainian, original. Thus, for example, he suggests that '[i]n the third movement of the E-minor Quartet... one can hear the strains of the [Russian] folk song "Uzh kak slava na nebe" (Like Heavenly Glory), but suggests that the Russian song itself derives from a Ukrainian original – the melody of "V nedilen'ku po obidi". He goes in some detail into the genesis of Beethoven's arrangements of folk songs, *Twenty-three Songs of Various Nationality* and *Ten National Airs Varied*, each of which includes a version of 'Ikhav kozak za Dunai' (identified respectively as 'Air cosaque' and 'Air de la Petite Russie'). Nevertheless, as far as Beethoven's original works are concerned, Soroker concludes modestly that '[u]nfortunately, I have been no more successful than my predecessors in establishing conclusively the folkloric roots of Beethoven's works'. Likewise he discusses the difficulty of disentangling Hungarian and Ukrainian themes in Haydn's works, so that, for example, the 'Rondo all'ungherese' of the Piano Trio in G Major is 'extremely close to the Ukrainian Transcarpathian folk song "Teche voda kalamutna"'.

Whereas the Central European composers were aware of Ukrainian music as a separate folkloristic phenomenon, Polish, and even more so, Russian composers tended to regard it as a part of their *own* cultural heritage. Not surprisingly, therefore, Soroker finds Ukrainian influence and motifs in a great number of these composers – indeed, in the case of the Poles, he does not even attempt to deal with them all in detail: Chopin, Moniuszko and Szymanowski are dealt with in detail, while a further 46 receive only brief notes citing their 'Ukrainian' works. A sharp difference emerges, incidentally, between the majority of these composers, who consciously wrote on Ukrainian themes (the works listed include such titles as 'Fantasia on Themes of Ukrainian Melodies', *Recollections of Ukraine*, 'Galician Folk Songs' and the like) and Chopin. For, concerning the latter, Soroker notes that

[u]nlike other national artists, Chopin had no interest in collecting, recording, studying or arranging folk music, or in ethnomusicology. This fact makes it difficult to discuss the presence of Ukrainian elements in Chopin's musical legacy, although, as experts on Chopin have long since ascertained, such elements do exist.

Conversely, Bartók, the Hungarian, who, in the structure of this book appears as a kind of appendix to the Polish section,

discovered a rich trove of ancient village folk melodies, including Hungarian, Romanian, Slovak, Ukrainian and other melodies previously unknown to musicians. This treasury of folklore became the basis for Bartók's subsequent work, as well as the subject of his scholarly research.

The Poles and Bartók do, at least for the most part, identify their Ukrainian material as Ukrainian. With the Russian composers (of whom Soroker analyses 14), Ukrainian material is sometimes identified (in the nineteenth century) under the 'politically correct' designation of that era – 'Little Russian'; but all too frequently is simply tacitly presented by the composers (or their publishers) as Russian music. Thus Tchaikovsky's Humoresque for piano, which is based on a Ukrainian folk melody, features in his works as op. 1. 'Scherzo à la Russe'. Interestingly, a number of these 'Russian' composers turn out to be Ukrainian or partly Ukrainian by descent – in particular Khandoshkin and Tchaikovsky (the family name was originally Chaika) – while others, such as Prokofiev and Glière, were born in Ukraine. (So, incidentally, was Szymanowski, and many others of the Polish composers who wrote music on 'Ukrainian' themes): Not all the Russian composers, however, were prepared simply to 'annex' Ukrainian music to Russia. Musorgsky, who had a particular interest in Ukrainian music (and who, incidentally, set to music some lyrics of Ukraine's national poet, Taras Shevchenko), wrote of his difficulties in composing his 'Ukrainian' opera, *Sorochyntsi Fair* (based on a novella by Gogol) as follows:

I have declined to write a [Little Russian] opera. The reason for this refusal is the inability of a Russian to become a Little Russian. It is not possible for him to master the Little Russian recitative, with all the details and particularities of the musical contours of Little Russian speech. I have preferred to lie less and speak the truth more. In an opera on non-historical subject matter, dialogue plays a more important role than in historical operas... because in it there are no major historical events to obscure the playwright's blunders and carelessness. Playwrights lacking skill in dialogue construction avoid scenes dealing with everyday subject matter in historical operas. I know the Great Russian somewhat. His devious nature veiled by benevolence is no mystery to me; neither are the sorrows that torment his soul.

Nevertheless, *Sorochyntsi Fair* was eventually completed, and, according to Musorgsky, 'evoked the greatest admiration in Yalta and throughout Ukraine. Ukrainian men and women recognized the music of *Sorochyntsi Fair* as truly national in character. I myself became convinced of this after the opera was put to the test on Ukrainian soil'.

In passing, it may be noted that a number of 'Ukrainian' works by Russian composers have been lost with the passage of time. Glazunov's planned 'musical portrait' based on *Sorochyntsi Fair* was never completed, and the violin solo from it which, according to one of his letters, had been written was never published. Prokofiev's ballet *On the Borysthenes* (the classical Greek name for the Dniro) was a failure, due, says Soroker, 'to the incompetence of the producer and director', and the music is now known only as an orchestral suite.

Soroker makes no attempt to draw any general conclusions from his analyses. The discussion of individual composers is followed only by a brief 'Conclusion', which could almost serve as a dust-wrapper 'blurb'. He simply ends his exposition with a quotation from Shevchenko and the statement that this work 'has attempted to demonstrate its influence on European classical music and to establish the credibility of Ukrainian folk music as an art of global significance'. This aim he has undoubtedly fulfilled.

Moreover, in spite of the profound, and often abstruse, scholarship of this work, it is frequently enlivened with fascinating anecdotes. We learn, for exam-

ple, of the reaction of the Belgian musicologist, Paul Tinel, to a performance of Beethoven's *Fidelio*. 'Deeply impressed by the Slavic character of the concluding chorus, Tinel suggested to the impresarios of the production that the final chorus of *Fidelio* be turned over to Ukrainian singers. His suggestion, however, was rejected'. We hear, too, that the Ukrainian national anthem 'Shche ne vmerla Ukrayina', composed in 1863 with words by Pavlo Chubynskyi and music by Mykhailo Verbytskyi, was borrowed by the Austrian Felix Petyrek as the opening item in his collection *24 Ukrainische Volksweisen für Klavier zu zwei Händen* (Twenty-four Ukrainian Folk Melodies for Piano Two Hands, Leipzig and Vienna, 1920). Soroker then observes that '[i]n 1918 "Shche ne vmerla Ukraina" was declared the national anthem of Ukraine. Petyrek was responsible for the harmonization of the melody, which is performed in the elevated style of an anthem'. Ukrainians, who may feel taken aback by the fact that the 'elevated' harmonisation of their anthem was made by a non-Ukrainian, may take comfort in further information which Soroker provides about Petyrek's collection:

The short introduction to the collection was given in both Ukrainian and German, as were the title page, the title of each piece, tempo indications, and even individual remarks throughout the musical score... The age-old practice of annotating musical scores exclusively in Italian was disrupted by the nineteenth-century Romantics, who began making such notations in their native tongues as an affirmation of nationalist and patriotic sentiments... Petyrek was perhaps the first non-Ukrainian composer to have given his markings in the Ukrainian language.

A remarkable record, even if, as Soroker suggests, 'the collection was intended for music lovers, professional and otherwise, who knew Ukrainian'.

Inevitably, even in a work of such excellence, there are a few minor flaws. Some of these are matters of translation, which, in the case of the titles of certain Ukrainian works, is occasionally less than felicitous. A 'grave' cannot 'stand' in a field (*mohyla* should be rather translated as 'grave-mound'), while the rendering of 'Zanadyvsya... zhuravel' as 'The Crane Got the Urge' seems particularly out of key! And what, one wonders, was the original of the statement that the third of the seven variations in Hummel's Trio, op. 78, is 'something akin to "cavalry jumps"?'.

And one hesitates to blame the author for the most serious omission in this work – the absence (with a very few exceptions) of the *opus* numbers of the works cited. For a musicologist to omit these is comparable to a literary critic omitting publication and page references. One tends to suspect, therefore, that some quirk of editorial policy was responsible.

Some oversights must be attributed to the author himself. As we have noted, Soroker pays considerable attention to the problem of how Ukrainian motifs and elements are identified. And Bartók, it would appear, on occasion identified such elements as 'Rutén'. Soroker cites the case of the *44 Duos for Two Violins*, where Bartók identified the three based on Ukrainian themes or composed in the Ukrainian style as, respectively, No. 2. 'Kalamajkó' (*Kolomyika*), No. 10 'Rutén nóta' (Ruthenian Song), and No. 35. 'Rutén kolomejka' (Ruthenian *Kolomyika*). The Ukrainian ('Ruthenian') attribution is either stated explicitly, or, in the case of No. 2, implicitly in the title of the archetypally Ukrainian song-form, the *kolomyika*. However, in the case of the Petite Suite, although both the English and German titles of the fourth piece likewise identify it as Ukrainian ('Kleinrussisch' and

'Ruthenian Dance'), the Hungarian title is 'Oroszos' (i.e. 'in the Russian style'). Soroker notes that

[t]his piece is an adaptation of Duo no. 16, initially called "Burleszk" by the composer... It is possible (but by no means certain) that Bartók was not sure from which folkloric source he had taken this music. It may be that while subsequently composing the *Petite Suite* he recalled the Ukrainian origin of the "Burleszk" theme and corrected his previous oversight.

But this does not explain why Bartók should have corrected it in the German and English versions, but not in Hungarian!

Again, to Soroker, the song 'Oi ne khody, Hrytsiu...' embodies a highly significant 'musical stereotype', to which he refers again and again in the course of the book. He notes, moreover, that

A Polish translation [of this song]... was published in 1822 in Lviv and reprinted in German translation in 1848. There is evidence to suggest that this song was widely known in other countries, including France (as early as the beginning of the 1830s), the Czech and Slovak lands, Belgium, and even the United States.

What he does not mention, however, is that in the 1930s, the melody of 'Oi ne khody, Hrytsiu...', with completely changed lyrics, became a popular song in the Anglophone world, under the title 'Mother, may I go out dancing?' This may be simply a lack of information – Soroker spent the first 56 years of his life in Ukraine, Moldova and Russia, before emigrating to Israel in 1976 – and can hardly be blamed, therefore, for not knowing the Western popular music of the 1930s. Or, he may simply have considered that in a work devoted specifically to classical music, such an allusion would be irrelevant.

The same cannot be said, however, of another, very curious omission. Beethoven's Czech pupil, Karel Czerný, is referred to only once in the course of the book – as the source for the statement that 'Beethoven constantly read articles on the folk music of Eastern Europe in the newspaper *Allgemeine musikalische Zeitung* and subscribed to score supplements offered by the paper'.

But Czerný, if not a major classical composer, at least has figured largely, for more than a century and a half, in the education of classical musicians, through his collections of progressively more difficult *Etudes*. And what Soroker omits to mention is that Book 1 of the *Etudes* is under the title *Air russe*, the Ukrainian folk song 'Zaporozhets za Dunayem'.

**Ukrainian-Russian Relations: An Unequal Partnership.** By Alexander Goncharenko (Royal United Services Institute for Defence Studies, Whitehall Paper Series 1995), 68 pp., £6.50

The author of this paper, at the time of writing a Research Fellow at the Royal United Services Institute for Defence Studies, was formerly head of the International Security Department at the Institute for World Economy and International Relations of the Ukrainian Academy of Sciences, and from 1992–94 served as Counsellor on Political and Military Affairs and Relations with NATO at the Ukrainian Embassy in Brussels. He thus brings to the subject of Ukrainian-Russian

relations an impressive wealth of academic knowledge with a strong emphasis on defence issues.

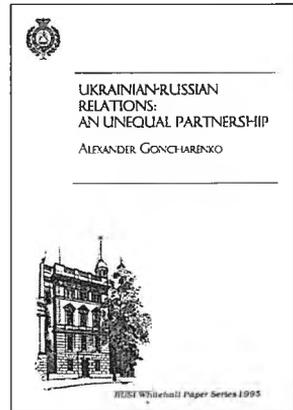
Goncharenko takes as his basic premise that for the 'last 340 years... Ukraine has always been a colony with all the consequences that that entails – ruthlessly oppressed and exploited', and that, even after the break-up of the Soviet Union, the attitude of the Russians has not fundamentally changed. 'The vast majority of Russia's population', he writes, '(according to sociological polls in the Moscow region, nearly 80 per cent) simply cannot accept Ukraine as a sovereign independent state. As Henry Kissinger once remarked, he never met a Russian who accepted that Ukraine could be truly independent'.

In 1994, he notes, Leonid Kuchma campaigned for the presidency on a platform of 'normalisation' of relations with Russia. 'But when he came to power, Kuchma quickly made clear that all this did not mean he was ready for reunification with Russia, and that he was elected to be president of an independent country, not a colonial vice-regent'.

In order to assist the prediction of developments in the still-unresolved principal issues of Ukrainian-Russian relations, Goncharenko proposes to analyse the main strategic priorities of the foreign, military and national security policies of the two states. The two main chapters of the book deal, therefore, with Russian and Ukrainian strategy, with a final chapter on the strategy of the West.

In the 'Russian Strategy' chapter, Goncharenko analyses the content of major Russian policy statements and analyses on Russia's post-Soviet role, from the February 1992 report of the Moscow State Institute of International Relations: 'After the Disintegration of the USSR: Russia in the New World' up to the report of the Russian Foreign Intelligence Service (FIS): 'Russia and CIS: Does the Western position need Correction?', released in September 1994, in connection with Russian President Boris Yeltsin's visit to London and Washington. Goncharenko brings out to the full such well-known themes as the Russian view of the CIS as a mere temporary body, to be consolidated, as soon as possible, into a new Russian empire, Russian claims to Crimea and the Black Sea Fleet, the use of Russian oil and gas supplies as a weapon of political blackmail against the newly independent states, and Moscow's demand to be recognised by the West as the natural 'guarantor of peace and stability' in the whole post-Soviet space. In addition, he reveals a number of less familiar facts, relating, in particular, to how these various strands of policy were made to interact with each other. He cites, for example, the ploy proposed in January 1992 (that is, only a few days after the Soviet Union was dissolved) by the head of Russia's Foreign Affairs Committee, V. Lukin, in order to retain for Russia the ex-Soviet armed forces stationed in Ukraine and the Black Sea Fleet. Goncharenko reveals that

the major 'trump card' in this scenario, according to Lukin, is the Crimea. The Supreme Soviet of Russia, he [Lukin] wrote, should consider the legitimacy of the transfer of Crimea to Ukraine in 1954. The local population, he predicted, would support the idea of independence for Crimea 'even without our direct involvement'.



'The Ukrainian leadership', he concluded, 'would find itself in a dilemma: either accept the loss of the Fleet to Russia, or consider the question of Crimean sovereignty'.

Even more important, Goncharenko discloses that, from the beginning, Russia has mounted a disinformation campaign at the international level regarding Ukrainian policies and aspirations. He cites a secret Russian document, leaked to the Ukrainian press in June 1992, which proposed a set of scenarios

aimed at restricting Ukraine's economic growth and independence and isolating Ukraine in the world arena. By creating and spreading through the mass media the image of Ukraine as an 'authoritarian-nationalistic and neo-communist regime', Ukraine was to be opened to international scrutiny and discredited in the eyes of the international community.

Moscow's strategy towards the CIS, Goncharenko concludes, is becoming more and more one of '[u]nequal partnership relations'. The FIS set of scenarios of September 1994,

is interesting primarily because it demonstrates quite clearly Moscow's master plan for grabbing back its old empire. From many points of view this plan is neither astonishing nor accidental. The whole history of Russia (from the sixteenth century on) is the history of permanent expansion and domination of other peoples. Formed from centuries of a messianic mentality, the 180 million people of Russia can not be reformed in a year or two. Generations, or at least decades, are needed for this process...

... Today Communism is dead, but the messianic idea of a Great Russia free from distortions and Marxist cosmopolitanism is wandering again across the endless spaces of Russia. The realisation of this messianic idea always was and still is the centuries old strategy of Russia and all the processes of democratisation and liberalisation cannot change this strategy in a short period of time. This must be taken into consideration both in the West and in Ukraine.

Turning now to Ukraine, Goncharenko notes somewhat ominously that Ukraine has 'never had a unified national strategy' and that its policy, following the proclamation of independence of 24 August 1991, 'cannot be characterised as other than inconsistent and controversial'. This inconsistency, he says, had its roots in the declaration of sovereignty of 16 July 1990, which 'proclaimed the desire of Ukraine to become, in future, non-nuclear and a "constantly neutral state, that does not take part in military blocs and admits the three non-nuclear principles: not to accept, not to produce and not to acquire nuclear weapons" '.

A state in Ukraine's geostrategic position, says Goncharenko, has two options to safeguard its national security: strong (preferably nuclear) deterrence, or membership of some strong military alliance. But '[b]y simultaneously cutting off both the head and the tail of any base for national security, the Declaration of State Sovereignty enormously complicated the future foreign and military policy of Ukraine and provided for its inconsistent and contradictory character'.

Added to such factors as Ukraine's 'unpreparedness for independence' and 'lack of qualified professionals with experience to elaborate and to take decisions on a state level' and 'the absence of a stable consensus concerning national security issues' together with the continuance in office of 'representatives of the old administrative and command system', and a government that 'implemented the priorities of the old nomenclature', it is hardly surprising that for the first two years Ukraine's defence policy was 'very contradictory' and marked with 'serious political mis-

takes'. The shortcoming of the country's rulers, as portrayed by Goncharenko, contrast remarkably with the preparedness of the academic experts: 'first attempts to elaborate the basis for a comprehensive national strategy, proceeding from the vitally important national interests of the sovereign Ukrainian state', were made 'long before the disintegration of the USSR and the referendum on the independence of Ukraine', at the Institute of World Economy and International Relations of the Ukrainian Academy of Sciences. These were supplemented, from mid-1991 onwards, by a number of publications which attempted 'to elaborate Ukraine's main aims and priorities as an independent sovereign nation, to define the chief internal and external threats and to outline fundamental problems in the national security system, as well as strategies for its development'.

These Ukrainian writers defined 'national security' more broadly than the traditional approach, including not only 'additional dimensions in economic, ecological, cultural and other spheres', but also 'declaring the unconditional priority of human rights and liberties over the rights of a state'. This approach, Goncharenko implies, is superior to the 'traditional orientation of industrially developed countries', which 'rely mainly on a military force in matters of national security', since the latter approach 'does not raise, but rather reduces the level of their national security, blunts the competitive edge of their science and culture, and, most dangerously, endangers the very existence of the human being, of society and of the Earth as a whole'. Ukraine's main problem, it would appear, is transferring these academic deliberations into the realm of practical politics.

Having at some length analysed the difficulties and set-backs, Goncharenko proceeds to give an account of the Military Doctrine of Ukraine, formulated in 1993, the role of the National Security Council (established in June 1992) and plans for the future of Ukraine's armed forces. He notes such significant features as 'the absence' [in the Military Doctrine] 'of any definite potential enemy', and the long-term commitment of Ukraine to becoming a non-nuclear state. At the same time, he makes it quite clear where the chief 'potential enemy' is to be found. The Doctrine, he says:

clearly envisaged only one type of conflict – conventional war – and planned to build armed forces sufficient to deter large scale aggression at least for a short period of time. Nevertheless, a massive Russian invasion of Ukraine looks highly unlikely for many reasons. What is still possible is the application of the traditional Russian strategy of 'first destabilise, than [sic] intervene' (especially taking into account the 11.3 million Russian population in Ukraine and separatist tendencies in some regions). Analysing this alternative Charles Dick stressed in *Jane's Intelligence Review* that having first provoked civil unrest or even military conflicts 'Russia could well embark on a limited military intervention described as peacekeeping or 'defending the rights and interests of Russophones. This would be a relatively 'low risk' strategy, both militarily and in terms of international relations.

But such a scenario, taking into account the mentality and military potentials of Western and Central Ukraine, would inevitably lead to full scale civil war well beyond Ukrainian borders. The whole system of security and stability in Europe would be threatened. International condemnation and inevitable sanctions would render such an action unprofitable to the aggressor.

A strong conventional deterrent is exactly the right preventative measure against such kinds of 'low risk strategy'.

What precisely Goncharenko means here by 'civil war' is somewhat unclear. However, he is specific on the numerical strength of Ukraine's planned 'con-

ventional deterrent'. Initially (October 1991), the Ukrainian Cabinet envisaged armed forces amounting to 0.8% of the total population of Ukraine. (For France, a country of comparable size, the figure is 0.9%). This comes to a total strength of 420–450,000: Army 200,000; Air Force 90,000 and Navy 50–60,000. After the 'economic possibilities and limits' were taken into account, these figures were almost halved, to give an estimated total strength in 1999 of 225–250,000.

On the subject of international security agreements, Goncharenko briefly outlines some still-born initiatives: the various models for a Baltic/Black Sea Commonwealth, and a 'Central and Eastern European Stability and Security Area' (both of which would have specifically excluded Russia), and the (at the time of writing still 'proposed') European Pact of Stability, which, however, he notes, 'does not provide for clear guarantees of the inviolability of borders of participating states'. He goes into some detail over the 'long consideration' and hesitations leading up to Ukraine's ratification of the START-1 agreement in November 1993, and the Trilateral Agreement (with Russia and the USA) on the destruction of Ukraine's legacy of nuclear warheads, and, eventually, Ukraine's accession (November 1994) to the Non-Proliferation Treaty.

The final section of this chapter deals (again in considerable detail) with the two major (and potentially destabilising) problems of Russian-Ukrainian relations, the Black Sea Fleet and Crimea.

The final chapter, 'The Strategy of the West', pinpoints the major psychological problem of the relations of the West with Ukraine since 1991, the fact that '[t]he old guard of "Sovietologists" and "kremlinologists" used to look upon events in the geopolitical space of the former USSR almost exclusively "through Moscow's eyes" and completely failed to understand the enormous diversity of political, social, ethnic, cultural and other processes in the new, independent states'. As a result, he says, [t]he strategy of the West toward Ukraine has in many ways been no less contradictory and unbalanced than that of Ukraine itself', a succession of conflicting signals from the more perceptive advocating that 'the support of a strong and independent Ukraine corresponds to the interests' of the West, while 'neo-conservative and rightwing politicians and analysts' argued in favour of 'disarming Ukraine expeditiously and leaving it alone... to become "a client state or semiprotectorate of Russia"'. Furthermore, Goncharenko argues,

[t]he preoccupation of the West with the unconditional nuclear disarmament of Ukraine... in practice only complicated relations between [the Ukrainian] President and the Parliament, promoted the artificial isolation of the country and undermined the attempts of the government to continue with economic reforms, crucial for the survival of Ukraine as an independent state.

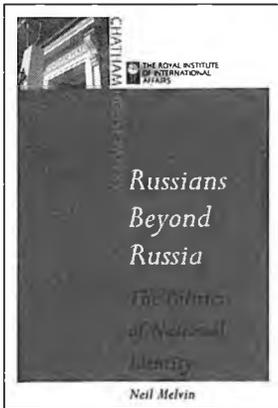
Only at the beginning of 1994, when 'Russia's intention of creating a new empire on the geostrategic space of the former USSR became evident', did Western (and in particular US) attitudes begin to change.

In his concluding paragraphs, Goncharenko quotes US Secretary of State Strobe Talbot that, 'If Ukraine slips backwards or falls into instability... it could drag much of the region with it'. To avoid this, Goncharenko urges, 'Ukraine really needs help and needs it now. The price for this will be much cheaper than of the possible consequences of destabilisation in the region and imminent Russian imperial rule'.

**Russians Beyond Russia. The Politics of National Identity.** By Neil Melvin  
(The Royal Institute of International Affairs, London, 1995), 170 pp.

This timely study addresses one of the most potentially contentious issues in the political development of the former Soviet Union, the (alleged) 25 million ethnic Russians, whom the break-up of the USSR left stranded outside the borders of today's Russian Federation. Like most numbers quoted and re-quoted by politicians and partisan media sources, this figure is almost certainly an overstatement; as Mr Melvin points out

for policy-makers in Moscow, the Russian diaspora includes Russified groups across the former USSR – Koreans in Kazakhstan, Ukrainians in Tallinn and Jews in Ukraine. Russian ethnicity and national identity have therefore been defined in terms of an admixture of sociological, political, cultural-linguistic and genealogical definitions. Settler communities are part of the diaspora because they are composed of *etnicheskie Rossitane*, compatriots, Russian-speakers, those who have left their 'historic homeland' and individuals who 'identify' with *Rossita*.



The existence of these notional '25 million Russians' in what the Moscow politicians like to term the 'near abroad', can, and does, serve as a useful pragmatic tool in the hands of many such politicians, who claim – at the very least – a kind of moral watching brief for these 'compatriots' and, in extreme cases, the right to intervene, in their defence, in the internal affairs of other post-Soviet states. This 'Russian' presence in what are now independent states is for the most part of relatively recent origin – the result of Soviet settlement and migration projects. According to Mr Melvin, these 'Russians' have only an extremely weak sense of their identity as *Russians*; even those who are, indeed, ethnic Russians see themselves primarily as citizens of the vanished USSR – a phenomenon which he explains in terms of Russian imperial history:

Until at least the late nineteenth century, Russia was defined not as the land of the Russians but as the territory of the Russian Empire-state. The political legitimacy of the Russian state rested not on popular sovereignty expressed through the Russian nation but on Tsarist rule. Early ideas of Russianness and Russian identity hinged on allegiance to the God-appointed Tsar, autocracy and the Russian Orthodox Church.

Such attitudes, he says, were carried over, *mutatis mutandis*, into the Soviet system and ideology, in which the Russian language

was not only the lingua franca of the USSR, but also the language of success. Moreover, Russo-Soviet culture served as the primary means by which other ethnic groups were assimilated into a general Soviet way of life; it was therefore central to the regime's ultimate goal of creating the Soviet people (*Sovetskii narod*).

Furthermore, the

non-ethnic, socio-cultural identity of the settler communities [i.e., those who would become, after the collapse of the Soviet Union, the 'Russian diaspora'] was further reinforced by their position in the Soviet political and economic system. Although geographically scattered, they were strategically at the heart of the Soviet political

economy. Their enclaves developed around heavy industry, particularly the military-industrial complex. As a result, they were tied to the all-Union rather than to an individual republican economy. The importance of the enterprises located in the settler enclaves ensured that the powerful Moscow-based economic ministries and the Central Committee of the Communist Party of the Soviet Union (CPSU), rather than republic-level institutions, generally served as the focus for the communities.

This is an important point. Western commentators tend to address the issue of the 'Russian diaspora' from the point of view of civil and collective-ethnic rights (e.g. the reluctance of the Baltic states to grant citizenship to residents who lack a command of the official language). Although Mr Melvin does not develop the point fully, he seems to assume that the 'Russian diaspora' forms a natural constituency in favour of the reconstruction (in some form) of the Soviet Union.

A major point of Mr Melvin's exposition is that both the 'Russian diaspora' and the inhabitants of the Russian Federation itself have only a recent and weakly developed consciousness of a Russian identity. Although at the end of the Soviet period, as national sentiments began to be expressed by other peoples of the USSR, Russian ethnic consciousness also began to rise, according to Mr Melvin, 'overall, ethnic identity among Russians remained comparatively weak and there is little indication that rising ethnic consciousness developed into a national identity'. As a result, he suggests, Russia's new leaders are using the 'Russian diaspora' not merely as a political ploy to reassert Russian influence throughout the entire former Soviet space, but as a defining myth 'in the Platonic sense of an allegory' of Russian identity itself:

The collapse of the USSR presented the Russian political elite with a similar problem: how to foster a set of collective and individual identities that tied the population of the Russian Federation to the political unit of the Russian state. This crisis of identity was most acute among the elite itself. Within this context, the myth of the diaspora became a crucial element in cementing together a new ruling elite.

The construction of the idea of the Russian diaspora did not simply involve recognizing that the settler communities had some particular tie to Russia, it also involved viewing Russia as a 'homeland' and a 'kin state', and in this sense the diaspora also defined Russia. The diaspora both provided a central legitimacy for the existence of the Russian state as a protector, a powerful state with broad responsibility – indeed a 'holy duty' – to defend the Russians and most importantly a common sense of identity and purpose for the new political elite.

If Melvin is correct, then Moscow's perception of the 'Russian diaspora' is clearly different in kind from the attitudes of other post-imperial powers towards those of their nationals left in former colonies. Whatever the regrets over the loss of empire, the British did not need the settlers of Kenya's 'White Highlands' nor the French the *pieds-noirs* of Algeria to validate their own sense of identity.

Mr Melvin addresses the issue of the 'Russian diaspora' in the context of three broad issues: how the establishment of new states on the former Soviet territory has affected the development of new political identities among the Russified settlers in these states; what role these communities have played in the emergence of national identities among the broader population of the newly independent states, and what light the issue of these 'Russian' communities throws on the complex relationship between ethnicity, nation and state in the former USSR? He focuses on five republics, where the issue of the 'Russian' minority has taken on a specific and significant role. His chapter titles are instructive: 'Russian settlers and

the struggle for citizenship in Estonia and Latvia', 'War, irredentism and national identity in Moldova', 'Russians, regionalism and ethnicity in Ukraine', and 'The formation of a Russian diaspora identity in Kazakhstan'.

Regarding Ukraine, one must note, at the outset, a significant fact: apart from his own interviews conducted in the Kharkiv, Donbas and Kursk regions in 1993–94, his sources are almost entirely secondary. Almost all the works cited come from Western (including Ukrainian émigré) scholars. There are a few citations of Russian and (Russian-language) Ukrainian newspapers, but only one analytic work by a scholar currently resident in Ukraine (Serhiy Tolstov, 'Dimensions of inter-ethnic relations in Ukraine, *The Ukrainian Review*, Vol. XL, No. 2, 1993). The Western works cited are, indeed, for the most part highly authoritative, however, one or two notes come without any source whatsoever. Thus, according to Mr Melvin:

there is an important difference between ethnic identification according to the old Soviet passport system and the everyday, popular understanding of ethnicity. While individuals may have identified themselves as Russian or Ukrainian in the 1989 census on the basis of genealogical criteria (parentage), in popular usage – particularly in the East, South and Centre of Ukraine – the terms *Russkii* and *Rossiianin* are often employed with a far broader meaning that includes language, religion, culture, feelings of historical belonging and regional identity. Frequently, these terms encompass individuals identified formally as Ukrainian.

'Popular usage' is, of course, notoriously hard to document; however, in view of the significance for this discussion of perceptions (and self-perceptions) of ethnicity, one can only regret such lack of precision.

Mr Melvin opens his discussion on Ukraine with his own encapsulation of Ukraine's history and relations with Russia. His emphasis is on 'cultural and ethnic ties' and 'the intermeshing of Ukrainian and Russian, Slavic and Soviet' identities, so that, he asserts:

when independence came at the end of 1991, there was little clear sense of what an independent Ukraine would stand for or look like. The country's disparate communities contained varying regional, ethnic and linguistic mixes with very little understanding of themselves as political or national communities distinct from their neighbours. The weakness of the new Ukrainian state, the absence of significant non-Soviet institutions to connect different sections of society, and the lack of a sense of common purpose provided little to integrate the population into a single national community. [Here, in substantiation, he cites the Ukrainian-American scholar Roman Solchanyk, and an RFE/RL Research Report on religious divisions in Ukraine].

According to Melvin, although the internal political situation in Ukraine has been 'considerably complicated by the debate in Russia about its own national identity' and the continuing tendency for 'sections of the Russian political establishment, as well as significant numbers of Russians, to conclude that a distinct Ukrainian nationality is a fiction' and that therefore 'there is little justification for a sovereign Ukraine independent from Russia', Ukraine has not, for the most part, responded with a policy based on 'ethno-nationalism'. Ukraine, he asserts, has no clear fault line between different ethnic groups: ethnicity, he says 'operates in the form of a gradual gradient from more Russified in the East and South to more Ukrainianized in the West'. The substratum of Ukrainian politics, he as-

serts, is '[r]egional competition rather than ethnic polarization', and the 'Russian question' affects Ukraine in two main ways.

First, since Ukraine has never existed as a unitary state and regions form the political and economic foundation of the country, determining the internal political organization of Ukraine becomes critical. A federal or confederal structure may be most appropriate for a state with such diverse ethno-regional identities. Second, because Russia's role in the former Soviet Union has yet to be decided conclusively, ethnic Russians and Russian-speakers are likely to continue to be used as a 'special interest' that legitimates a close Russian engagement with the internal affairs of Ukraine.

Following Richard Pipes, Mr Melvin puts considerable stress on the importance of the Soviet period in laying the foundations of today's Ukrainian state: 'the unification of Ukrainian lands during the Second World War and Khrushchev's transfer of Crimea to the jurisdiction of the Ukrainian SSR', the (short-lived) Ukrainianisation policy of the 1920s, and, from 1944 onwards, 'the pretence that Ukraine operated as an autonomous political unit'.

Presumably it is in terms of this previous shadow existence that, he says, '[d]espite the importance of nationalism from the late 1980s, the Ukrainian state that came into existence at the end of 1991 was not ethnically defined. An independent Ukraine was justified by the right of self-determination for a territorially and legally constituted nation'. (Since, in Melvin's view, many of the Russian-speakers who voted for Ukrainian independence in December 1991 did so rather as a vote *against* the 'impotent central Soviet apparatus' rather than out of a sense of Ukrainian identity, they were presumably – according to Melvin – simply taking advantage of the formal structures already in existence to effect their escape. It is difficult, otherwise, to understand what 'territorially and legally constituted nation' means in this context).

Many of Mr Melvin's assertions will, undoubtedly, be challenged by scholars more profoundly versed in Ukrainian ethnic and nationality problems. Indeed, even the publisher's 'blurb' on the back of the book seems to expect controversy: his interpretation of developments and events is described as 'original'. Without arguing the validity of his various conclusions, we shall here merely state the most important of them.

– The 'Russian diaspora' in Ukraine is regionally diversified.

While ethno-politics has certainly been important, the political mobilization of the Russified communities has taken many different forms, all heavily informed by ethnic identity, but to varying degrees. Only when confronted by extremist elements of the Ukrainian nationalist movement or by initiatives from K[yi]v aimed at removing local powers do Russians and Russian-speakers across the country find common cause. For this reason, except in Crimea and the West, specifically Russian or even Slavic organizations have played an insignificant or at best secondary role in the mobilization of the Russian-speaking population.

– Support in Eastern Ukraine for ethnic Russian or Russified Ukrainian politicians is not so much support for 'ethnicization' of politics as for candidates likely to protect local interests.

– There are strong centrifugal tendencies and differences of interest in Eastern Ukraine; some parties and organizations there support closer economic ties with Russia, but not political union. This is *not* (according to Melvin) a centre of Rus-

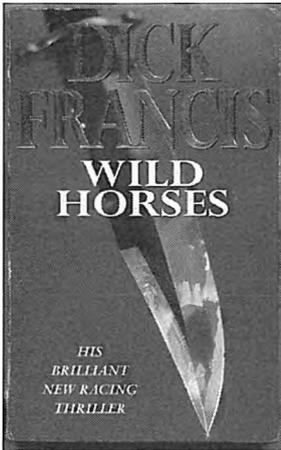
sian nationalism; calls for a federal structure are sparked by perceived threats to regional identity, and by political and economic control from Lviv.

– In Crimea, where a Russian nationalist movement does exist (and has been exacerbated by inflammatory speeches by politicians from Russia), splits within the nationalist camp have recently reduced its challenge to Ukrainian-Russian relations. Moreover, the current Russian government is opposed to Crimea's secession from Ukraine, fearing it would provide a dangerous precedent for secession from the Russian Federation on ethnic grounds of such areas as Chechenia and Tatarstan.

– Russians in Western Ukraine feel vulnerable and have been subject to hostility from 'radical Ukrainian nationalists'; hence Russian organizations such as the Pushkin Society have not advocated separatism. The Russians of this area have a strong sense that 'they are Central Europeans rather than Russians of the Russian Federation'.

– Southern Ukraine, Odessa in particular, is more interested in economics and privatisation than in nationalism.

All these propositions would make fascinating topics for debate in an academic seminar. Mr Melvin's book, however, is not intended for scholarly experts, but for those whom the Royal Institute of International Affairs exists to serve – the political, diplomatic and business communities – people, that is, who for the most part, until four years ago, had little perception of Ukraine (or Moldova, or Latvia, or Estonia, or Kazakhstan). Mr Melvin's exposition is clear, well furnished with maps and statistics, and with an abundance of references, mostly in languages accessible to such a readership. Yet there remains a certain doubt as to its effectiveness in enlightening its target audience. Too long and detailed for a mere briefing, it is at the same time too compact to go into these extremely complex issues in the detail they deserve.



**Wild Horses.** By Dick Francis (Pan Books, 1995), paperback, 377 pp., £5.99

Dick Francis, a former jockey, has over the past four decades created for himself a special genre of popular fiction, writing no less than, to date, 34 thrillers with a racing background.

Confining his plots and settings to his personal experiences, he has almost entirely avoided the background of the Moscow Olympic Games of 1980. It is perhaps appropriate, therefore, that *Wild Horses*, the latest of his works to go into paperback, features what is probably the first appearance in British popular fiction of an 'apolitical' Ukrainian. Authors who used 'Cold War' plots occasionally introduced Ukrainian characters – often attributing to them highly unlikely political aspirations. Ukrainians also play major roles

in Frederic Pohl's novel *Chernobyl* and from the immediate post-independence period there is, of course, John Hands' excellent *Darkness at Dawn* (see *The Ukrainian Review*, No. 2, Summer, 1993).

The Ukrainian of Francis's novel is a former circus performer, now working as a stunt rider in the USA (where his name has been 'Hollywoodised' to Ziggy), who is engaged by a British film company to ride the wild Viking horses of the title. Essentially a cameo role in what is, in any case, a novel of action rather than character, Ziggy is identified by his mercurial temperament, and first and foremost, his knowledge of equine psychology and near-incredible riding skills.

How far Ukrainians will find Ziggy a credible portrait of a Ukrainian is a moot point – many Belgians, one hears, find Agatha Christie's Poirot unacceptable. Nevertheless, the first appearance of a Ukrainian in a British work of fiction as, so to speak, simply a part of the international scene, requiring no special explanation, is in itself worth noting.

**Transition Report 1995. Investment and enterprise development, Economic transition in eastern Europe and the former Soviet Union** (European Bank for Reconstruction and Development, London), 222 pp.

This specialist report analyses the progress made by the countries of central-eastern Europe and the former Soviet Union in transition towards open market-oriented economies. This process, it is stressed, is essentially one of institutional change, and as such is sharply different from economic development, which refers to the enhancement of the standard of living of individuals. 'Transition' is estimated with respect to a wide range of indicators: private sector share of GDP – large- and small-scale privatisation, enterprise restructuring, price liberalisation, trade and foreign exchange, competition policy, banking reform and interest rate liberalisation, securities markets, effectiveness of legal rules on investment, and also social indicators – education, health and demography.

A thumbnail sketch is given for each country of major changes in economic policy and legislation. The report concludes with a comparison of economic forecasts by the EBRD itself and by other major economic think-tanks. The consensus opinion for Ukraine is not, alas, encouraging: whereas most countries in eastern Europe (including the Baltic States) can expect 3–6% growth, Ukraine and the other major CIS countries are expected to show a further substantial drop in output for 1995, followed by – for Ukraine – a further decline in 1996. □

# The Ukrainian **Review**

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## *Current Events*

# **A Closer Look at Ukraine's New Constitution**

*Petro Matiaszek*

**A**s already reported, Ukraine's new Constitution was adopted by Parliament on June 28 after an all-night marathon session. Lest there be any doubt, it is important to note that the adoption procedure was entirely legitimate under Ukrainian law and deputies had ample time to review and discuss progressive drafts over the course of many weeks and months. The voluminous parliamentary record attests to the fact that consistent attempts were made to reach consensus, and to take as many differing viewpoints into consideration as possible. Also, the constitutional drafting process was unequivocally multilateral, i.e., with the participation of the Executive, Parliament and Judiciary, and the academic community as well. While the President may have raised the political ante in the days immediately preceding the adoption by issuing a decree to hold a national referendum in September, he had to agree to compromise nonetheless.

1. The new Constitution has 161 articles, divided into 14 chapters, and accompanied by a special transitional chapter with 14 points.

2. Roughly 30% of the 161 articles deal with the rights and duties of individuals and citizens. Much of the language in this area is taken virtually verbatim from the various European human rights conventions.

3. Crimean autonomy is firmly enshrined in the document, replete with a list of the specific authority vested in the Crimean government by the national government. Nonetheless, the Crimean Constitution (national democrats lost their bid for a Crimean 'statute' or 'charter') must not contravene the Ukrainian Constitution.

4. One likely conflict on the political horizon will be the issue of the National Deputies' oath (Article 79), with a large segment of the left-wing contending that the oath, which mandates allegiance to Ukraine, is obligatory only for deputies elected to the next Parliament, i.e. in 1998. The vast majority of MPs took the oath during a special ceremony on 12 July, including the leadership of Parliament.

According to the new Constitution, refusal to take the oath results in the loss of the deputy's mandate. It is difficult to foresee that the parliamentary leadership will bar those who did not take the oath from attending the next session of Parliament, while the vagary over the issue and the lack of a clearly-defined mechanism for enforcing the oath will likely result in a tabling of the issue until the next Parliament convenes in 1998. At that point, however, Ukraine's Communist Party will have to field candidates ready to at least pledge allegiance to Ukraine, should they be elected.

5. Intense political manoeuvring will follow the application of Article 78. That article, which prohibits lawmakers from working in both the legislative and executive branches, and from working professionally, was reinforced by a special parliamentary resolution passed on June 28. Many MPs have already made their choice. This will effect over 50 national democrats and centrists. But it also affects over 30 MPs from the Communist faction, who work as collective farm directors or in other positions. They, too, will have to choose by the time Parliament recon-

venes on 3 September. As a result, the political spectrum of Ukraine's Parliament will likely change significantly by autumn, with many electoral districts left unrepresented until by-elections are held. (The next regular elections to Parliament will be held in March 1998, and in October 1999 to the Presidency).

Interestingly, the right of legislative initiative in the Supreme Rada now belongs to the President, the National Deputies, the Cabinet of Ministers, and the National Bank, but no longer to the parliamentary committees themselves.

6. Ukraine's new Constitution clarifies much of the previous uncertainty which existed surrounding the role of the President *vis-à-vis* the Prime Minister, and vice versa. The President now is the Head of State, while the Cabinet of Ministers is the highest executive body. Presidential control over the Cabinet remains extensive, but has nonetheless been curtailed: the President now needs the support of the Prime Minister to exercise certain authority. Much of the detail regarding this area, and many other areas of the Constitution, needs to be elaborated by law, thus necessitating major amendments of current legislation, the adoption of new laws and regulations, and the development of a comprehensive administrative reform programme to overhaul the management of the country.

The President appoints a Prime Minister following approval by Parliament. On the recommendation of the Prime Minister, the President appoints members of the Cabinet, the heads of other central bodies of the executive branch, as well as heads of the local state administrations, and dismisses them.

Within the next three years, the President has the authority to issue decrees approved by the Cabinet and signed by the Prime Minister on economic issues not regulated by law, with simultaneous submission of an appropriate draft law to Parliament.

The President may terminate the authority of Parliament prior to the completion of its term if within 30 days of a single, regular session, plenary sessions cannot be convened.

7. The size of the Cabinet has been limited by Article 114, and is to consist of the Prime Minister, a First Deputy Prime Minister, three Deputy Prime Ministers, and the various ministers.

The resignation of the Prime Minister results in the resignation of the entire Cabinet. The adoption of a resolution of no-confidence in the Cabinet by Parliament automatically results in the resignation of the entire Cabinet.

8. Legislative authority is vested in the Supreme Rada of Ukraine, the Parliament, which will remain a unicameral body of 450 National Deputies representing single-mandate districts throughout the country.

Parliament has the right to override a presidential veto by a two-thirds' majority.

Parliament has the right to hold a vote on no-confidence in the Cabinet by a majority of the constitutional composition of the Parliament (the constitutional composition of the Supreme Rada is 450 deputies). A vote of confidence in the Cabinet of Ministers may not be considered more than once during a single, regular session, and not within the year immediately following the approval of the Cabinet's Activity Programme.

The President may be impeached by Parliament in the case of allegations of treason or other criminal acts.

9. Under the new Constitution, the court system will be modified, but only time will tell whether the judiciary will emerge as a true third branch of government. Also, it is unclear as to how influential the 18-member Constitutional Court will turn out to be. Justices will be evenly appointed by the President, Parliament and the special assembly of judges. The Constitutional Court is to be formed in accor-

dance with the Constitution by the end of September 1996. Until its establishment, Parliament is charged with interpreting the law.

A new court system of general and specialised jurisdiction is to be formed within five years. Under the new system, the President will singly appoint judges for a five-year term. When their term expires, Parliament will then have the opportunity to appoint them for life, or dismiss them.

10. According to the Constitution, the state ensures the protection of all forms of property rights and its management. All subjects of property rights are equal before the law (Article 13). Every person has the right to control, use, and manage his property. ... The right to private ownership is obtained according to the procedure prescribed by law. ... The right of private ownership is inviolable (Article 41). Whereas while the principle of private ownership is constitutionally enshrined, when it comes to land ownership, read carefully: 'Article 14. Land is the essential national asset and receives the special protection of the State. The right to land ownership is guaranteed. This right is achieved and realised by citizens, legal entities, and the State in accordance with the law'. There are two potential problems with this language. Firstly, there is no explicit reference to private land ownership, and secondly, there is no explicit reference to individuals among those who have the right to land ownership.

Regarding business activity, 'Every person has the right to conduct entrepreneurial activity which is not prohibited by law' (Article 42). Furthermore, the state protects the principle of competition in business, and the rights of consumers.

The legal status of property, the legal basis and guarantees of entrepreneurship, competition rules and the norms of antimonopoly regulation, and much else, must be determined by law.

11. Ukraine will continue to be a unitary state, and will consist of 24 provinces (oblasts) and the Autonomous Republic of Crimea. These will further be divided into roughly 450 regions (rayons). The provinces and regions will possess elected councils and appointed state administrations. Regional councils and regional state administrations will be subordinated to their respective provincial counterparts. Decisions of the lower entities may be overturned by the superior entities.

Chairmen of the provincial and regional councils are to be elected from among the respective council members, which are themselves directly elected by the people.

The heads of the provincial and regional state administrations are appointed and dismissed by the President upon the recommendation of the Cabinet.

As in any country, at any particular stage in its history, a Constitution, laws, and regulations are only as significant and sound as the political and social culture they serve to define. The real test of Ukraine's new Constitution will come with its elaboration in laws and practice.

Critics will point to the size of the document; others to the presence of positive social rights (to housing, work, etc.). It cannot be overemphasised that the fact that Ukraine has a completely new, modern, European-modelled Constitution is tremendously important. It not only allows the political leadership of the country to redirect its attention to pressing economic issues, it also allows citizens at all levels of society to look to the future, rather than remain hopelessly mired in a Soviet-style legal and bureaucratic past.

The new Constitution has already attracted a great deal of positive support from the international community, and Ukraine's image as an increasingly stable, coherent, European country will continue to grow. □

## The Foreign Investment Market in Ukraine

*Olena Kozak*

One of the primary issues of economic reform in Ukraine and its integration into the world market economy is the organisation of an effective investment process, capable of ensuring the structural transformation of the economy, the formation of a modern market infrastructure, the creation of conditions for economic stabilisation and further economic growth. As a result, owing to the lack of domestic investment resources, a number of questions of joint projects with foreign capital are becoming increasingly important. In the first place, foreign investment is for Ukraine one of the sources for financing investment projects and modernising the economy. Secondly, foreign investment activity is one of the most effective forms of international cooperation. Thirdly, the creation of a favourable investment climate for foreign capital is of considerable significance and effect in the market-oriented reform of the Ukrainian economy and the creation of a competitive environment. All in all, effective use of foreign investment is a factor conducive to a rapid adaptation of the Ukrainian economy to the present world economic system. Hence the stimulation of foreign investment activity is one of the components of state investment policy in Ukraine. The participation of foreign investment was envisaged when the goals and tasks of the state programme were worked out – a programme which includes the structural transformation of industry, targeted programmes of inter-branch and branch development, conversion of military-related industry to civilian and development of export potential, the development of internal and external cooperation of industry in the production of technical goods and the privatisation of state enterprises with the participation of foreign capital. The implementation of this policy and the stimulation of an inflow of foreign capital directly depends on the investment climate in Ukraine.

The investment climate in Ukraine is affected by many factors, including political stability, legal conditions, attitudes towards the foreign investor, the level of development of the market infrastructure, restrictions on ownership, the rate of inflation, the state of the currency markets, the tax structure, the state of development of foreign economic relations, the availability of a qualified work-force, and inter-state relations. In addition to these factors, foreign investment is also affected by market factors, trade restrictions, and prices. Some of the attractive factors of the investment climate of Ukraine are historical (favourable geopolitical location, significant natural resources, a qualified work-force, a significant capacity of the domestic market), while others are still being developed.

Although the overall economic situation in Ukraine is in a state of crisis, in the last few years a certain improvement in the macroeconomic indicators which determine the investment climate has become perceptible. Thus the rate of decline in the production of consumer goods has been slowed down. Macroeconomic stabilisation has facilitated the creation of conditions for further economic reform. The rate of inflation has been brought down from 10,256% in 1993 to 281% in 1995.

Although Ukraine is today one of the most politically stable countries on the territory of the former USSR, foreign investors still consider the socio-political risks of investment in its economy to be as high. This is due, first and foremost, to a certain hostility to reform shown by various members of the government and parliament, and also certain political forces, together with fears that the government may change its political course, and the social tensions prevailing in certain regions.

### **Legal protection of foreign investments in Ukraine**

One of the principal requirements of foreign investors is appropriate legislation. A number of stages may be distinguished in the establishment of proper legal guarantees for foreign investment.

1. The adoption and enactment of laws regulating the creation and activity of joint ventures on the territory of the USSR in 1987–89. The laws adopted at that time met with the general approval of foreign investors and experts, since they were seen as one of the steps towards a qualitative transformation of the existing economic system, and the transition from an isolated system to open international economic cooperation. Furthermore, these laws guaranteed the economic independence of joint ventures set up with the participation of foreign investment. However, the legislation adopted at that time cannot be regarded as perfect, due to the lack of coordination between individual laws and requirements, and their duplication and amendment during their passage from transition from the upper levels of government to the lower, and likewise inconsistencies regarding taxation.

2. The drafting and adoption of new laws in 1990–91 to regulate foreign investment simultaneously at the All-Union level and in Ukraine. This legislation was of a temporary nature in the period of the disintegration of the USSR and the creation of independent states on its former space.

3. The elaboration and legislative confirmation by the Ukrainian Parliament, in 1991–92, of normative-legal regulators for foreign-economic activity and joint ventures. The ratification of the Law 'On foreign investment', which designated the forms of investment, provided state guarantees of the security of foreign investment and established tax concessions for enterprises with foreign investment. This, and the ratification of other laws, established in Ukraine a general concept of the regulation of foreign investment and business activities, in accordance with the established principles of international economic practice. In 1991–92 foreign investment in the Ukrainian economy reached its highest point, although the liberal legislation had some unwanted consequences, particularly the growth of 'fictitious' investment.

4. The decrees of the Cabinet of Ministers at the end of 1992 and in 1993, introducing changes in the legislation on foreign investment. These changes related to the basic conditions of foreign investment: the status of enterprises with foreign capital, the forms of foreign investment, the order and term of their realisation, taxation, possibilities and conditions for re-investment, the rules for the use of hard-currency funds, the order and conditions of export-import activity, customs and excise duties, and state guarantees for foreign investors.

Today Ukraine's legal system includes over 100 laws and normative acts, regulating investment activity, around 20 of which directly relate to foreign investment.

Undoubtedly, this abundance of laws, and the frequent changes of legislation in a short period of time, has a discouraging effect on potential foreign investors.

Nevertheless, the existing legal basis now makes it possible to speak of the practical implementation of the fundamental forms of state regulation of foreign investment: i) regulation of the spheres and objects of investment; ii) tax regulation; iii) regulation of the participation of foreign investors in privatisation; iv) regulation of financial investment; v) expert review of investment projects; vi) ensuring security of investment.

First of all, I should like to point out that, in accordance with legislation currently in force, a national regime of investment activity, relating to foreign investment and the forms of its realisation, is being established in Ukraine. Moreover, the possibility of extending additional privileges to foreign investors is also envisaged.

The basic law on the activity of foreign investors in Ukraine is the decree of the Cabinet of Ministers 'On the regime of foreign investment'. In accordance with this decree, the status of an enterprise with foreign capital is acquired by an enterprise of any organisational-legal form, and established in accordance with the laws of Ukraine if, within the period of one year, the required amount of foreign capital is placed in its statutory capital holding. This investment should amount to not less than 20% of the statutory capital of the enterprise, and in any case no less than a sum equivalent to:

a. if it takes the form of property, intellectual property rights, know-how, and rights to carry out economic activity – US \$100,000 for banks and other credit-financial institutions, and US \$50,000 for other enterprises;

b. if it takes the form of convertible currency, Ukrainian currency for reinvestment, stocks and shares – US \$1,000,000 for banks, and US \$500,000 for other enterprises.

The object of investment activity may take the form of any type of property, and also property rights.

Among the positive aspects of the legal security of foreign investment activity in Ukraine one may note the guaranteeing of the national regime for foreign investment activity; guarantees that in the case of changes in the legislation on the security of foreign investment the legislation in force when the investment was registered will continue to apply for a further 10 years; guarantees against forced confiscation and also the unlawful actions of state organs and officials; rapid, sufficient and effective compensation and reparation of losses incurred as a result of actions or inactions of state organs; guarantees for the return of investments and the income from them in the case of the cessation of investment activity; guarantees of unhindered and prompt transfer abroad of income, dividends and other funds in foreign currency which are legitimately obtained by foreign investors on account of their investments; guarantees of the use of income, dividends and other funds received from foreign investment in Ukraine. Furthermore, legislation has established a simplified registration of foreign investment (initially during or after the actual realisation of investment).

Enterprises with foreign capital enjoy certain customs and taxation reliefs. Exemption from import duties is granted to property imported into Ukraine as the contribution of a foreign investor to the statutory fund of an enterprise with foreign investment within the period specified by the legislation then in force, and

property which is imported for investment purposes on the basis of economic agreements (contracts).

Enterprises with foreign capital which were registered before 1 January 1995 are relieved from tax on dividends for a period of 5 years, from the moment of lodgement of the required foreign investment. Such a concession is established as regards dividends from economic activity, received during the realisation of foreign investment of no less than US \$100,000 on the basis of contracts on production cooperation, joint manufacture and other forms of joint activity, established before 1995. Newly-formed enterprises do not qualify for this dividend tax concession.

For foreign investors who invest funds into priority spheres, the law 'On the state programme to encourage foreign investments in Ukraine' stipulates the implementation of norms of an accelerated amortisation rate for machinery and equipment.

For the payment of other taxation enterprises with foreign capital follow the national regime in force.

The legislation also envisages the participation of foreign investors in the privatisation of state enterprises through the purchase of objects of small-scale privatisation, and also packets of shares of companies, established on the basis of enterprises undergoing privatisation. A national regime has been introduced regarding the participation of foreign investors in privatisation of property. Conditions are being established for the participation of strategic investors in privatisation. A government decree has confirmed the lists of state-owned enterprises, suitable for privatisation with the inclusion of foreign capital. No restrictions are envisaged on the size of the packet of shares in enterprises which can belong to foreign investors. However, in particular cases, the State Property Fund (the organ of privatisation in Ukraine) must agree matters regarding the sale of a packet of shares to foreign investors with the Cabinet of Ministers and the Anti-monopoly Committee.

According to the land code of Ukraine, land may be granted for permanent or temporary use to enterprises, international associations and organisations in which Ukrainian and foreign legal and physical persons participate. Land may also be rented. However, the issue of the privatisation of land has, as yet, not been settled.

To date, Ukraine has signed 34 international agreements regarding mutual assistance and protection for foreign investments and a further 16 agreements on the avoidance of double taxation regarding income and property taxes. This fact is undoubtedly conducive to the improvement of the investment climate. Out of these, agreements on the fostering and mutual protection of investment are already in force with the United Kingdom, Denmark, Poland, France, Canada and 11 other countries, as are also agreements on the avoidance of double taxation with Great Britain, Belarus and Poland. If the international agreements signed by Ukraine include regulations other than those specified in the legislation of Ukraine, those of the international agreement take precedence.

Of the factors which prove off-putting to foreign investors, one must mention, in particular, the uncertainty of legislative and normative acts, high taxes and their diversity, and the lack of a unified system of licenses, quotas, taxes, and customs duties.

Summarising this review of the legal security of foreign investment in Ukraine, one may note, firstly, that at the present time the principles of Ukrainian legislation on foreign investment activity have been created, but that the process of its formulation is still continuing; secondly, that Ukrainian legislation is based on the

principle of the creation of a national regime for foreign investment activity, but that it nevertheless foresees the creation of a concessionary regime in particular priority directions.

### **Directions, tendencies and opportunities of the development of foreign investment in Ukraine**

The total foreign investment in Ukraine in 1992–95 amounted to US \$750.1 million, of which US \$266.6 million was in 1995. Of this, investment from countries of the former USSR amounted, over the whole period, to US \$43.1 million (5.7%), and from other states – US \$707 million (94.3%). Foreign investment was divided between the various branches of the economy as follows: internal and external trade – 30% of all foreign investment, machine-building and metal-working – 16.2%, the food industry – 13.9%, ferrous and non-ferrous metallurgy – 4.8%, transport – 4%, light industry – 3.8%, the chemical industry – 3.7%, the building materials industry – 3.6%. The main contribution to investment, since 1992, is that of the USA (25.9%), followed by Germany (16.5%), Great Britain (6.1%), Cyprus (4.9%), Russia (4.8%), and Switzerland (4.5%). The majority of investment from the USA, Germany, Great Britain and Canada, was in machine-building and metal-working, from Russia – agriculture, and Switzerland, Cyprus and Austria – trade. Considered by regions, the most attractive for the foreign investor were Kyiv (due to its status as the capital), the Dnipropetrovsk and Donetsk provinces (industrial regions with a suitable structure of economic complexes), and the Lviv province, which has a high level of links with foreign partners.

Besides private capital, Ukraine also cooperates actively with international financial organisations. Thus, in October 1994, the International Monetary Fund (IMF) decided to extend to Ukraine a Systemic transformation loan of US \$740 million to reduce its balance of payments deficit, stabilise the national currency exchange rate, and implement a programme of structural reform. This was followed by agreements between the government of Ukraine and the IMF under which Ukraine received a 'stand-by' credit of US \$1,400 million. The World Bank also takes part in this process: in December 1994, Ukraine was given a Rehabilitation loan of US \$500 million. Furthermore, specialists from the World Bank are working on more than 10 investment projects relating to energy, gas supply, agriculture, transport, communications, and other branches. It is being planned to finance a part of these jointly with other financial organisations, in particular, with the European Bank for Reconstruction and Development (EBRD).

A government agreement was signed with the EBRD, according to which funds were allocated to reconstruct Kyiv's Boryspil Airport, the laying of fibre-optic communication cables between Kyiv and Odesa, and various other projects.

The Foundation for the Support of Businesses in the Newly Independent States (the investment capital for which has been provided by the US Congress through the US Agency for International Development) and the New Century Capital Partners Fund (supported by the Corporation of private investment abroad) have already begun their activities in Ukraine.

Analysing the statistical data and drawing general conclusions from the various expert estimates of the foreign investment market reveal the following special features of foreign investment in Ukraine:

- the majority of enterprises with foreign capital have partners from developing countries;
- the largest foreign investment is from the developed countries;
- enterprises with foreign capital are concentrated in the industrial centres and regions of Ukraine;
- foreign investors include large world-famous corporations; small foreign firms seeking a quick return on their investment or attracted by the advantages of one-off operations; firms which are non-competitive in their own country; and firms with a criminal background.
- the division of investment between the branches of the economy is very uneven, due to the uneven effect of the economic crisis on various areas of production, and other factors which determine the attractiveness of the individual branches to the investor;
- foreign investors are wary of large investment;
- the privatisation market is dominated by active financial investors (investment funds, investment banks, insurance companies), which operate with a specific enterprise with the aim of improving its financial situation; the number of strategic investors is unknown;
- foreign investment in movable and immovable assets (80% of total investment) and capital investment (14%) is predominant;
- portfolio investments play an insignificant role (around 4.4%), due to the lack of a developed capital market.

I should like to dwell in greater detail on portfolio investments in Ukraine. Although they account for only a small fraction of the total investment, nevertheless prospects and opportunities for foreign investors are beginning to open up in this area. Firstly, the privatisation of state enterprises allows foreign investors to purchase shares in these enterprises. Moreover, once the voucher stage of privatisation has been completed, the remainder of the shares in state enterprises will be up for general sale, which will provide additional opportunities for investors. The latter will be able to make use of both the services of Ukrainian financial middlemen, and also the investment companies with one hundred per cent foreign capital, whose creation is envisaged in the current legislation. Secondly, privatisation is pushing forward the development of the market infrastructure, increasing the number of dealers in securities, and creating consultative centres. Thirdly, the legislative basis regulating the capital market is developing and improving.

The demand for investment in Ukraine is reasonably high. The Ukrainian economy's total requirement of foreign investment is estimated at US \$40 billion, with practically all branches requiring foreign capital. The scale of foreign investment in Ukraine is presently 3–7 times lower than in other east European countries. Hence both the state and individual enterprises and organisations are currently actively engaged in attracting foreign investment into the Ukrainian economy.

The first significant event which allowed Ukraine to present itself as a potential object of investment was the international conference 'Investment in Ukraine', hosted by the Adam Smith Institute (London) in May 1995. The second 'Investment in Ukraine' conference was organised by the British company Euroforum in Kyiv on 12–13 March 1996. The participants included representatives of the

Ukrainian government and of Ukrainian and foreign companies. The Deputy Chairman of the London investment company Wasserstein Perella & Co. Limited, Sir Michael Alexander, presented a paper on the investment climate and promising forms of investment in Ukraine.

A significant interest in investment prospects in Ukraine was shown by potential partners during the international economic forum in Davos (Switzerland), and also at a presentation in Vienna, in March 1996, of investment projects of Ukrainian enterprises, under the aegis of the United Nations Industrial Development Organization (UNIDO) and likewise at a special presentation in Atlantic City, USA.

Recent developments fostering foreign investment in Ukraine include the establishment of the Consultative Council on Foreign Investment in Ukraine and the State Investment Company, and also the Fund for the support of pre-export guarantees, projected by the World Bank. The Consultative Council is chaired by the prime minister and comprises various ministers and representatives of foreign companies; its main task is to draft, jointly with foreign investors, legislation on foreign investment and the improvement of mechanisms for foreign investment. The statutory tasks of the State Investment Company is to attract foreign investment into Ukraine, provide foreign partners with consultative services and information about the Ukrainian market, assistance in the implementation of domestic investment projects with inputs from the financial resources of the international capital market. The plans of the State Investment Company include work on the insuring of investment risks, and the preparation of joint projects with the world's financial organisations. One such project is the creation of a Fund of support of pre-export guarantees, which foresees the creation of an effective system of guarantees against political risks in Ukraine's agriculture. There are plans to bring in foreign capital in the exploitation of profitable mines in Ukraine. In this regard, a project for the creation of the joint-stock company Ukrzoloto, and several projects for the development of Ukrainian geological deposits are currently being prepared.

Thus Ukraine, which has a significant investment potential, is gradually making itself known as a promising country for investment, a country which can offer foreign investors significant opportunities, and which plans to remain in the business field of the world's leading corporations. □

## Female Unemployment: Ukraine and Great Britain – a Comparison

*Milada Burmistenko*

The core of my research is concentrated on the problems associated with growing female participation in the economy, and the contradicting demands of family and employment commitments.

The subject of this article is 'women's unemployment'. Unemployment seems to be one of the most serious economic and demographic problems in the transition period. Apparently, women, who compose more than half of the population and more than half of the total labour force, are affected severely.

The first thing which struck me when preparing this topic was the different meanings of the term 'unemployment' as used in Ukraine and other post-Soviet countries, and that used in Western countries, including Great Britain.<sup>1</sup> In international practice, the labour force consists of those people who either have a job (employed labour force) or are actively looking for one (unemployed labour force). Ukrainian practice is to consider the labour force to be the total number of persons fit to work, aged between 16 and 55–60 (55 for women and 60 for men) minus students and working pensioners.

Hence this term includes the demographic category 'population'. Let me compare these indicators first.

The population of Great Britain (not the United Kingdom) is 54,156,067 persons at the time of the April 1991 census: 26,574,954 males, and 28,313,890 females, i.e. 48.4% and 51.6% respectively.

In Ukraine the population was approaching 52 million at the beginning of 1991. It was growing slowly during the late 1980s, at the average rate of 0.3% per year in 1988–90, reflecting a birth rate only slightly in excess of the death rate (14.6 per 1,000 and 11.4 per 1,000 respectively). Since 1991 deaths have exceeded births, resulting in net population losses of 95,000 in 1992, and 110,000 in the first nine months of 1993. The total Ukrainian population is expected to decline to 51.4 million by the year 2000.<sup>2</sup>

The next item to be considered is the 'labour force'. Though, unlike Ukraine, there was no goal of total employment in Great Britain the figures are close in proportion to the total population. In Britain – 27.8 million out of 54.5 million, and in Ukraine – 29.3 million out of 51.7 million.

Under the Soviet regime there was officially no unemployment. We lived in a country of total employment irrespective of the gender differences. (Mothers on maternity leave were considered employed at the last place of work, and received benefit). In Soviet times women, for the most part, had no choice between work and motherhood. They were expected to experience both. Women's entry into

<sup>1</sup> *The Statesman's Year-Book 1995-1996*: the UK work-force, i.e. all persons in employment plus claimant unemployed.

<sup>2</sup> Trends for similar processes were noticed in such countries as Germany, France and Denmark, but following pro-birth measures by the governments the situation there has somewhat improved.

productive work was considered a basis of their emancipation. In quantitative terms the Soviet Union, including Ukraine, had accomplished its goal of drawing women into the work-force. Recently, females constituted 52% of the entire work-force in Ukraine, in the Russian Federation, and averaged over the entire USSR. This indicator was even higher in the Baltic republics, e.g. 54% in Latvia. In the 1980s, it was the highest rate of paid female employment in the world. For comparison, the highest percentage among all developed countries is that of the USA – 45% at the beginning of the 1990s. (43% in Great Britain now, 40% in the 1980s).

Approximately 90% of women between the ages of 16 and 54 were in full-time employment or study. It is clear that female participation in paid work had reached the demographic maximum. Hence, the growing unemployment in the transitional post-Soviet economies is a real disaster simply in quantitative terms.

Ukraine avoided reforms in the economy for a considerable period, which has led to significant overstaffing. The creation of the employment exchange network was begun in 1990 as disproportions in inter-republican trade took hold, and the number of those employed in industry declined by 416,000. There were 700 such centres as of September 1991. An unemployment benefit system came into operation in July the same year. But the benefit amount was not enough to cover even survival necessities. This is still true at the present day.

Trends in employment in Ukraine (annual average in millions)						
1989	1990	1991	1992	1993	1994	1995
25.42	25.4	24.97	24.99	23.43	22.5	22

In 1993–94, the unemployment rate remained steady at about 0.3% of the eligible work-force. In 1992, 9 out of 10 persons registered as unemployed were women. Initial efforts to cut wage costs were directed at clerical, auxiliary and scientific/technical jobs filled mostly by women. In industry women constituted 48%, in agriculture 42%, in retailing and catering up to 80%.

The UN estimates that around 40% of the work-force is unofficially unemployed as a result of factors such as unpaid leave. The International Labour Organisation has made the more modest assumption of 12%. Official unemployment can be expected to rise sharply if and when loss-making enterprises are finally allowed to go bankrupt.

The problem of estimating unemployment in Ukraine is made more difficult by the common tendency for workers to have more than one place of work. Thus frequently workers are registered with an 'official' employer for tax purposes, but do little or no work for this employer, preferring instead to work unofficially in the shadow economy.

As in other transitional economies, official employment remains extremely low, with less than 1% of the labour force officially registered as unemployed. This compares with the current unemployment rate of 3% in Lithuania, almost 6% in Russia (16% in Poland). The low number of officially registered unemployed in Ukraine is partly a reflection of the low level of unemployment benefit payments, which discourage people from signing on.

Recent data from the Ministry of Labour provide another clue as to why unemployment has remained so low. According to its figures, in mid-1995 2.1 million workers, or 14% of the work-force, had been laid off and were on unpaid leave. A further 5% were on part-time work.

Many of those on unpaid leave are probably working in the informal sector. A common practice is for workers to register on the books of a formal-sector enterprise, while working full-time in the informal sector. The tax authorities then calculate income tax contributions on formal-sector employment, which will be low, while the informal-sector income is largely hidden. Thus, while the real level of unemployment is probably many times higher than that reflected in the official picture, it would be wrong to assume that all those laid-off are in fact unemployed.

Unemployment trends (annual average)		
	1994	1995
Unemployed of which: claiming benefit	906,250 376,000	888,500 401,250
vacancies	1,113,500	1,357,500
unemployed <sup>3</sup> (% of labour force)	0.4%	0.4%

In all events, the figure of 0.4% does not represent the real situation. There is a special term of 'disguised', 'hidden' or 'concealed' unemployment, typical of the transitional economies.

It is primarily women who suffer in this situation. Often, although on unpaid leave, they cannot quit their current employer, because they are not trained for other jobs. The situation is the same in the other enterprises. Sometimes they depend on certain social benefits, e.g. crèches, still provided by the employer.

When the double income family is the norm (and a large percentage of families consist of a mother and her child/children only) when not a single penny, say thousands of coupons, can be wasted, the economic lever forces women back to the home.

The contemporary regime appears to treat women in the same way as the past one. They have to go where the state needs them when someone else decides, so that the possibility of choice is denied them yet again.

While Western feminists and women's groups are occupied with the problems of equal payment and equal career opportunities for both genders, and a proper official recognition of women's role in bringing up a family, in Ukraine the problems of survival and reproduction have become the burning issues.

In Great Britain, as in other Western countries, changes in work patterns occur gradually. In the post-war period, women have entered the labour market in large numbers. While in 1950 only 25% of women of all ages worked, in 1990 53% were in paid employment.

<sup>3</sup> If the unemployment rate is defined as the ratio of the number of unemployed to the total available labour force, then by my calculations the unemployment rate is 3-4%.

However, social and economic institutions have been slow in recognising the changing labour market status of women. Wages, hours and other working conditions are set still on the assumption that the typical worker is a male with no family or household responsibilities.

The assumption still continues that the 'ideal' family consists of a wife and children at home supported by a male breadwinner's family wage, though only 5.2% of all households in Britain fit this pattern. Historically women worked for a period after finishing their education, then married, raised children, and may or may not have entered the labour force again. That trend is changing. More and more women are staying in the labour force after they marry and have children. By 1990 about half of married women with children under six were in the labour force.

Two-thirds of working females are married and many, married or single, have children, while more and more married women are returning to work after bringing up their families. The typical working woman is, therefore, a mother. This may be an unexpected phenomenon, but it is one which is here to stay.

The female unemployment rate is comparatively low in Britain (2.4%). I dare assume that the benefits are enough for survival, especially if the woman has dependent children. A December 1992 survey states that the number of persons unemployed for more than one year was a total of: 955,600 – 3.3%, of whom 165,200 were females (0.6%). There were 127,300 unfilled posts registered at Job Centres.

Many authors who research women's problems criticise the system of pre-school child-care and that of after-school care for older children. The state facilities are insufficient in both quantity and quality, in comparison with the other West-European countries. Paid crèches, nurseries, and after-school centres are fairly expensive. The same situation is now in Ukraine. State kindergartens are very poorly provided, and the private ones are extremely expensive.<sup>4</sup>

The next problem under current discussion by researchers is occupational segregation. Women are restricted by and large to the lowest ranking jobs. Ninety-five per cent of secretaries, typists and stenographers are females. Women predominate in the services sector: nurses, carers, catering and retailing positions, low- and middle-level positions in health care and education, although virtually all managerial positions in the same spheres are occupied by males.

Young men are expected to choose a career and to remain in that career throughout their working lives. Women are not. It is still tacitly assumed that most women take jobs they expect to keep only until they marry or have children. In general, women do not expect to advance in their work, and employers do not expect young women to be long-term employees. Sometimes it is the reason for employers' reluctance to invest money in women's training and re-training.

Such a trend has been typical for Ukraine as well. It continues to be so, and today the situation is even worse. Among 34,815 top positions in the Ukrainian economy and government executives only 5% are held by females. The idea of a 'good job' now means, for the most part, one with a steady and sufficient salary.

<sup>4</sup> However in the 1970s–80s the network of child-care services was better in the USSR (at least in urban and industrial areas). Staff, provision, meals etc. were of better quality and cost the family relatively little. These facilities were financed either by the government or by special funds of big industrial or agricultural enterprises. Since the state had a policy of full employment, it had logically to take responsibility for developing a child-care infrastructure. In addition to nurseries and kindergartens there were also summer camps and sanatoria.

The unofficial rating of the 'top salary' female professions in Kyiv is headed by clerical posts in the foreign companies operating in Ukraine, in the embassies, and international organisations.<sup>5</sup> Next come positions in banks and as accountants in private enterprises; followed by salesgirls in kiosks, hair-dressers etc.

Whenever one hears about a successful top business or career woman in Ukraine, it may be assumed that she is working with her husband or permanent life-partner. Incidentally, family business is a good form of economic development. A large proportion of small businesses consist of members of one family – sometimes almost all of whom are females.

In Britain, according to the latest surveys, only 8.5% of the executive workforce are women. The reasons are explained as follows:

- the traditional view of the woman as a home-maker;
- career breaks caused by child and family raising (simply in terms of time: the prime child-rearing years coincide with the key years for traditional male career advancement);
- unfamiliarity with new technology and work practices after the career break;
- parenting is seen as a private familial responsibility for which the employers have little or no responsibility.

Nevertheless, some women have succeeded in setting up their own business enterprises. However, many women are involved in areas which are 'traditionally female' – such as clothes designing or beauty care. One such 'role model' was Anita Roddick, whose beauty products business developed into the Body Shop empire.

The whole idea of the 'woman executive' has a great appeal, with continual promotions by the fashion industry of 'power dressing', such as 'business suits', designed for the ambitious young woman, to give the right impression about her serious attitude to work. Articles in women's magazines designed specifically for the 'working woman' give hints and advice how to achieve success and get to the top. Books on the same theme are also popular. The contents of such publications often tend to encourage the idea that a 'working woman' must aim to be a 'superwoman' – able to cope with all responsibilities of a busy domestic and social life, as well as holding down a high-powered job. But for the great majority of working women, such an image remains a fantasy.<sup>6</sup>

Career women advocate working harder and better on an individual basis rather than advocating a collective policy of legal changes. They place more faith in their own ability to overcome odds. However, in Britain there exist a number of organisations concerned with the problems of women's performance at work without neglecting the traditional family roles.

The spread of technology has resulted in some benefits for women workers, and could potentially offer many more, e.g. availability of more part-time and flexible work. New information technologies provide ever greater possibilities of home-based and freelance work, allowing certain women to organise their working lives around their home commitments.

<sup>5</sup> Salaries there are paid in hard currency, though if you ask the executives how this fits in with the Ukrainian legislation that demands 50% tax for registered 'dollar' incomes, the answer would be 'no comment'.

<sup>6</sup> Manufacturers appreciate women as valuable and generous clients; perhaps this is another clue to the purpose of such promotions.

The issues of major concern to Western feminism and radicalism and the struggle for true political equality, however, have never really been raised, let alone discussed in Ukraine. Feminist organisations do not exist, feminist theory is not a part of political science and sociology, and there have been no serious studies on the economic, political, social, and cultural dimensions of women's problems.

The first democratic elections in Ukraine reflected the traditional negative attitude to the female executive force. Less than 3% of the Ukrainian Parliament deputies are women, 13 out of 450.<sup>7</sup> At present, the Ukrainian Parliament has no commission specifically concerned with women's issues.

The economic crisis has aroused interest in Western ideas and experience. People are ready to discuss concepts that were, until recently, written off as 'bourgeois'. Among them is the 'women's question'.

Since 1990, several new women's organisations have been founded: The Union of Ukrainian Women (*Soyuz Ukrayinok*), which focuses on national rather than women's concerns and promotes traditional family values; the Women's Society (*Zhinocha Hromada*) of the Popular Movement of Ukraine (Rukh), which focuses on ecological issues and those of political independence; and the Organisation of Soldiers' Mothers of Ukraine, which has publicly protested against violations of human rights in the armed forces and the sending of Ukrainian soldiers to serve outside Ukraine. The first non-communist women's newspaper in Soviet Ukraine *Halychanka* began publication in Lviv in October 1990, with a circulation of 10,000. In 1993, the All-Ukrainian Women's Society was founded; M. Drach is the president, and Larysa Skoryk the honorary president. As of 1 January 1994, there were seven registered women's organisations (3 international and 4 national). There are also many local charities, foundations and organisations.

This represents some progress, but the problem is that women's organisations associated with the political parties and founded with the support of the government which represent themselves as democratic, also have other, political, agendas besides concern about 'Ukrainian womanhood'. And, as in the former Soviet times, they have a monopoly of funding, international contacts, resources, recognition and publicity.

## Conclusions

At the end of this brief survey, I would like to make some conclusions.

The main problem facing the Ukrainian people is an economic one. Ukrainians need more jobs for both men and women, and salaries comparable with the costs of life at least. I hope that the small and family businesses could create such possibilities.

Ukraine needs a better system of benefits for mothers and children. It would seem likely that the nascent political activity and self-consciousness of women promote in society at large the necessity of paying greater attention to the needs of mothers. Otherwise, neglecting this could be dangerous for the population as a whole.

The development of women studies in Ukraine could give additional information to women's organisations that would help them develop their policies and activities, and make them aware of the issues with which women's organisations in other countries are currently concerned.

<sup>7</sup> The average percentage of women members of parliament world-wide is 8%. Even in the USSR Congress of People's Deputies in 1989 the quota of Ukrainian women was 16 representatives.

*Appendix*

## UKRAINE

## Population

Population 51,944,000 as of the census taken in 1989  
 January 1993 estimates 51,700,000 (Economist Intelligence  
 Unit Ltd., 1995)

## Labour

In 1993 29,300,000 persons were of working age  
 of whom 23,600,000 were in paid employment

67.8% in the state sector

In January 1994 839,000 persons (0.4% of the labour force) were  
 registered as unemployed

Source: *The Statesman's Year-Book*  
 Edited by Bryan Hunter  
 132nd edition  
 1995-96  
 Statistical and historical annual of the states of the world  
 for the year 1995-96

## Trends in employment (annual average)

1989	1990	1991	1992	1993
25,420,000	25,401,000	24,977,000	24,985,000	23,427,000

## Unemployment trends

	1994	1995
Unemployed	906,250	888,500
of whom:		
claiming benefit	376,000	401,250
vacancies	1,113,500	1,357,500
Unemployed	0.4%	0.4%
(% of the labour force)		

Source: *Ukrainian Economic Trends*, August 1995  
 No official data about female unemployment

In September 1995 985,000 persons were registered as unemployed of whom  
 601,000 received benefit. 1,274,000 vacancies existed.

Source: **FACIS**, European Centre for Macroeconomical Analysis of Ukraine

## GREAT BRITAIN

### Population

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Population 54,156,067 as of the census taken on 21 April 1991

UK (Great Britain) population (usually resident) as of the census of 1991

Males – 48.4%	Females – 51.6%	Total – 100%
26,574,954	28,313,890	54,888,844

### Labour

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In June 1993 the UK work-force (i.e. all persons in employment plus the claimant unemployed)

totalled 27,808,000 (12,037,000 females or 43%)

of whom 24,869,000 were in employment

21,327,000 were employed (10,475,000 females)

2,971,000 were self-employed

271,000 HM forces

### Unemployment

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Registered unemployed in the UK as of June 1993 (figures adjusted for seasonality and discontinuities) – 2,912,000 – 10% (females 674,000 – 2.4% of the total work-force)

Registered unemployed:

<i>Year</i>	<i>Total</i>	<i>Females</i>
1989	1,785,000	510,000
1990	1,612,000	423,000
1991	2,294,000	554,000
1992	2,723,000	634,000
1993	2,912,000	774,000

In December 1992 955,600 persons (165,200 females) had been employed more than a year.

In September 1993 there were 127,300 vacancies at Job Centres.

Source: *The Statesman's Year-Book*  
 Edited by Bryan Hunter  
 132nd edition  
 1995–96

Statistical and historical annual of the states of the world  
 for the year 1995–96

## NATO Enlargement: the Ukrainian Position

*Serhiy Tolstov*

The eastward enlargement of NATO, envisaged to take place in the foreseeable future, is perhaps the only foreign-policy issue to evoke such an ambiguous position on the part of the Ukrainian government.

The European discussions in 1994–96 on the enlargement of NATO brought out very clearly how unique and sensitive is Ukraine's geopolitical position in Europe during the on-going changes in the post-Cold War era.

This is not simply a matter of Ukraine's relative lagging behind the former socialist countries of Central Europe and its comparatively greater difficulties in systemic transformation, but also of the complex problems associated with the regional influence of Russia and the prejudice against Ukraine still apparent in influential political circles in the Western European states. One must also note that in 1992–93 relations between Ukraine on the one hand and the USA and European Union on the other were virtually in a state of hostility due to the delays on the part of the Ukrainian government in getting rid of its nuclear weapons and the reluctance of many Western politicians to accept the new Ukraine as an independent factor in the European political mosaic.

Ultimately, the attitude of the Ukrainian leadership towards the near-inevitable process of NATO enlargement will depend on how fully this process will take into account the interests and specific reservations of Ukraine in the course of establishing a new security system on the European continent.

The official position of Ukraine on the intention to expand NATO eastwards, announced in 1995, was distinguished by its deliberate sagacity and caution. In 1994–96 Ukraine's stance was elaborated and defined more clearly on numerous occasions, in various statements and interviews with senior government officials, until it acquired a relatively clear and detailed form.

The article of Foreign Minister Hennadiy Udovenko, 'The architecture of European security', published at the end of 1994, may be regarded as perhaps the first well-substantiated explanation of the Ukrainian standpoint on NATO enlargement.

In this article Udovenko argues that the question 'where should Ukraine be today: in the East or in the West', from the strategic pan-European viewpoint, 'is of an academic nature', since 'Ukraine is situated in the centre of Europe', and that the issue of NATO enlargement should also be perceived from this standpoint. Udovenko agrees that the enlargement of the Alliance is an objective process, in as much as it exists 'as an interest of a large group of countries to achieve membership in NATO, and also the readiness of this alliance itself to review in principle the conditions of increasing its numerical composition'.

On the other hand, taking into account, too, the objective principle of the indivisibility of security, Ukraine, in the event of a simultaneous and rapid incorporation into NATO of its Central European neighbours (first and foremost the Visegrad countries – the Czech Republic, Hungary, Poland and Slovakia), will face a completely new and 'uncomfortable', if not difficult, situation as regards the external parameters of national security. This, first and foremost, concerns relations between Ukraine and Russia, whose position vis-à-vis the future enlargement of NATO is clearly negative.

In such an event, it would be in Ukraine's interest if the North Atlantic Alliance were to adopt a policy that would avert a new division of Europe into spheres of influence, and take into account the security interests of all interested European states, including Ukraine. In Udovenko's opinion, in its evolutionary process 'NATO should establish its role as one of the fundamental, leading and stabilising elements of the future pan-European security system. Under these conditions NATO will make a realistic contribution to the development of the future security architecture of a single and indivisible democratic Europe...'.<sup>1</sup>

Taking into account the particular geopolitical situation of Ukraine and the special historical features of the formation of its economic relations, government circles, in 1995, deliberately avoided any provocative statements and political *démarches*, which would worsen relations with Russia. This concerned the issues of the division of the Black Sea Fleet, the formalisation of the status of Ukraine within the CIS, and the regulation of trade with Russia, Belarus and Kazakhstan. At the same time several important steps were taken towards the development of relations with NATO, including the acceptance by Udovenko (albeit with much delay) of the 'Individual Partnership Programme' at NATO headquarters on 14 September 1995.

Ukrainian officials give great significance to the release, on 14 September 1995, of a joint press statement of Ukraine and NATO, announcing the 'further strengthening of NATO-Ukraine relations across a broad front, including the development of an enhanced relationship both within and outside the PfP [Partnership for Peace] Programme and NACC [North Atlantic Cooperation Council] activities'.<sup>2</sup>

At the end of the talks at NATO headquarters in September 1995, the two sides stressed that further development of relations between Ukraine and NATO will contribute towards the strengthening of European security. The NATO partners also emphasised their support for the sovereignty and political independence, territorial integrity, internal stability, democratic development, and economic welfare of Ukraine, and its status as a non-nuclear state. They 'stressed, in particular, that an independent, democratic and stable Ukraine was one of the key factors of stability and security in Europe'.<sup>3</sup> The signing of the joint statement can be seen as the first step towards the elaboration of a separate special arrangement between NATO and Ukraine, which, Ukrainian diplomats believe, should delineate the nature and directions of long-term cooperation in matters of security.

Ukraine's chronic budget deficit and its defence ministry's lack of funds will certainly limit the country's capabilities for extensive participation in the Partnership for Peace programme and other forms of military cooperation of European states for a long time to come. If we take into account that the 'Study on NATO Enlargement' by Alliance experts (published on 28 September 1995) foresees a complex mechanism of invitation, which would first have to be approved by consensus by the North-Atlantic Council (the governing body of NATO) and only then communicated to the government of the prospective member-state by the NATO Secretary-General, even those Ukrainian politicians who are the most ardent supporters of NATO membership should shed any excessive illusions, and

<sup>1</sup> Hennadiy Udovenko, 'Arkhitektura evropeyskoyi bezpeky', *Holos Ukrayiny*, 23 December 1994, p. 4.

<sup>2</sup> 'NATO-Ukraine Joint Press Statement', Brussels, 14 September 1995.

<sup>3</sup> *Ibid.*, p. 9.

instead put their mind to practical measures to improve cooperation between Ukraine and its European partners.

Under these circumstances the warnings of President Kuchma and the foreign ministry concerning the prospect of NATO membership by the Central European states become entirely comprehensible. In particular, in an address to the Diplomatic Institute of the Chinese People's Republic in Beijing on 4 December 1995, Kuchma stated that the 'development of NATO should not lead to the re-birth of dangerous military-political opposition. Our attitude towards the foreign-policy strategy of Russia is analogous. Ukraine is a neutral state, and we do not want it to transform into a *cordon sanitaire* between new rival blocs'.<sup>4</sup>

In his conclusions concerning the developments of 1995 Udovenko also stressed the importance of Ukraine's preserving its neutrality and endorsed the opinion of the Secretary of the National Security Council, Volodymyr Horbulin, that the priority of the state lies in the development of direct cooperation with NATO, which is more important to Ukraine than participation in the Partnership for Peace programme.<sup>5</sup>

This last remark can more easily be explained by the chronic lack of funds in the Ministry of Defence budget. However, consideration of prevailing new trends and the prospects of Ukrainian policy in Europe affirms that one cannot really say that Ukraine's non-aligned status is equidistant from NATO and Russia, since each of the latter makes different functional demands.

The desired partnership with NATO must ensure for Ukraine the right of a voice during the discussion and resolution of problems of international cooperation, including the question of security. The aspiration to cooperate with NATO outside Partnership for Peace opens prospects of the development of a 'special partnership', specifying the conditions and forms of assistance to Ukraine on the part of NATO in the event of a crisis in Eastern Europe. In that version Ukraine's neutrality will become closer to the present status of Austria, which combines membership in European structures of economic and political integration (European Union) and security (Partnership for Peace) with the preservation of neutrality. Simultaneously, Ukraine's participation in the Partnership for Peace programme should provide a valuable practical experience and consolidate its presence in forms of cooperation which envisage the joint development and realisation of the mechanisms of collective security, to which the Ukrainian government aspires.

In the first half of 1996 Ukraine's stance on foreign policy underwent significant conceptual changes and was made more precise. The new elements of the Ukrainian approach may be concisely summarised in several fundamental points.

It has been officially recognised at the highest level that the long-term strategic goal of Ukraine is integration in the European Union, on which all other foreign and internal policy measures have to be predicated. However, this process has to be gradual and balanced. During a visit to Switzerland in March 1996 President Kuchma underlined that 'as the largest of the countries of Europe not currently a member of a power-bloc, Ukraine understands that in the present conditions it could destroy the system of international security by its hypothetical joining of existing military-politi-

<sup>4</sup> *Interfax-Ukraina*, 6 December 1995.

<sup>5</sup> *Kiev Post*, 4–10 January 1996, p. 1.

cal groupings', although this 'does not mean that the future of Ukraine must necessarily lie outside any bloc'.<sup>6</sup> The strategic orientation of Ukraine regarding European integrative communities will determine the policy of the state concerning cooperation in the system of collective security. This does not rule out, under certain conditions, its possible participation in collective defence structures also.

In his address to the Parliamentary Assembly of the Western European Union in Paris on 5 June 1996 Kuchma declared that Ukraine is prepared to assume at once all the rights and obligations of associated membership in the WEU, which certain other countries of Central Europe have already acquired. 'Ukraine has the right to join any military-political structure tending to transform itself into an element of European and transatlantic security'.<sup>7</sup>

This statement can be explained as a direct attempt to review the non-aligned status by means of gradual inclusion in institutions of the Euro-Atlantic security system. However, the final decision on the integration of Ukraine in Europe, together with and in the same package as the Visegrad states, remains with the leaders of NATO and the European Union, as well as the governments of the USA and Western Europe. Finally, the uncertainty and lack of clarity in the attitude of West European states towards Ukraine has evoked an unusually harsh criticism on the part of official Kyiv. After his visit to Paris on 5 June 1996 President Kuchma expressed a direct dissatisfaction with the waiting policy of West European governments with regard to Ukraine, pointing out that the West does not want to provoke Russia by support for Ukraine, and hence reserves the option of a division into spheres of influence in the hope of further *rapprochement* with Russia.

In such a case Ukraine, lacking effective international support, could be transformed into an object of even more direct claims and aspirations on the part of Russia, claims which would now be partially legitimised by the West. The widely advertised enlargement of NATO will for the present be limited to the accession of Poland, the Czech Republic and Hungary, while, at the same time, Russia focuses its attention on the problems of Ukraine, Crimea and the Black Sea Fleet – at the expense of Ukrainian interests. Benign thinking about a new pan-European system of collective security would be calmly consigned to the theoretical archive. The Organisation for Security and Cooperation in Europe would return to its Cold War function of dialogue between two contiguous military-political structures – NATO and the Tashkent Treaty on Collective Security, which would attempt, at least formally, to inherit the role of the Warsaw Treaty Organisation. The recognition by the West of Russia's peacekeeping role on the territory of the CIS would symbolically complete the redistribution of spheres of influence in Eurasia, endorsing to the full Ukraine's warnings that even a partial restoration of inter-bloc rivalry would result in a negative scenario of further developments.

Repeated reminders to the NATO states of the need to take into account the stability and security of Ukraine, together with a detailed explanation of what this would entail, may be seen as the only correct approach in the functional sense. Any other reaction in the form of unconditional support or rebuff cannot secure the desired acquisitions and concessions in the long-term process of negotiations.

<sup>6</sup> *Zerkalo nedeli*, 23–29 March 1996, No. 12, pp. 1–2.

<sup>7</sup> *Interfax-Ukraina*, 5 June 1996, Special edition, No. 1.

Ukraine's disquiet about NATO enlargement includes fears that it will result in the creation on its western borders of a new East European barrier to Euro-Atlantic cooperation, transforming the East European space outside these schemes for integration into a 'grey zone' of mutual rivalry of great states, with the inevitable prospect of the re-establishment of Russian hegemony.

Thus a hasty enlargement of NATO is clearly undesirable. Firstly, because it will give formal justification to Russia's often repeated intentions to transform the states in the post-Soviet space into a protectorate in the form of a CIS confederation. Secondly, because this will increase external pressure on Ukraine. Thirdly, because this will increase the distance between Ukraine and the countries of Central Europe and reduce the possibilities for Ukrainian participation in regional integrative processes under the aegis of the European Union.

The Ukrainian leaders also need time to complete their diplomatic bargaining with the West to determine the possibilities and forms of economic and political support for Ukraine, acceptable to the USA and NATO.

Several factors can assist the removal of the negative repercussions of the programme of NATO enlargement:

1. Efforts directed towards the ultimate removal of the prejudices within the European Union against Ukraine and its integration in the European space will be particularly significant, as will, too, the granting of the status of a European associated member to Ukraine in the near future.

2. Development of cooperation and multifaceted mutual activity between the states of the Central-East European region including the development of sub-regional institutions and organisations, such as the Central European Initiative, the Central European Free Trade Association, the Black Sea Economic Cooperation, etc.

3. Regional cooperation and further integration of the border territories of Ukraine, Poland, Hungary and Slovakia.

4. Cooperation with the Western European Union aimed at penetrating the structures of the European Union 'through the back door'.

5. Support for the military and political presence of the USA in Europe and coordination of activity in this direction with the governments of Poland and Greece, which currently show the greatest interest in preserving the American political and military presence on the continent. □

## The Educational Attainment of Ukrainian Americans

Duane E. Gory

In a report on wage inequality produced by the Urban Institute it was noted that the wages of workers in America have become increasingly less equal since the 1970s.<sup>1</sup> This trend of rising inequality of wages holds true for much of the industrialised world in general. The Urban Institute report does not attribute the rise in wage inequality to a single set of factors, but does offer some theories to explain the phenomenon. One theory explains the widening wage gap by a growing demand for 'better-skilled' workers.

According to this theory, there has been a shift in the type of workers demanded by industry. Traditional manufacturing industries, which usually demand relatively low-skilled workers, have been in decline. Alternatively, high technology industries that require high-skilled labour, have been increasing. Thus, there has been a shift in the type of labour demanded by industry. This shift has gone from low- to high-skilled workers.

High-skilled labourers attain their skills through education and job training. This implies a direct correlation between the level of education and the wage earning potential. Specifically, as the level of education obtained by a worker rises, the wage potential of that worker increases. The United States Department of Education concluded from the data it collects that educational attainment is positively associated with higher annual earnings and lower unemployment rates.<sup>2</sup> This correlation is echoed in recent remarks by the American President Bill Clinton at Princeton University, where he said 'education is the fault line, the great Continental Divide between those who will prosper and those who will not in the new economy'.<sup>3</sup>

Thus the level of a worker's educational attainment is very important in determining wage earning potential. This association between educational attainment and earnings potential poses an interesting question for Ukrainian Americans as a group. Are Ukrainian Americans obtaining the proper level of education so that they will have higher earnings potential? An attempt to answer this question can be made by examining data from the 1990 United States Census of the Population.

### 1990 Census of the United States Population

The 1990 Census of the United States Population was conducted by the United States Census Bureau in April 1990. Each housing unit in the United States received one of two versions of the Census questionnaire: a short-form questionnaire containing population and housing questions; or a long-form questionnaire which

<sup>1</sup> The Urban Institute, *Widening Wage Inequality*, The Urban Institute, 1995.

<sup>2</sup> United States Department of Education, *National Adult Literacy Survey*, Washington, D.C., 1992.

<sup>3</sup> Remarks by the President at Princeton University Commencement Address, Princeton University: Princeton, New Jersey, 4 June 1996.

included additional questions, for example the respondent's income. Long-form questionnaires were only sent to a sample of all American housing units.

The long-form questionnaire contained questions pertaining to ancestry and years of education. Specifically, respondents were requested to state their ancestry or ethnic origin, as well as their level of education. These two questions allowed the Census Bureau to tabulate data on ethnic groups with respect to their level of education. Results from the long-form questionnaire (a sample of US housing units) were projected to the American population as a whole and published in the *1990 Census of Population, Ancestry of the Population in the United States*.<sup>4</sup> This publication was the source of data for this article, unless otherwise noted.

### The Number of Ukrainian Americans

The 1990 United States Census allowed respondents to identify a maximum of two ancestries as their ethnic origin. For example, an individual might classify himself as Ukrainian-Polish. In this case, the individual is counted in the 1990 Census ancestry data as both Ukrainian and Polish. Census Bureau terminology labels Ukrainian as the first ancestry reported, while Polish is labelled as the second. Census takers listing a single ancestry were solely classified in the identified ethnic group.

Table 1 shows the number of Ukrainian Americans reported by the 1990 Census.<sup>5</sup> These figures are separated into the two components of first and second ancestry reported. Overall, the 1990 Census estimated the Ukrainian American population at 740,803 persons. This total is composed of 514,085 persons reporting Ukrainian as their first ancestry, and 226,718 persons reporting Ukrainian as their second ancestry. The classification of Ukrainian in Table 1 is an aggregate of individuals who identified their ancestry as either Ukrainian, Little Russian, Lemkian, Boiko, or Husel (Hutsul).

Number of persons in 1990:		Number of persons in 1990 identifying Ukrainian as First or Second Ancestry*
Identifying Ukrainian as First Ancestry*	Identifying Ukrainian as Second Ancestry*	
514,085	226,718	740,803

\*Includes persons reporting ancestry as either Ukrainian, Little Russian, Lemkian, Boiko, and Husel (Hutsul).

Source: United States Bureau of the Census.

Table 1. Number of Ukrainian Americans in 1990

<sup>4</sup> United States Bureau of the Census, *Ancestry of the Population in the United States (1990 CP-3-2)*, Washington, D.C.: US Government Printing Office, 1993.

<sup>5</sup> Population figures come from: United States Bureau of the Census, *Detailed Ancestry Groups for States (1990 CP-S-1-2)*, Washington, D.C.: US Government Printing Office, 1992.



Figure 1. Educational Attainment of Ukrainian Americans in 1990

## Educational Attainment

There are two shortcomings regarding the educational attainment data published by the US Census Bureau. Firstly, the Census Bureau only published ethnic group data for the first ancestry reported. The second limitation is that comprehensive educational attainment data is only available for individuals 25 years of age or older. Thus, of the 514,085 Americans reporting Ukrainian as their first ancestry in Table 1, only 389,597 persons are 25 years of age or older. The 389,597 Ukrainian Americans over the age of 25 years represent about 76 per cent of all first ancestry respondents (514,085 persons), and only 52 per cent of the total for first and second ancestry respondents (740,803 persons). Although the published educational attainment data fails to cover all the Ukrainian Americans listed in Table 1, it is still insightful.

Appearing in Figure 1 is the educational level distribution for Ukrainian Americans 25 years of age or over (first ancestry reported). The education levels in Figure 1 are for the year 1990. Listed immediately after each shaded bar is the exact number of persons falling into a given education level category. For example, 25,231 Ukrainian Americans 25 years of age or over (first ancestry reported) had an Associate Degree in 1990. It should be noted that the total population of Ukrainian Americans in Figure 1 are the 389,597 persons 25 years of age or over reporting Ukrainian as their first ancestry.

As can be seen in Figure 1, the education level of *High School* graduate contained the single largest number of Ukrainian Americans (101,873 persons, or 26 per cent of the total). The next largest category were those failing to acquire a High School diploma, which accounted for 87,483 Ukrainian Americans (22 per cent of the total). Two additional spikes in the data occurred in the *Some College* and *Bachelor's Degree* categories. These two categories accounted for just under 65,000 Ukrainian Americans each. Approximately 77 per cent of the analysed Ukrainian Americans in Figure 1 had received a High School diploma or better.

A comparison can be made between male and female Ukrainian Americans. Of the 389,597 Ukrainian Americans in Figure 1, 196,629 are female and 192,968 are male. Any differences in educational attainment between the genders can be seen by examining concentration percentages. A concentration percentage is the percentage of a total population that is contained in a given category. For example, the percentage of all Ukrainian American females over 25 years of age receiving a High School diploma is the concentration percentage for the educational level of High School Graduate. By examining the relative concentrations amongst the education levels, some general conclusions can be drawn.

Presented in Table 2 are the education level concentration percentages for Ukrainian American women and men. All data are for the year 1990. As can be verified in Table 2, Ukrainian American men have a slightly more favourable education level distribution than women. This conclusion is drawn from the relatively larger concentration percentages displayed by men in the higher education levels. Conversely, Ukrainian American women have slightly higher concentration percentages in the lower education level categories.

Education Level in 1990	Percentage of Ukrainian American females 25 years of age or over*	Percentage of Ukrainian American males 25 years of age or over*
K-12th grade, no diploma	25	20
High school graduate	30	23
Some college, no degree	16	18
Associate degree	7	6
Bachelor's degree	14	18
Master's degree	7	8
Professional school	2	4
Doctoral degree	1	2
Total	100+	100+

\*First Ancestry reported. Includes persons reporting ancestry as either Ukrainian, Little Russian, Lemkian, Boiko, and Husel (Hutsul).

+Does not sum up to 100 due to rounding.

Source: United States Bureau of the Census.

Table 2. Education Level of Concentration Percentages  
Ukrainian American Females and Males

### Relative Comparison of Education Attainment

While the data in Figure 1 and Tables 1 through 2 are interesting, they do not answer the question of the adequacy of Ukrainian American education levels. What is needed is an education level standard that Ukrainian Americans can be compared against. One such standard is the education level of the American population as a whole. After all, it is the general population of the United States that Ukrainian Americans will be competing against in the job market. Data available from the 1990 US Census allows such a comparison to be made.

Appearing in Table 3 are the education level concentration percentages for the United States population as a whole and Ukrainian Americans. All data in the table are for the year 1990. It can be seen in Table 3 that for each of the lower education levels, Ukrainian Americans displayed lower concentration percentages than the American population at large. The concentration percentages for the two populations converged at the education level of *Associate Degree*, where both groups had concentration percentages of six per cent. For most of the higher education levels, Ukrainian Americans had higher concentration percentages than Americans overall. The concentration percentages for the two populations met again at the Doctoral level.

Table 3 shows that Ukrainian Americans had a better education level distribution than the American population as a whole in 1990. This statement emanates from the relatively lower concentration percentages exhibited by Ukrainian Americans in the lesser education level categories and the relatively higher percentages displayed in the upper education categories. Using the education level

distribution of Americans overall as a standard, Table 3 suggests that Ukrainian Americans as a group are receiving the proper level of education for higher earnings potential. This conclusion is drawn from the more favourable education level distribution exhibited by Ukrainian Americans as compared to the US population

Education Level in 1990	Percentage of Americans 25 years of age or over*	Percentage of Ukrainian Americans 25 years of age or over*
K-12th grade, no diploma	25	22
High school graduate	30	26
Some college, no degree	19	17
Associate degree	6	6
Bachelor's degree	13	16
Master's degree	5	7
Professional school	2	3
Doctoral degree	1	1
Total	100+	100+

\*First Ancestry reported. Includes persons reporting ancestry as either Ukrainian, Little Russian, Lemkian, Boiko, and Husel (Hutsul).

+Does not sum up to 100 due to rounding.

Source: United States Bureau of the Census.

Table 3. Education Level of Concentration Percentages  
Ukrainian Americans and United States  
Population as a whole

overall. This comparison is valid, since it is the American population in general that Ukrainian Americans will be competing against in the job market.

A word of caution regarding the above conclusion. The preceding analysis only examined general education levels, not specific training. For example, the data in Figure 1 only shows how many Ukrainian Americans earned Bachelor Degrees in 1990. Figure 1 does not specify the area of study these Bachelor degrees were earned in. Thus, there could exist a situation where Ukrainian Americans are acquiring a high level of training, but that training is providing skills with low demand in the labour market. If that were the case, then the positive relationship between education and earnings may not be observed. □

## *Quatercentenary of the Union of Brest*

### **The Union of Brest**

*Metropolitan Yosyf Slipyi*

Rarely has any historical event received such varied explanations and such a patriotic approach as the Union of Brest. Ukrainian, Russian, Polish, German, French and other historians approach it from a different perspective, and assess it either favourably or unfavourably. The most hostile assessment is to call the Union an intrigue. The Union of Brest is an ineradicable fact of Ukrainian church history. It is a link in the long chain of centuries and the result of difficult struggles and infighting within the church. The most widespread view among the enemies of the Union is that it was the brain-child of the Jesuits and the result of heavy pressure from King Sigismund III<sup>1</sup> and the Polish government, and that its goal was political. The Poles considered the Union a bridgehead to Latinisation and Polonisation. However, history proved this view to be invalid. On the contrary, far from being a tool of ethnocide, the Union became a bulwark of national consciousness among the people and a bastion against the threat of the destruction of the Ukrainian people – a threat which came from the Poles. As far as scholarly study is concerned, the aforesaid viewpoint belongs only among relics of the past and in collections of antiquities. This is clearly recognised by both Polish Catholic and non-partisan Orthodox historians. However, reading the conclusions of various historians, even very respectable ones, one gets the impression that they did not trouble themselves to read the letter of the Metropolitan and his bishops to the Pope,<sup>2</sup> in which they express their opinions, beliefs, motives and desires, and which is thus, in the first place, an authoritative document in determining the origins of the Union.

What, then, were the motives behind the Union? Firstly, the idea of Church union had been circulating, to a greater or lesser degree, for centuries. The Union of Florence<sup>3</sup> had revealed it to its full extent. Although it was then suppressed for a time, it did not disappear, as the actions of certain metropolitans, in particular

<sup>1</sup> Sigismund III Vasa (1566–1632), King of Poland, 1587–1632.

<sup>2</sup> There were, in fact, two such letters. The first dates from 1472, and was written by Metropolitan Gregory to Pope Sixtus IV, and entrusted to Bishop Antonio Bonumbre who was returning to Italy after escorting Zoe Palaeologa to her wedding in Moscow (see below, note 9). This letter never reached Sixtus, probably because Bonumbre never got back to Rome; having lost the favour of the Pope over the outcome of Zoe's wedding, he was posted to Venice. The original text of this letter is lost. Various copies survive, and are published in *Arkhiv Yugo-Zapadnoi Rossii* (Kyiv, 1887), pp. 199–211. Some doubt has been cast on the authenticity of this text; for a detailed discussion, see Oskar Halecki, 'From Florence to Brest (1439–1596)' in *Sacrum Poloniae Millenium – Rozprawy, Szkicey, Materialy historyczne* (Rome, 1958). For the second letter, from Metropolitan-elect Misael, see note 4.

<sup>3</sup> The Council of Florence of 1338–39 (more correctly, Ferrara-Florence, since it began in the first city and then transferred to the latter due to an outbreak of plague in Ferrara and the urgings of Cosmo di Medici) was an attempt to reunite the Roman and Byzantine churches, in the face of the increasing threat from the Turks, by now virtually at the gates of Constantinople. The Council managed to resolve the main theological difference between the two churches – the 'procession' of the Holy Ghost, by the formula '*ex Patre per Filium*' ('from the Father through the Son'). However, the fall of Con-

the letters of Metropolitans Misael<sup>4</sup> from 1476 and Iosyf Soltan (d.1517)<sup>5</sup> bear witness. If it were true that religious, ecumenical Catholic convictions played no part in the issue of the Union and it was a matter of political manoeuvring only, the Ukrainians and Belarusians could have established a Kyivan Patriarchate, to which they had a far greater right than did Moscow, and to which Patriarch Jeremiah<sup>6</sup> would have consented for a large sum of money, as he had done in the case of Muscovy. The theological arguments in favour of Church unity, stressed in letters from the Metropolitan and the hierarchy to Rome, and in epistles to the faithful, are very clear. It was to this Church unity that they aspired.

The Jesuit Fr. Piotr Skarga<sup>7</sup> also recalled the theological arguments in favour of the unity of the Church in his work *On the Unity of the Church*, which was studiously read not only in Poland, but also in Ukraine by both clergy and laity. Moreover, Skarga dedicated it to Prince Konstantyn Ostrozkyi,<sup>8</sup> the most eminent and influential person in Ukraine. Consequently *On the Unity of the Church* must undoubtedly have received the careful attention of both Prince Konstantyn and Ukrainian society in general. Many erudite theologians lived at the court of the Prince, and Konstantyn himself studied the issue of union and disseminated the idea. To regard the Union as a purely political creation is to ignore the various pronouncements of the bishops, which with all their strength emphasise, first and foremost, the religious and theological motives.

stantinople to the Turks in 1453 made the practical implementation of the Union somewhat a dead letter, and the Union itself was rejected by a Synod in Constantinople in 1484, in which representatives of the Patriarchates of Alexandria, Antioch and Jerusalem participated. How far the 'spirit of Florence' persisted in Rus' is a matter of on-going scholarly debate. See, for example, Halecki, op. cit. Also Boris Gudziak: 'The Union of Florence in the Kievan Metropolitanate: Did it survive until the Times of the Union of Brest? (Some Reflections on a Recent Argument)', *Harvard Ukrainian Studies*, Vol. 17, No. 1–2, pp. 138–48.

<sup>4</sup> Misael, Bishop of Smolensk, a member of the Pstruch or Pstrucki families was a member of the lesser gentry of the Grand Duchy but with some powerful relations, most of whom had signed the letter of Metropolitan Gregory. On Gregory's death in 1472, he was elected Metropolitan of Kyiv, but had still not been consecrated and installed when, in 1476, a meeting of the Rus' hierarchy in Vilnia decided to send a second letter to Rome. (For Misael's family background, see J. Wolff, *Kniazowie Liteusko-Ruscy* (Warsaw, 1946), appendix on the 'pseudo-princes'. For the text of Misael's letter, see *Monumenta Ucrainae Historica, Vol. IX–X, Supplementum* (Rome, 1971), pp. 5–30.

<sup>5</sup> There were two Metropolitans of Kyiv during this period named Iosyf Soltan. Slipyi here refers to the first (?–1517) who in some documents is called Ioan Iosyf. When, in 1498, from being Bishop of Smolensk he was elected Metropolitan of Kyiv, he immediately tried to get the approval of the Patriarch of Constantinople for reviving the Union of Florence. There is some doubt about whether this Metropolitan Iosyf was, in fact, a member of the generally pro-Union Soltan family; the second Metropolitan Iosyf, undoubtedly a member of that family, on the other hand, did nothing to promote the Union. See Halecki, op. cit., pp. 111–12.

<sup>6</sup> Patriarch Jeremiah II (Tranos) of Constantinople. He visited Rus' in 1589 – the only time that a Patriarch of Constantinople visited that country.

<sup>7</sup> Piotr Skarga (1536–1612) was one of the key figures in the events leading up to the Union. A native of Grojec in central Poland, he became interested in the issue of Church unity when he was sent, as a young priest, to Lviv as Chancellor to the Catholic Archbishop. His book *On the Unity of the Church of God under one Pastor* (1577) was one of the most significant publications of the pro-Union camp. A detailed study of Skarga's role in the Union is given in J. Tretiak, *Skarga w dziejach i literaturze Unii brzeskiej* (Kraków, 1912).

<sup>8</sup> Prince Vasyl Konstantyn Ostrozkyi (1526–1608), Palatine of Kyiv and Marshal of Volhynia, was considered to be a direct descendant of the old Kyivan dynasty of Rurik. Under his rule, the city of Ostrih was developed into a major centre of Ukrainian culture. He founded a college there (ca.1580)

Moreover, as mentioned above, the Union negotiations in previous centuries had been conducted not only on a scholarly and theoretical basis, but also in practical terms, with the help of diplomacy. The marriage of Tsar Ivan III to Sophia Paleologa<sup>9</sup> was also known in Ukraine, and the actions of Popes Leo X,<sup>10</sup> Adrian,<sup>11</sup> Clement VII<sup>12</sup> (d.1534) and Julius III<sup>13</sup> (d.1555) were no secret. The negotiations between the papal legate Antonio Possevino under Pope Gregory XIII and Tsar Ivan the Terrible was a well-publicised interstate act.<sup>14</sup> Prince Ostrozkyi, moreover, was no mere onlooker. In 1583, he was in correspondence with the papal nuncio Bolognetti<sup>15</sup> and the legate

(later raised to the status of an academy) with a printing press, which produced, in 1581, a complete text of the Slavonic Bible. Skarga had hoped to find in him a patron of the Union; instead, he emerged as a major champion of Orthodoxy.

<sup>9</sup> Zoe Palaeologa was the niece of the last emperor of Constantinople. She was brought up in Rome, at the Holy See, which expected her marriage to Ivan III (1440–1505) of Muscovy to promote Church unity, and Bishop Antonio Bonumbré accompanied her to Moscow, in order to perform the ceremony. Instead, Zoe (renamed Sophia) was obliged to become Orthodox, and the ceremony was performed according to Orthodox ritual. It was in virtue of this marriage that Ivan IV and subsequent rulers of Muscovy adopted the imperial title 'Tsar' (i.e. 'Caesar') instead of their former style of 'Grand Prince'.

<sup>10</sup> Pope Leo X (Giovanni de Medici, 1475–1521), elected Pope in 1513. He conducted an active *ost-politik* which included the appointment, in 1513, of Archbishop Tomas Bakocs, the Primate of Hungary, as Legate to Hungary, Bohemia, Rus' and Muscovy, to preach a general crusade against the Tatars and Turks. In 1514, on receiving the news of the victory of the forces of the Grand Duchy of Lithuania-Rus' over the Muscovites at Orsha, he ordered a public celebration in Rome of this 'Catholic' victory – although a large part of the forces of the Grand Duchy belonged to the Eastern Church. In the same year, however, influenced by a memorandum from the Polish Primate, Archbishop Jan Laski of Gniezno (who seemed to ignore the tradition of Florence in Rus'), Leo cancelled the decision of Pope Alexander VI that members of the Church of Rus' coming into communion with Rome did not need to be re-baptised. Later, however, Leo reverted to the original idea that no re-baptism was necessary.

<sup>11</sup> Hadrian VI (Adrian Florenz Dedal, 1459–1523), elected Pope in 1522. A Dutchman, he was to be the last non-Italian Pope for 456 years!

<sup>12</sup> Clement VII (Julio de Medici, 1475–1534), elected Pope in 1523. Of particular significance for the issue of Union was Clement's ruling regarding the marriage of the Eastern-Church Prince Yury Słucki and the Latin Catholic Princess Helena Radziwiłł in 1529. Słucki, the ruler of Słuck, the last remaining autonomous principality within the Grand Duchy of Lithuania, wrote to the Pope for his approval, saying that he was making the marriage in order to promote 'peace and concord among the magnates of his dominions'. The Pope took two years to answer, but eventually gave his approval, noting that Prince Yury was 'living according to the rite and customs of the Greeks and of the Eastern Church, but otherwise professed the Catholic faith'. Clement granted Słucki's additional request that the children of the marriage should follow the rite of the same-sex parent, citing the decisions of the Council of Florence on this point. See Halecki, *op. cit.*, p.132, and the references there cited.

<sup>13</sup> Julius III (Giovanni Maria Gocchi, 1487–1555), elected Pope in 1550.

<sup>14</sup> Antonio Possevino, S.J. (1533 or 1534–1611), papal diplomat. From 1577–78, he served as a Legate in Sweden, Poland, Rus', Hungary and Transylvania, and carried out negotiations between King Stefan Batory of Poland and Ivan IV ('the Terrible') of Muscovy (1530–84), which failed in their main purpose (to bring the Church of Muscovy into communion with Rome), but which did obtain from the Tsar some guarantees for the rights of foreign Catholics in Muscovy. Disillusioned, he suggested to Pope Gregory XIII (Ugo Boncompagni, 1502–85, elected Pope in 1572) that the latter was wasting his time in negotiating with the Church of Muscovy, and that it would be better to concentrate on the Church of Rus' within the Polish Commonwealth. After the death of Stefan Batory in 1586, Possevino supported the candidacy of Sigismund Vasa; the Pope, however, favoured the Habsburg candidate and Possevino was recalled to Rome.

<sup>15</sup> Alberto Bolognetti, appointed Papal Nuncio in 1582. He died on his way back to Rome from Poland in 1585. Publication of the records of his mission to Poland was begun by L. Boratynski in 1907 in the *Rozprawy* of the Polish Academy of Learning in Kraków, and completed by Cz. Nanke and E. Kuntze, *Mon. Pol. Var.*, V–VII, 1923–1950.

Antonio Possevino. Finally, being intent on the successful conclusion of the Union, Prince Konstantyn nominated Adam Potiy,<sup>16</sup> the Castellan (Constable) of Brest, to be Bishop of Volodymyr-Volynskiy. Chronologically speaking, theoretical consideration of the Union during this era began at the court of Prince Ostrozkyi during religious talks and discussions, which, under the influence of Protestantism, were becoming ever livelier and more topical.

The Ukrainian hierarchy was even more directly involved in the Union. The decision of the Council of Florence formed the basis of the idea of church unity which it embodied. The moving spirit behind it was the Bishop of Lutsk, Kyrylo Terletskiy.<sup>17</sup> He was an able, intelligent, active and zealous bishop, well versed in ideological and social movements in the West, who knew about the rebirth of the Catholic Church, and discussed the issue with the Polish Catholic bishop in Lutsk, Bernard Maciejowski,<sup>18</sup> who was a supporter of the Union. The sources, unfortunately, contain no detailed account of how these initial ideas were developed. One may, however, draw some reliable deductions from the words of the Latin Archbishop of Lviv, Dymitr Solikowski,<sup>19</sup> who instructed Bishop Gedeon Balaban<sup>20</sup> to reach an understanding with Bishop Kyrylo Terletskiy on the issue of the Union, which he had proposed.

It is unknown whose influence won over Castellan Adam Potiy to the idea of the Union. Presumably, as Prince Ostrozkyi's brother-in-law, he stood close to him, and as a person interested in religion he conducted a dialogue with Latin Catholics in Brest. It seems clear that the first practical reference to the introduction of the Union, following previous private discussions and debates, originated with the bishops themselves. It would appear that the first to propose the idea of the Union of the [East Slavonic] Church with Rome was the Bishop of Lviv, Gedeon Balaban, in a conversation with Archbishop Solikowski; it is difficult to believe, however, that he [Gedeon] would spontaneously develop such an idea on his own – considering his somewhat less than edifying past!

Bishop Gedeon was indeed an able man, but of unsteady and wavering character. He had serious misunderstandings with the Lviv Brotherhood, which refused

<sup>16</sup> Adam (later, in religion, Ipatiy) Potiy (1541–1615), courtier of Sigismund III, and then Castellan of Brest. In the course of his life, his religious beliefs changed from his original Orthodoxy, through Calvinism and Socinianism, to Union with Rome. In 1600, while still a layman (though, as a recent widower, eligible for episcopal office), he was elected Metropolitan of Volodymyr-Volynskiy. He was the author of several works of polemic theology, also sermons and homilies.

<sup>17</sup> Kyrylo Terletskiy (?–1607) church activist from, possibly, Pinsk, where he was later arch-priest. From 1572, Bishop of Pinsk and Turau, and from 1585, Bishop of Lutsk. In 1595, he travelled with a delegation to Rome, where he made preparations for the introduction of the Union. In 1596, he took part in the Union of Brest, which ratified the Union with Rome.

<sup>18</sup> Bernard Maciejowski (1548–1608), at the time of the Union, Bishop of Lutsk, later, Cardinal and Primate of Poland.

<sup>19</sup> Jan Dymitr Solikowski (1539–1603), cleric and diplomat. In 1573, he supported the election of Henri de Valois (1551–89) as King of Poland; when, the following year, Henri returned home in haste to claim the throne of France, Solikowski went as ambassador to France. He became Latin-rite Archbishop of Lviv in 1583, and played a major role in the Polish Counter-Reformation and in the campaign to secure the throne of Poland for Sigismund III. He was renowned as an expert in Baltic affairs, and wrote not only political treatises but also humanist poetry.

<sup>20</sup> Gedeon Balaban (ca.1530–1607), Orthodox Bishop of Lviv from 1565. He at first supported the Union, but later reverted to Orthodoxy.

to recognise him. Once this Brotherhood<sup>21</sup> had received Stauropegean status, the disputes became so acute that the Patriarch threatened the bishop with suspension. After this, he decided to diffidate from the Patriarch and subordinate himself to the Pope. On this issue he went to see the Latin Archbishop of Lviv, Dymitr Solikowski, to Dunayiv, and there pleaded 'with weeping, falling at his feet, that he deliver him from the slavery of the Constantinople patriarchs, promising to be obedient to the Pope of Rome'. Describing this in a letter to Baronius<sup>22</sup> in 1600, Potiy adds that the Bishop of Lutsk, Kyrylo Terletskyi, was prepared to testify that 'it was none other than he himself who had initiated this unity and renounced the patriarchs'. Archbishop Solikowski seems to have advised him to reach an understanding with Bishop Kyrylo Terletskyi. It would appear that the issue had already been discussed since he was directed to Bishop Terletskyi. Perceiving the situation, and being aware of the general opinion, Bishop Balaban, who did not at that time adhere to the Patriarch, put the matter clearly, although he later renounced it.

What impelled the hierarchy to think about Union of their Church with Rome? Firstly, everyone could see the decline of the Church in Ukraine and Belarus, which was all the more obvious in comparison with the Latin Church, which at that time was in the process of regeneration. The Church of Muscovy was in an even sadder state, but one cannot by any stretch of the imagination call the situation in Ukraine bright, particularly since comparison with the West proved a great disadvantage to Ukraine. First and foremost, the low standard of education among the clergy and faithful made a marked impression. One can explain it by the inauspicious conditions of the time, but no one can deny the actual state of affairs. Serfdom had turned the people into beasts of burden from which the serf-owners tried to squeeze, by cruelty if need be, every drop of use. The desire to raise the Church out of decline – to make it capable of guiding souls to salvation, for that is its main purpose – was, in the first place, the desire of the most idealistic clerics and laity. And salvation could only come from unity with the Catholic Church.

Bishops zealous for the good of the Church saw the internal disorder within it. Episcopal sees were occupied by married men (although the canon law of the Greek church specifically forbade this), who showed not the least concern for the salvation of souls. The theological education of metropolitans, not to mention bishops and the lower clergy, was frequently inadequate. Untrained men with no real vocation often became bishops, out of material considerations. Having paid money for their see, they attempted to get it back, collecting payments from their subordinates. Candidates for the priesthood received their education, in the best instance, from their parents, and many were effectively illiterate. Widowed priests remarried despite the strict prohibition on this in Canon Law, or else lived openly with concubines. Clerics of noble birth maintained an ostentatious life-style which they demanded that the faithful should support by their donations. The indissolubility of marriages had become a dead letter. An inseparable concomitant to this unedifying state of affairs was the spread of heresy, propagated by local activists

<sup>21</sup> The Brotherhoods were associations of Orthodox laymen which undertook substantial programmes of good works, in particular the founding of schools and the organisation of printing presses. Stauropegean status exempted a Brotherhood from the jurisdiction of the local bishop.

<sup>22</sup> Cardinal Cesare Baronio (Caesar Baronius, 1538–1607). His *Annales ecclesiastici* was, on various occasions, cited in the Orthodox-versus-Union polemics of the period, by writers from both sides.

and brought home from foreign universities by young aristocrats. The Calvinist Cyril Lukaris<sup>23</sup> was a friend of Prince Ostrozkyi, and Stefan Zyzaniy (Kukil) wrote Protestant works.<sup>24</sup> In the monasteries spiritual life was in decline and monastery property was seized by lay magnates.

The situation had become so bad that, in 1585, the Ukrainian nobility in Halych reacted with a letter to Metropolitan Onysyfor:<sup>25</sup>

We have to regard this as a great evil that under your leadership we weep and go astray like sheep abandoned by the shepherd... Your Grace, you are not carrying out your obligations, you do not want to take steps to obviate excesses which were never before so great. Since your accession to the See, the Church has become a spectacle of coercion and crimes. Divine services are neglected, churches are closed, and priests barred from the house of God as if they were robbers... In the monasteries instead of true abbots and monks one encounters charlatans who, with their wives and children, rob the treasures of the churches and offerings made to the glory of God are diverted to sacrilegious ends. Scoundrels are ordained bishops and live shamelessly with their wives and children. And there are many other scandals and other violations... It is our duty to remind you and we add to this reminder our forceful appeals. In the name of God, remember the saints who were your predecessors on the metropolitan throne of Kyiv. Have regard for your piety and be not wroth with us. Your soul and your conscience will fill us with pity, for we know what account you have to present before God.<sup>26</sup>

The state of affairs must have been truly horrendous if the faithful had to remind the head of the Ukrainian Church of his sacred duties!

The bishops faced serious difficulties from the Brotherhoods, which in addition to their assiduity in works of mercy, and the building of churches and schools had begun to interfere in the administration of the Church, although they had neither the right nor the necessary knowledge. Having adopted this stance, the Brotherhoods found themselves in opposition to the bishops, sent denunciations against them and wanted to act as overseers, supervisors, and even judges over the bishops. This situation became even worse when Patriarch Jeremiah II conferred Stauropegean status on the Brotherhoods, excluding them from the

<sup>23</sup> Kyril Lukaris (1572–1638). He taught for a time in the Orthodox Academy in Ostrih. Later, he became Patriarch of Constantinople, being elected and deposed no less than five times between 1620 and 1638. He was greatly influenced by Calvinist ideas, and in 1629 published, in Geneva, a book *Confession of a Faith*, which shocked the Orthodox world by its Protestantism, and which was condemned as heretical by six successive Councils of the Orthodox Church. Petro Mohyla's *Confession of Faith* (1640) was written largely to refute Lukaris' book. During these years, the French and Austrian ambassadors in Constantinople constantly strove to influence the Patriarchate towards Catholicism; eventually Lukaris was strangled by Turkish soldiers, at the instigation of pro-French and pro-Austrian factions.

<sup>24</sup> Stefan Zyzaniy (also known as Kukil – both names have the same meaning – the 'cockle' plant, ?–1600) was a teacher in the school run by the Orthodox Brotherhood in Vilnia, and engaged in bitter polemics against the Union. In 1595, he fell foul of Metropolitan Mykhailo Rahoza of Kyiv who forbade him to teach. Zyzaniy protested against the ban, and as a result was imprisoned in a dungeon, from which he escaped through a chimney-pipe. He was able to resume teaching only after Rahoza's death.

<sup>25</sup> Onysyfor Divochko, Metropolitan of Kyiv. The circumstances of his election are unknown. He is named in the sources as Metropolitan-elect in July 1579, but was consecrated only on 27 February 1583. As a result of the nobles' complaints, and with the approval of King Sigismund, he was removed from office by Patriarch Jeremiah on 27 July 1589.

<sup>26</sup> The text of this letter, presented to the Metropolitan on 14 February 1585, is published in *Akty otnosyashchiyasya k istorii Zapadnoy Rossii*, Vol. 3, No. 46 (St Petersburg, 1848).

jurisdiction of the metropolitan and bishops. The Brotherhoods put aside their previous goals and took up the defence of the schism, becoming its bulwark. The Muscovite tsars sent financial help to support this (anti-Union) Orthodoxy, although they could not do so openly, owing to the firm line taken by the Polish government. The state of the clergy in Muscovy was even worse than in Ukraine. Thus the power of the bishops was weakened, as a result of the activity of the Brotherhoods, and of their own misunderstandings and interventions.

Reform had to start at the top, with the Metropolitan. This really was a task for the Patriarch, but the state of the Church in Constantinople, where various candidates, like Jeremiah II (1572), the deposed Mitrophanes III, Pakhomius and Theoleptus II<sup>27</sup> were soliciting the Sultan for the Patriarchal throne, was no better. Jeremiah was imprisoned, released for a short time, and made the subject of slander by Theoleptus; Pakhomius, likewise, was imprisoned and Jeremiah was installed for the third time. Theoleptus slandered Jeremiah to the Sultan and became Patriarch himself. However, Jeremiah paid for the maintenance of Pakhomius and Theoleptus 500 gold ducats each and so got himself into debt. He sent Pakhomius and Theoleptus to the East and South, and himself together with Metropolitan Herotheus from Monembasia and Arsenius from Elasson<sup>28</sup> travelled to Rus'. The patriarchal see was thus in a difficult situation itself and could not address itself properly to the improvement of the Church in Ukraine, except insofar as was conducive to squeezing the greatest possible income from it. In 1586 the Patriarch of Antioch, Joachim,<sup>29</sup> visited Ukraine, but did nothing to help the Church. All in all, for the Ukrainian Church to wait for Constantinople to do something to improve its lot was hopeless. Hence, in 1592, after the visit of the Patriarch to Ukraine, the Lviv Brotherhood<sup>30</sup> drew his attention to the fact that: 'All the people unanimously say that if the disorder is not removed, then in the end we will go our own way, transfer our allegiance to Rome and will live in unmutinous peace'. In a second letter, dated 7 September, the Brotherhood reiterated the same plea: 'Our Orthodox Church is full of all kinds of errors and the people are concerned lest it be threatened with complete obliteration. Many have decided to subordinate themselves to the Pope of Rome and live under his authority, preserving unimpaired the whole of their rite of the Greek faith'.<sup>31</sup>

Does this not clearly show the sentiments of the faithful, and the degree to which the idea of Union with the Apostolic See had matured in Ukraine?

<sup>27</sup> These frequent changes of Patriarch, under pressure from the Sultan, were, *inter alia*, a source of revenue to the Sublime Porte. The Orthodox community had to pay a special tax on the election and installation of a patriarch – a tax which, on occasion, was paid by embassies of the Catholic countries (in particular, France and Austria) whose governments had a political interest in the outcome.

<sup>28</sup> Jeremiah had met these two bishops in Poland, at the residence of Count Jan Zamoyski (1541–1605) at that time the Grand Chancellor of Poland. They journeyed with the Patriarch to Moscow. On their return journey through Rus', Arsenius decided to stay in Lviv, where he took up a post as teacher of Greek at the Brotherhood school. See *Dictionnaire de Theologie Catholique*, VIII–1, Col. 886

<sup>29</sup> For the significance of the visit of Patriarch Joachim Dau of Antioch to Rus', see *The Ukrainian Review*, No. 1, 1996, p. 53.

<sup>30</sup> One source of grievance to the Brotherhood was that the 1590 Synod of Brest, convened in order to carry out the reforms advocated by Jeremiah, had revoked the Stauropigean status of the Lviv and Vilnia Brotherhoods, which was contrary to the Patriarch's intention.

<sup>31</sup> For the full text of this letter see *Akty Zapadnoy Rossii*, IV, No. 44.

On the other hand, the spectre of Latinisation and sectarianism threatened the annihilation of the Church. The nobility went over to the Latin rite in droves and became Polish. Before the Union was concluded many leading princely and noble families were converted to Roman-rite Catholicism – including the Slucki, Zaslauski, Solomyretskyi, Hylvchyskyi, Kroshnaskyi, Zbarazkyi, Masalskyi, Horskyyi, Sokolynskyyi, Lukomskyyi, Pyzyna families – descendants of the old princely houses. Burghers who were Latinised included, among others: the Khodkevych, Hlybovych, Zenovych, Kyshka, Sapieha, Dorohostanski, Volovych, Pats, Halecki, Tyshkevych, Korsaka, Tryzna, Myshka, Siemaško, Hulevych, Yarmolynski, Kalinouski, Meleshko, Skunyn and Potiy families.<sup>32</sup> Meletiy Smotrytskyi,<sup>33</sup> in his time as a polemicist for Orthodoxy, lists them and laments over them with tears and reproaches. The danger loomed that the urban population would follow them en masse, and that the peasantry would not be able to hold out alone, especially since false teachings had begun to spread among the peasants also. The Ukrainian Brotherhoods and the citizens in general were vociferous that if this defection continued, they would all convert to the Latin rite. As we have already noted, in 1592, even the Lviv Brotherhood wrote in this vein to Patriarch Jeremiah after his return to Constantinople. Simultaneously, the various new sects also gnawed at the roots. The Lutherans and Calvinists sent educated preachers, whom it was impossible to refute. The spectre loomed of the destruction of the Church.

The only remaining hope was on Rome. Only the Apostolic See had the power to restore order to the dioceses, and influence the government to change its tactics with regard to the installation of bishops, so that lay people did not nominate bishops, and so that the Polish magnates did not sell bishoprics to unsuitable candidates with no theological education. The Apostolic See had the intellectual and material means to raise the standard of education and found schools. Finally, the Apostolic See alone could halt Latinisation and forbid the forced conversion and transfer to the Latin rite, which had continued in full spate since the time of Yuriy Trojdenowicz<sup>34</sup> who broke away from the unification programme, Latinising the

<sup>32</sup> The conversion of these families was not always a straight and immediate switch from Orthodoxy to Roman-rite Catholicism. Norman Davies, for example, notes that Konstantyn Ostrozkyi, an Orthodox, had a Catholic wife. His heir, Prince Janusz, was a Catholic and bequeathed the reversion of his estates to the Knights Hospitallers. Two of his three sons were Catholic, and one Orthodox, one of his daughters married Krzysztof 'Thunderbolt' Radziwiłł, the Calvinist Hetman of Lithuania, the other married Jan Kiszka, the richest Arian in the Grand Duchy. 'The senior lines of the Radziwiłł, Chodkiewicz, Sapieha, Pac and Wisniowiecki all turned Protestant. The Sanguszko, Czartoryski, Czetwertyński and Oginski passed from Orthodoxy to Catholicism. In the history of many Orthodox families, the adoption of Calvinism in the sixteenth century acted as a stepping-stone to their Catholic conversion in the seventeenth'. N. Davies, *God's Playground – A History of Poland*, Vol. 1, p. 177.

<sup>33</sup> Meletiy Smotrytskyi (1577–1634), lay polemicist for Orthodoxy, subsequently, Orthodox Archbishop of Polacak, and finally, on conversion to Catholicism, titular Archbishop of Hieropolis. For a detailed biography and appraisal of his work, see: David A. Frick, *Meletij Smotryckyyj* (Harvard University Press for Harvard Ukrainian Research Institute, 1995).

<sup>34</sup> Bolesław Trojdenowicz (?–1340), a prince of Mazovia, was the nephew of the last of the Romanovychi princes of Halych, Andriy and Lev II, who ruled jointly from 1315–23, and who were killed while attempting to drive back the second attack of the Tatars. In default of another heir, Bolesław was invited by the boyars of Halych to take the throne. At their urging, he was received into the Orthodox Church, and ruled as Yuriy II. He surrounded himself with foreigners and attempted to introduce the Magdeburg Law (a German system of municipal self-government) into the cities of Halych. The boyars, resentful of his pro-foreign policy and suspecting him of remaining, secretly, a Catholic, poisoned him in 1340.

people and favouring foreigners. King Casimir<sup>35</sup> also followed that course: although he initially recognised the integrity and inviolability of the Greek faith, but at the same time built Polish churches or converted Ukrainian churches into Polish ones. King Ludwig of Hungary,<sup>36</sup> simultaneously King of Hungary and Poland, was even more aggressive in this regard; having great territories to rule he handed Red Rus'<sup>37</sup> over to the rule of the Silesian Prince Władysław Opolczyk,<sup>38</sup> a relative by marriage. Opolczyk began to propagate the Latin rite, first and foremost, with the help of the Franciscans; under him the Latin diocese in Lviv and three dioceses in Kholm, Peremyshl and Volodymyr were established, although Volodymyr was not subordinated to Prince Opolczyk but to Lubart.<sup>39</sup> Władysław appointed Hungarians, Germans and Poles to positions of power and granted them lands. Hordes of colonists settled on Ukrainian lands. Then Ukrainians went over to the Latin rite, but Władysław refused to rule and power again went to Ludwig, who died shortly after, in 1382. Red Rus' was occupied by the Lithuanians, the Latinised Ukrainians returned to their rite, and the Latin rite declined. The property of Ukrainian bishops, which Władysław Opolczyk had given to Polish bishops, was returned to their rightful owners. The old action of Latinisation was revived under King Jagiello<sup>40</sup> in 1413. The rights of the nobility were extended over Ukrainian and Belarusian lands; only Latin-Catholics were admitted to the assemblies. The Sejm ruled that heterodoxy was detrimental to the state. This was followed by a new wave of conversion from the Greek to the Latin rite. Entire families of magnates and nobility left the rite and the nation. Forced conversion to the Latin rite could have driven the Ukrainians to the Hussites, who began to spread in Poland too. Not even the creation of a Patriarchate in Ukraine at that time would have made it possible to resist all the dangers threatening the Church. It would have had no support from the government and alone would have been too weak.

<sup>35</sup> Casimir I ('the Great', 1310–70), crowned King of Poland in 1333. He pursued an expansionist policy, and, in particular, strove to acquire the principality of Galicia-Volhynia. He captured Lviv in 1340, the Rus' lands thus annexed being united to Poland through the person of the king.

<sup>36</sup> Ludwig the Great (1326–82), King of Hungary from 1346 and, from 1370, also King of Poland.

<sup>37</sup> Originally, the territory in the triangle formed by the rivers Buh, Vistula and Visłoka, but by this time encompassing a somewhat broader area.

<sup>38</sup> Władysław Opolczyk (?–1401), Prince of Opole from 1356, and Supreme Governor of Red Rus' 1372–78. He fostered the intensive colonisation of Red Rus' by settlers from Silesia, Germany and Poland, and the organisation of a Latin-rite hierarchy there.

<sup>39</sup> Lubart (exact dates of birth and death unknown) was a son of Gedimin, Grand Duke of Lithuania, probably by his last wife, Jevna; through his marriage to the daughter of a prince of Volhynia, Lubart acquired a claim to the Volhynian lands. In the struggle for Galicia, which followed the death of Yuriy II (Bolesław Trojdenowicz) in 1340, Lubart and other Lithuanian princes headed the forces of Rus' against Casimir I and later, Ludwig I. This struggle ended in 1377 with the loss of Galicia and the Kholm area to Poland, with only Volhynia remaining under Lubart's rule.

<sup>40</sup> Jogaila (1351–1434) Grand Duke of Lithuania, better known by the Polish form of his name, Jagiello, was offered the hand in marriage of the 12-year-old Queen Jadwiga of Poland, by the Polish nobles who wanted a strong ally in their struggle to recover lands annexed by Hungary. The Lithuanians (in the narrow ethnic sense) were the last remaining pagan people in Europe. In preparation for the marriage, Jogaila was baptised into the Catholic Church, taking the name Władysław. The Slavonic inhabitants of the Grand Duchy of Lithuania, had, however, been Christian and literate for almost four centuries – and Old Belarusian remained the official language of the Grand Duchy until 1696. The Grand Duchy and Poland were united in the person of the monarch until 1569, when a political union was effected, establishing the 'Polish-Lithuanian Commonwealth'.

In Ukraine and Belarus on the eve of the Union two tendencies were discussed more and more openly. On the one hand, supporters of the Union – bishops and many of the faithful, were inclined towards the Union, while on the other the brotherhoods and the majority of the people out of habit defended the status quo of schism. The supporters of the Union were assisted by certain Polish bishops, the papal legate Antonio Possevino and the Jesuit Piotr Skarga. Antonio Possevino, while returning from Moscow from an unsuccessful mission (where his only achievement was that Ivan the Terrible agreed to permit foreign Catholics freedom of belief), stopped in Vilnia where he founded a seminary for Greek-Catholics which could help foster union. The Pope founded such colleges in Rome. Possevino wrote to Pope Gregory XIII that first and foremost the Kyivan Metropolitanate had to be brought into union, and only then could an attempt be made to bring in Moscow. He advised the Pope to appeal to the bishops of the Kyivan Metropolitanate in Poland, to urge them to union with the preservation of their rite in full. This must also have been known to the Ukrainian bishops. Skarga also acted in the spirit of Possevino.

The most eminent and influential individual in Ukraine was Prince Vasyl (Konstantyn) Ostrozkyi. It is hardly surprising, therefore, that Possevino entered into negotiations with him first of all and that King Sigismund III delegated negotiations with him to Bishop Bernard Maciejowski of Lutsk. Ostrozkyi was well aware of the state of the Church and had many means to do something about it. However, he had no clear theological view on the matter; he grew up in Orthodoxy and was ambitious. He did not reject the idea outright, but stipulated that the issue be discussed jointly with the Grand Prince of Muscovy and the Patriarch of Constantinople. In fact, too, the influence on the Prince of Cyril Lukaris, whom he appointed rector of the Ostrih Academy, was greater than is generally believed by historians.

Thus all these factors: the ecumenical traditions in Ukraine handed down through the centuries, the theological arguments clarified by the Union of Florence, attempts to solve the internal Church upheavals, which reached their culmination point in the sixteenth century, the regeneration of Catholic life in the West, together with auspicious political conditions, all influenced the signing of the Union. Bishop Kyrylo Terletskyi took upon himself the formalisation of this act.

That the Poles created the Union is a trivial concept held by uninformed Polish public opinion. In fact the clergy and bishops were largely apathetic, and, with few exceptions, hostile to the Union, considering that they could deal more easily with Orthodoxy than with the Greek-Catholic Church. Thus Bishop Likowski<sup>41</sup> observed that ‘the Rus’ people turned its heart and eyes to Rome a long time ago, and never lived in amicable relations with the Poles, as Latins and Catholics’.

As Catholics, Kings Stefan Batory<sup>42</sup> and Sigismund III could not oppose the Union. In general, the whole of Polish opinion should have supported the Union from religious and political motives. For it was Poland’s task to spread the Catho-

<sup>41</sup> Edward Likowski (1836–1916), Polish historian and cleric. From 1887, titular Bishop of Aureopolis and Suffragan of Poznan, from 1914, Archbishop of Gniezno and Primate of Poland. He was the author of a major work on the Union: *Dzieje Kościoła unickiego na Litwi i Rusi w XVIII i XIX wieku*, 1880.

<sup>42</sup> Stefan Batory (1533–86); Prince of Transylvania, 1571–76, and from 1576 ruler of the Polish-Lithuanian Commonwealth.

lic faith and support the Catholic Church. Despite this the King did not act decisively against the advance of the Patriarch of Constantinople, did not resist the persistent action of Prince Konstantyn Ostrozkyi and the arbitrary behaviour of the Brotherhoods in Lviv and Vilnius, which fought against the Union from the very beginning. King Sigismund III did not offer even passive resistance to the enemies of the Union, let alone any positive help to it. He permitted the Patriarch to visit his country, ratified the patriarchal grants of Stauropigeon status, etc. It was not until 1590, when the Ukrainian bishops began negotiations on the Union with Rome, that Sigismund III adopted an anti-schism stance.

A Patriarchate was established in Moscow in 1589.<sup>43</sup> The Polish government perceived a great political threat in the possible subordination of the Ukrainian and Belarusian Church to the Muscovite Tsar and Patriarch. It feared that Church would be drawn into the orbit of Moscow and thus hoped that the Union would draw its subjects away from Moscow's influence.

Such was their conviction at that time. Later, as Bishop Pelesch<sup>44</sup> rightly remarks, Polish opinion changed its view-point and acted against the Union.

Ukrainian Greek-Catholics maintained their religious and national stance and therefore the view that the Union was the work of the Jesuits and Polish kings is erroneous.

The king did not fulfil his promise to grant the Greek-Catholic bishops and clergy equal rights with the Latin Catholics; he did not admit Greek-Catholic bishops into the Senate. The Jesuits, according to Bishop Likowski, helped initially with advice and the teaching of Catholic doctrine, but later did more harm than good, by converting young Ukrainian and Belarusian scholars to the Latin rite. This thinned the ranks of the supporters of the Union, and undermined its foundations and strength. Polish bishops, who should have been bound in conscience to support efforts towards unity, were hostile towards the Union as a result of their Polish chauvinism, and tried therefore to use the Union to assimilate and Polish the Ukrainians, rather than to strengthen the latter's unity with the Apostolic See.

Bishop Likowski commends the Polish government for the fact that

the episcopate discussed and formulated the issue of the Union with such freedom and independence from the government, as we shall see later, so that we may well question whether any other government of Europe at that time or even to this day would have given its episcopate so much freedom on such an important issue, with equal implications for Church and State, as prevailed during the discussions of the Rus' bishops prior to the Union of Brest.

It would seem, however, that Likowski, a keen supporter of the Union, overestimated the magnanimity of the government. For its attitude acted to the benefit of the state and at that time government and state were in amity. Only later did the weakness of the government lead to unrest in the state. In general, a wise government never interfered in purely church and theological matters.

<sup>43</sup> Arguing from the marriage of Ivan III and Sophia that he was the heir to the Byzantine emperors and Moscow the 'third Rome', Tsar Fyodor had hoped that the new Moscow Patriarchate would 'inherit' the rights and powers of Constantinople – including religious suzerainty over the Kyivan Metropolitanate. The Patriarchs of the other Oriental Churches would not entertain his claims, and insisted that the Moscow Patriarchate ranked fifth and last in the order of precedence.

<sup>44</sup> Julian Pelesch (1845–96). In 1878–80 he published the two-volume *Geschichte der Union des Ruthenische Kirche mit Rom von den ältesten Zeit bis auf de Gegenwart*.

Let two leading representatives of Polish and ununified Orthodox historians corroborate the above conclusions. Bishop Likowski clearly recognised the guilt, 'which our Polish forebears bore towards the Union and the Rus' people'. He points out the mistakes of the Polish government, the Latin episcopate and Polish society. The Jesuits, in fact, initially helped the theoretical side of the preparation of the Union, but later 'harm'd the Union, converting the young Rus' nobles to the Latin rite in their schools'. King Sigismund was not the initiator of the Union, although, as a Catholic, he could not formally oppose it, and he and his Chancellor Jan Zamoyski supported it, insofar as they saw that it promoted their state interest, separating Ukraine from Moscow and binding it more closely to the Polish state. Once the Union of the Church had been completed, Poland did not give the Union sufficient support, abandoned its people at the most critical moments to fend for themselves and left them as prey to numerous and powerful enemies, leaving unpunished the latter's attacks on Uniate bishops and looked with equanimity on the incitement of those who wished to stir up the Rus' people against the Union.

The Polish clergy not only failed to promote the Union, but was actively hostile to it: 'The Latin clergy showed the rites and clergy of the Rus' Church a certain contempt'. And as regards not admitting Ukrainian bishops into the Senate then 'let us simply recognise that in that respect we wronged the Union and Rus', and that not admitting the Rus' bishops into the Senate was a great political mistake'. That was how the ill-will of the Poles towards the Union and its supporters really looked.

Likewise Prof. Orest Levytskyi<sup>45</sup> rejects the view that the Union was a creation of external factors:

Attributing exclusively to the cunning and intrigues of the Jesuits the accomplishment of so great an ecclesiastical-social upheaval as the Union, in fact, would be very petty; while invoking the systematic persecution of representatives of the then Orthodox hierarchy is unsound... The roots of the causes of this sad declaration should be sought not in the external conditions of the West-Rus' Church of that time, not in the cunning of the Jesuits nor in the intentions of the government, but within itself and in the essence of the fundamental principles of its organisation, in those terrible internal wounds, which tore its organism apart and made it an easy prey for each of its enemies. The principal source and root of this evil lay in the disarray of the contemporary church hierarchy and in the extreme demoralisation of the majority of its representatives... Should one be surprised that under these conditions the West-Rus' Church in the person of its unworthy representatives lost its ecclesiastical authority in the eyes of the laity of that time or that they departed in droves for foreign faiths and sects.

The Lviv Brotherhood wrote to the Patriarch:

... Many decided to subordinate themselves to the Roman monocephalous archhierarchy and remain under the Roman Pope, preserving unimpaired the whole of their right according to the Greek faith... All the people say unanimously that if the disorder in the Church does not improve, then we shall finally depart, make our submission to Rome and live in untroubled peace.<sup>46</sup>

As for the Polish government, 'once the Union was established, the leadership, in its own interests, had no other option but to give energetic support to the spread of

<sup>45</sup> Professor Orest Levytskyi (1849–1922) a member of the late 19th–early 20th century 'Kyiv school' of historians.

<sup>46</sup> *Akty Zapadnoy Rossii*, Vol. IV, No. 44.

the Union'. However, neither the wish of the government, nor the efforts of the Jesuits had any success. 'And their [the Jesuits'] efforts' also had little success, like the desires of the rulers. This is why the established view of the Union as a political measure imposed, adopted and exploited by the Polish leadership with the help of the Catholic clergy seems to us one-sided, and we can by no means agree with the opinion of those of our historians who see King Sigismund III and the Jesuits as the principal motive forces behind the Union. In the life of peoples, upheavals like the Union are not accomplished by the will of the ruler alone, in particular when the ruler is as powerless as rulers of Poland and Lithuania in fact were, but are, by their nature, the result of all kinds of internal organic damage which violate the normal course of life of the given society. The movement towards union was not produced by the Jesuits and the government. They could perhaps facilitate it at the very beginning, or put a stop to it, but could never create it. □

## History

# East Galicia: Ethnic Relations, National Myths and Mentality

*Yaroslav Dashkevych*

### I. The ethno-political situation in the region

The territory which appears in modern history from the end of the eighteenth century to the beginning of the twentieth century (1772–1918) under the somewhat peculiar name of 'Kingdom of Galicia and Volodymyriya' within the Austro-Hungarian Empire, had a somewhat complex history. Initially (end of the tenth–end of the eleventh century) it formed part of Kyivan Rus', later (end of the eleventh century–1349) it existed as a separate Galician-Volhynian principedom and kingdom, and from 1349 to 1387 it came under a transitional period of joint Polish-Hungarian rule. It then existed as a Rus' palatinate (voyevodeship) within the Kingdom of Poland for almost four centuries (1387–1772). After the fall of the Austro-Hungarian Empire (1918), it formed the Western-Ukrainian National Republic (1918–19), and was then incorporated into the Polish Second Republic (1919–39). Finally, with the exception of a week of Ukrainian independence in 1941 and German occupation (1941–44), it was incorporated into the Soviet Union (1939–91) as part of the Ukrainian SSR, which in 1991 became the independent Republic of Ukraine.

All these political changes show that, despite its relatively small area (around 56,000 sq. km), Galicia (in actual fact East or Ukrainian Galicia, settled mainly by Ukrainians and forming a part of the Kingdom of Galicia and Volodymyriya) played a significant and occasionally key role in Central-Eastern Europe, particularly in the history of Ukraine. In the twentieth century, this region was the focus of territorial disputes between Austria and Russia, Poland and Ukraine, and, most recently, between Germany and the USSR. These changes in political power brought both evolutionary and, occasionally, sudden, violent and catastrophic changes in the ethnic composition of the population, which at times led to large-scale, bloody ethnic conflicts, the causes of which almost always lay in the desire of the core Ukrainian population to achieve (depending on the political situation) either independence or national autonomy. The national conflicts usually took the form of Ukrainian-Polish antagonism (the anti-Polish uprising of 1648, the Polish-Ukrainian wars of 1918–19 and 1943–44). This was the principal, but not the sole, source of conflict: in 1943–44 the Ukrainian resistance movement fought the Germans, and from 1944–50 against the Soviet Russian occupation forces. Obviously in such an area of conflict ethnic stereotypes, ideological ethnocentric myths and other associated manifestations of mythopoesis, built on the polar perception of what was indigenous and what was foreign, could be and were formed.

Galicia was a territory towards which, for ten centuries, colonising efforts of various degrees were directed. Pressure from Poland caused the loss of a significant part of Ukraine's ethnic territory through peaceful colonisation, assimilation, or mass migration and deportations from the western regions of Ukrainian

Galicia. (The latter occurred in 1947 as the result of the Poles' 'Operation Vistula'). Polish colonisation, which was particularly active at the end of the nineteenth and the beginning of the twentieth century, also encompassed the rest of East Galicia, but did not succeed in destroying the quantitatively dominant position of the Ukrainian ethnos. Before 1939, ethno-demographic changes were effected by relatively peaceful means, and on the eve of World War II ethnic relations were as follows:

*Table 1*

Ukrainians:	4,257,000	73.2%
Polonophones	16,000	0.3%
Ukrainophones	514,000	8.8%
Poles:	948,000	16.2%
colonists (from the 1920–30s)	73,000	1.2%
Jews	570,000	9.8%
Germans and others	49,000	0.8%

These data are calculated on the basis of the 1931 census, with corrections made to compensate for the known falsification of official, published statistics.<sup>1</sup>

During World War II and the immediate post-war years, fundamental ethnic changes took place in East Galicia: around 600,000 Ukrainians were deported to Soviet Central Asia, killed in battle against the Germans, Poles and Russians, or executed. The Polish and Jewish minorities also sharply decreased – around 70,000 Poles (the new colonists of 1920–30) were deported, 15–20,000 were killed during the Ukrainian-Polish war, and 850,000 fled to Poland, under pressure from the Russians; the vast majority of the Jews were killed by the Nazis (only 1–2,000 were left at the end of the war). Most of the German minority emigrated to Germany; while a new Russian minority appeared and gradually increased. 289,000 Ukrainians were forced by the Poles to leave that part of Galicia remaining within the new, post-war boundaries of Poland; while 150,000 were forcibly resettled in the western territories ceded by Germany.

Today (according to estimates compiled at the beginning of 1994 on the basis of the 1989 census) the ethnic composition of the population of that part of the former Ukrainian Galicia (according to the demarcation of 1918) within today's frontiers of Ukraine is approximately as follows:<sup>2</sup>

<sup>1</sup> Calculation made by Volodymyr Kubijovyč in 1983. See V. Kubijovyč, Ya. Pasternak, I. Vytanovyč, A. Zhukovsky, 'Galicia', *Encyclopedia of Ukraine*, (Toronto, Buffalo, London, 1984), Vol. 2, p. 12.

<sup>2</sup> Primary source: *Natsionalnyi sostav naseleniia SSSR. Po dannym Vsesoyuznoy perepisi naseleniia 1989 g.* (Moscow, 1991), pp. 78–87. See also F. Zastavnyi, *Naseleniia Ukrainy* (Lviv, 1993), pp. 99–172. The calculation was made taking into account the data of the Lviv, Ivano-Frankivsk and Ternopil provincial statistical authorities.

*Table 2*

Ukrainians:	5,700,000	92.0%
Russophones	36,000	0.6%
Russians	250,000	4.0%
Poles	30,000	0.5%
Ukrainophones	9,000	0.17%
Jews	10,000	0.2%

On the basis of the ethno-demographic and ethno-political data one may draw the following four conclusions:

1. Contrary to academic and publicistic stereotypes, East Galicia has never been and currently is not a 'multi-ethnic territory' (except in the limited sense of at most five significant ethnic groups and in no way comparable to, say, India or the Russian Federation).

2. Today East Galicia is one of the most ethnically stable regions in Ukraine, yet one of the strange but constant ethnic stereotypes which appear in various media claims that there are dozens of national minorities in former Galicia, whom, of course, the Ukrainians are 'oppressing' and 'persecuting'; these theses should be firmly corrected. Pragmatically speaking, it would make no political sense to persecute those who are against the Ukrainians, given the very low percentage of the former Russian ruling minority (4%), especially in the present ethno-political situation.

3. The territory of East Galicia currently within the boundaries of the Ukrainian state is not an area of ethnic conflict, and it should not be regarded as a potential ethnic 'hot-spot'. The only possible scenario for the outbreak of national disputes would be with regard to the Ukrainian-Polish ethnic boundary, or as a result of aggression from Moscow. Only external political factors seem likely to violate internal stability.

4. The various myths about ethnic tension in the region are a result of the after-effects of ethnic stereotypes (hostile to the Ukrainians), formed centuries ago. All genuine grounds for their existence disappeared some fifty years ago, with the cessation of armed conflict between Ukraine and Poland, and, more recently, Ukraine and Russia. These tensions were connected not only with the ethnic, but also the political situation, particularly the Russian occupation of Ukraine. However, such stereotypes are prone to linger on long after the factions which produced them have disappeared.

## II. Ethnic myths and mentality

It is still not possible to analyse all the aspects of the 'image of the other', either from the point of view of all its components (hetero- and auto-stereotypes, ethnically-oriented myths, mentality and identities), or from that of all the past ethnic factors which played a specific role in the creation of these perceptions. What can be done, however, is to focus attention on two issues.

Firstly, I would like to discuss the ethnic myths, formed long ago, but active to this day, which determine the mentality of individual nations, particularly their

inter-ethnic relations (phenomena which sometimes take on religious overtones); secondly, to determine the myths and mentalities which exist to this day, but for which it is difficult to find genuine grounds at the present time.

In this article I have attempted to outline these two types of phenomena through the relations between the four ethnic groups of East Galicia: Ukrainians, Poles, Russians and Jews, the differing relations between whom, in one way or another, determined the ethnic situation in the region. There are very rich sources (archival material, memoirs, publicistics, the present mass media) for the research of this problem. So far, however, these sources have been utilised in a very poor and uneven manner.

### *1. Ukrainians*

According to the general rule of development, one would expect the ethnos of a people which in the nineteenth and twentieth century passed through all the stages of national revival culminating in several attempts to establish an independent state, particularly in the western Ukrainian region (the Western-Ukrainian National Republic, 1918–19, Carpathian Ukraine, 1937–38, the Ukrainian state, 1941, and finally the post-1991 independent Ukraine), there had emerged and been fostered particular ethnic myths, defining the specific Ukrainian mentality and its role of differentiating the Ukrainians from neighbouring ethnic groups and providing grounds for their claim to be not only as equal, but superior to their neighbours. Strangely enough, the creation and intensive spread of such myths (on the all-Ukrainian not on the East-Galician scale) came only in recent years. The causes are as follows:

a. The incomplete social make-up of the Ukrainian nation in East Galicia in the nineteenth and the beginning of the twentieth century, where there was an almost total lack of a landed aristocracy (landowners), a very poorly developed capitalist bourgeoisie, and a small but (at the beginning of the twentieth century) nationally aware section of the intelligentsia, which, however, was mainly concerned with practical matters and not ideology.

b. The marked barriers – linguistic-ethnographic and religious (Greek Catholicism in western Ukraine) – in relation to its neighbours.

The latter situation made it unnecessary to produce myths differentiating the Ukrainians from their closest neighbours, while attempts to promote Slavophile and Pan-Russian ideas of all-Russian unity (which were dictated by purely political factors) had no lasting effect in East Galicia and involved only a relatively small section of the Ukrainian population (the so called Muscophile movement which denied the existence of a separate Ukrainian nation, terming Ukrainians, including the Ukrainian Galicians, 'Little Russians' or 'Ruthenians', and allotting them the status of one of the Russian tribes).

The historical myths which are normally considered indispensable to the initial stages of the national-liberation movement virtually did not exist nor spread. The historically-based perceptions of the existence of an independent Galician-Volhynian state (end of the eleventh–mid-fourteenth centuries) and participation of Galicians in the Cossack uprisings of the sixteenth–seventeenth centuries were sufficient for this purpose. Ideas of a Great Croatia, a Carpathian state, the predecessor of the Galician-Volhynian, and of the Cyril-Methodian origins of Christianity in Galicia remained academic theories, and did not become consciousness-raising national myths.

During the harsh persecution of the Ukrainian political and cultural movement (the ban on national associations and organisations, Ukrainian literature, theatre, schools, etc.) in Tsarist Russia, from the 1870s up to the February Revolution of 1917, the Ukrainian national movement could exist only in East Galicia, which therefore became known as the 'Piedmont of Ukraine'. This meant that the drive for the liberation of Ukraine and the union of all Ukrainian territories was expected to originate in East Galicia. This 'piedmont' psychology has been preserved in East Galicia up to the present day, and played a significant role during Ukraine's most recent bloodless struggle for independence in 1990–91.

During World War I, the Ukrainian Sich Riflemen, who fought on the side of Austria-Hungary against the Russians, had considerable military successes. The Austrian military command gave the Ukrainian Sich Riflemen a metaphorical honorary title (fixed in military orders) of the 'Tyroleans of the East'. (This was a reference to the loyalty of the Ukrainians to the Habsburg monarchy, since during the Napoleonic war the Tyroleans had risen in defence of Austria against the French and their allies the Bavarians). This 'title' was used quite often in the press (including the Ukrainian press) of that time. But the epithet did not endure long, although after the fall of the Habsburg Empire it was sometimes used with a note of self-irony.

The period of national mythopoesis came relatively recently – after Ukraine's achievement of independence in 1991. These myths are of literary and pseudo-academic origins, and come on the whole from eastern Ukraine, and not Galicia. They include, for instance, the prepositions that Ukraine is the ancestral homeland of all Indo-European peoples; the Ukrainians are the forebears of the Indo-European ethnos; that they provided progenitors for the Greek and Indian cultures, and civilised the Swedes; that the Ukrainians are the ancestors of the Poles and Balts; that the Ukrainian national cultural level was equally high before as after the adoption of Christianity; that Jesus Christ was a Ukrainian; that Troy was a city built by Ukrainians.<sup>3</sup> Such ideas are hardly capable of putting down deeper roots, becoming a significant phenomenon in the mentality of the Ukrainian nation, or creating a belief in its superiority over other peoples. One has to regard such myths as a specific reaction to the ideas of the inferiority of the Ukrainian nation, actively instilled for centuries in Ukraine by successive foreign occupying powers. Whether this route of negative reactions to feelings of inferiority will eventually lead to the formation of a genuine national mythology (in the sense of a completed system of nationally determined *Weltanschauung*) is open to question.

Recent years also saw a rebirth of the Ukrainian messianic idea. (The primal roots of this ideology go back to the secret Brotherhood of Sts Cyril and Methodius in Kyiv (1845–47), and the beginnings of the political activity of Mykhailo Drahomanov in 1870 as an exile in Switzerland). Such ideas were revived (in a new geopolitical context by Yuriy Lypa in exile in Warsaw.<sup>4</sup> Out of this arose the movement for the moral rebirth of the Ukrainian people – the 'Ukrainian spiritual republic' – of the writer Oles Berdnyk. This movement, which was to exercise

<sup>3</sup> Ya. Dashkevych, 'Kudy pokazuye kompas? Pro kontseptsiyu pyatytomnoyi "Istoriyi ukraïnskoyi kul'tury"' in Ya. Dashkevych, *Ukrayina vchora i nyni. Narysy, vystupy, ese* (Kyiv, 1993), pp. 37–38; V. Kozhelyanko, 'Skhamenitsya, budte yak lyudy', *Starozhytnosti* (Kyiv, 1994), No. 1924, p. 23.

<sup>4</sup> Yu. Lypa *Pryznachennya Ukrayiny* (Lviv, 1992).

a moral influence – under the leadership of Ukraine – also on neighbouring peoples, had supporters also in East Galicia (cf. its congress in Kolomyia, in 1991). Now, however, this movement has become quiescent.

## 2. Poles

The origins of various Polish ethnic myths reach to at least the sixteenth century. Their artificial preservation (particularly of those with historical and religious overtones) and anti-Ukrainian orientation was facilitated by political factors: the gradual decline of the Polish-Lithuanian state from the mid-seventeenth century was, and is, blamed on the Ukrainians and the Cossack uprisings, particularly the greatest of them under the leadership of Bohdan Khmelnytskyi, that led to the establishment of an independent state, which after a few years of existence (1648–54) was transferred into an autonomous status within the Russian Empire. So, too, is the partition of Poland-Lithuania at the end of the eighteenth century between neighbouring states Austria, Russia and Prussia. The fault of the Ukrainians in all this is taken to be indubitable. The struggle for the restoration of Polish independence was conducive to the preservation and aggressive use of national mythopoesis.<sup>5</sup> The retention of these old myths was further assisted by the failures of Polish foreign and internal policy, which resulted in two bloody Polish-Ukrainian wars in 1918–19 and 1943–44, and after World War II the deportation of the Ukrainian population from those Ukrainian ethnic lands (including East Galicia) still within the boundaries of the Polish People's Republic. The mythologies which had a profound effect on relations with the Ukrainians include:

a. The fictitious 'right' to rebuild and preserve Poland within its claimed 'historical borders' from before 1939, 1772, and even 1654 (that is, with the re-establishment of Polish rule over the ethnic Ukrainian lands) is closely bound up with the idea of the Poles as 'culture-bearers' to the Ukrainian people, who were allegedly deprived of western culture, with the application of harsh methods of suppressing the 'revolts' of those who do not wish to submit.

b. The specific Polish model of Catholicism which was reflected in the idea of the 'bastion' – Poland as the bulwark of Christianity against anti-Christian barbarism). This meant that, in contradiction to the true state of affairs, the Poles saw the frontier of the Christian world as drawn between Catholicism and Orthodoxy, although the true frontier of Christianity lay and lies to the east of Russia, to the south-east of Ukraine, to the east and south of Georgia and Armenia, etc. The Poles proclaimed themselves to be true Christians – that is, Roman Catholics – and relegated to the anti-Christian world the 'Ukrainian schism', not only in its Orthodox, but even its Uniate Catholic variants.

c. The idea of Polish superiority, originally aristocratic (and genetic – based on the 'Sarmatian' theory of the sixteenth–eighteenth centuries), and later on the

<sup>5</sup> W. Wrzesiński (ed.), 'Polskie mity polityczne XIX i XX wieku', *Polska myśl polityczna XIX i XX wieku* (Wrocław, 1994), T. 9. Ya. Dashkevych, 'Perehuk vikiv: try pohlyady na mynule i suchasne Ukrayiny, Ukrayina. Nauka i kultura (Kyiv, 1993), No. 26–27, pp. 57–73; J. Daszkewycz, 'Przeciw stereotypom. Przeszkody w normalizacji stosunków polsko-ukraińskich: ukraiński punkt widzenia', *Res Publica Nova* (Warszawa, 1994), No. 3, pp. 36–38; J. Daskevičius, 'Lenkija ir jos rytiniai kaimynai: politinio mąstymo anachronizmai', *Voruta* (Vilnius, 1993), No. 1(91), p. 5.

level of the entire nation in comparison to Ukrainians, who were viewed (after the Polish-Ukrainian war of 1943–44 in particular) as bandits, cut-throats, brigands, German collaborators, etc.

Ethnic mythologems led to the emergence of a specific mentality, according to which the Polish nation was permitted all methods in its national-liberation struggle – against the Germans and Russians – in order to achieve statehood. Such a liberation struggle was always, by definition, ‘just’, even if it involved the suppression of non-Polish nationalities. The Ukrainian nation, with its allegedly lower level of social and cultural development, could not be permitted and was forbidden such a liberation struggle against the Polish ruling power and Polish occupation. This double algorithm of thought regarding their own and foreign nations deeply ingrained on the ethnic mentality of the Poles and still remains dominant beyond the boundaries of East Galicia and beyond the frontiers of independent Ukraine, although on the territory of East Galicia itself all grounds for this manner of thinking have long vanished. Nevertheless, such ideals still dominate a significant part of Polish society (first and foremost the middle strata). They create the backdrops for revanchist propaganda, which in the first place is directed against the Ukrainian section of East Galicia.

### 3. *Russians*

Throughout the centuries, in parallel to the wars of conquest which established that colossal empire, the characteristics of the Russian mentality were developed and consolidated. This mentality, too, is rooted in a series of mythologems. The October Revolution produced a certain change of accents in that mentality, but left its essence unchanged. Naturally, it is marked by the term ‘imperialist thinking’. Of the most characteristic mythologems, the emergence of which goes back to the sixteenth century, one must note two which have remained very productive to this day:

a. The idea of the right to gather in the so called ‘Russian lands’, although the national division of the East Slavs into four, and later three, separate nationalities took place back in the tenth–thirteenth centuries; as the power of the Muscovite state gradually grew, the idea of Moscow’s right to restore the former Kyivan empire in its full territorial composition, under its own leadership and hegemony, was born. This idea, as is known, is still alive and fruitful today.

b. The idea of the transfer of the spiritual centre of the world to Moscow, which emerged first in a religious guise with the formula ‘Moscow – the Third Rome’ (in succession to Rome itself and the Greek ‘New Rome’ – Byzantium).<sup>6</sup> The idea was transformed at the time of the October Revolution so that Moscow now became the ideological centre of the ‘new world’ order (Moscow the centre of the Third International), in which the principles of total social justice were to be realised. The Russian variant of the communist ideology excused any aggression on the global scale, guaranteeing the first carrier and agent of this idea – the Russian people – the rank of the saviour nation, liberator, rescuer, the ‘older bro-

<sup>6</sup> ‘Atti del II Seminario internazionale di studi storici “Da Roma alla Terza Roma”, (Roma, 1982) (Napoli, 1982; Roma, Constantinopoli, Mosca – Napoli, 1983), *Da Roma alla Terza Roma. Documenti e studi*, Vol. 1; P. Katalano, V.T. Pashuto (eds.), *Ideya Rima v Moskve XV–XVI veka. Istochniki po istorii russkoy obschbestvennoy mysli*, preliminary edition (Moscow, 1989); G.E. Hawryszkiewicz, ‘The “Three Romes” Concept and Ukraina’, *Symbolae in honorem Volodymyr Janiuv* (Munich, 1983), pp. 259–71.

ther' superior to other peoples, etc., thereby providing grounds for a particular form of 'Russian racism'.

The Ukrainian people were among the first to fall victim to this aggressive national policy,<sup>7</sup> the consequences of which had an effect also in East Galicia in various forms: the unifying Muscophile movement, which in the second half of the nineteenth and the beginning of the twentieth century denied the distinctness of the Ukrainian 'Little Russian' people, alleging that they had constantly striven for union and fusion with the Great Russian people; the occupation of East Galicia (in 1914–15 by Tsarist Russia under the slogan of uniting all the 'Russian lands', and in 1939–91 under that of liberation from capitalist oppression) and incorporation into the Russian Empire, now transformed from white into red. The exclusively religious idea 'Moscow – the Third Rome' was, strangely enough, implemented in the atheist, communist epoch by the liquidation of the Ukrainian Catholic Church in East Galicia and the subordination of church life to Moscow.

As with the Poles, so, too, with the Russians the dominant national policy, which was to effect not only the political and military occupation of the region, but also the warping of the Ukrainian national mentality by feelings of inferiority vis-à-vis nations granted an imperial past and present, and also attempts to implement an imperialist mode of thinking, led to a very bloody inter-ethnic conflict – the anti-Russian national uprising in 1944–50.

Today, however, on the territory of East Galicia there are no grounds for a serious inter-ethnic conflict between Ukrainians and Russians, who are now numerically too few to be capable of causing a serious dispute. But, as in the case of the Poles, such a conflict could be triggered off from without as a result of Russian aggression against Ukraine, or inter-ethnic battles between Russians and Ukrainians in eastern or southern Ukraine.

#### 4. Jews

As a result of the social structure of the Jewish minority (initially traders and craftsmen, later upper bourgeois – businessmen, merchants – and an upper stratum of highly qualified members of certain professions – doctors, lawyers, but also petty traders, craftsmen and a great mass of very poor population) meant that it played a noticeable role in the economic and cultural life of East Galicia and its ethnic relations. Certain ethnic myths prevailed among the Jews, which were ideologically and politically structured by the major influence of the conservative wing, particularly the Hassidim. This myth had a profound effect on the destiny of East-Galician Jews (known as 'Galitzianer'). Individual groups of Jews advanced their myths, which were motivated by religious and political circumstances. First and foremost, however, there was the idea of 'The Chosen People', which was perceived fairly strongly in the community of Galician Jews, which leaned heavily towards orthodoxy. Obviously, the idea of the 'chosen people' was not specifically East Galician, but on this western Ukrainian territory it led to deeply-rooted and religiously motivated ideas about 'The Lord's punishment for our sins' (particularly among the aforesaid conservative circles). A significant part of the Jews of western Ukraine

<sup>7</sup> Ya. Dashkevych, 'Ukrayinskyi narid i komunizm', *Ukrayinski problemy* (Kyiv–Stryi, 1994), No. 2, pp. 60–65.

accepted the persecution, with which they were threatened firstly though religious and economic, later political and economic reasons (the slaughter of the Jews during the Khmelnytskyi uprising in 1648, Polish pogroms and discrimination in 1918–39, German destruction in 1943–44) as ‘The Lord’s punishment for our sins’.<sup>8</sup> This deep and strong belief paralysed the will of the Jews to resist under the Nazi occupation.<sup>9</sup> It was reported from various small towns of East Galicia that in 1943–44, after the liquidation of the ghettos, large communities of Jews together with their rabbis calmly went to the place of execution, while only a relatively insignificant number joined the Ukrainian (anti-German and anti-Russian) resistance movement.

Leaving aside such myths, widespread among the Jews but generally unproductive, for instance, that they are a ‘scapegoat’, or that in Ukraine (with its international Ukrainian-Polish or Ukrainian-Russian conflicts) they often found themselves trapped ‘between the hammer and the anvil’, one must draw attention to ideas which were widespread and fairly influential among the top strata, that led to assimilation: religious (which in the mid-eighteenth century led to the conversion of the sect of Frankists to Roman Catholicism), and national-cultural also; those, from the point of view of orthodox Jews, meant religious and ethnic apostasy. The ideas of modern Zionism did not strike deep roots nor lead (1920s–30s) to a mass migration to Palestine.

In the conditions of international conflicts (Ukrainian-Polish, Ukrainian-Russian) in East Galicia one section of the Jews took the line of pragmatism and opportunism, entering the political service of the current ruling nation (‘Jews of German-Austrian culture’, ‘Jews of Polish culture’, and most recently ‘Jews of Russian culture’). In periods when inter-ethnic disputes became exacerbated, such a mentality (which also manifested itself in a tendency to mixed marriages with partners from the ‘ruling nations’) gave Ukrainians grounds for viewing these Jews as anti-Ukrainian political collaborators – with inevitable consequences. The Galician Ukrainians themselves never demanded the assimilation of Jews for the benefit of the Ukrainians.

Viewing the situation objectively, one must note that among the Galician Jews there were also strong pro-Ukrainian tendencies, which were in no way dictated by short-term opportunism, since (at least up to 1991) the Ukrainians were not the ruling power. Here one may cite as evidence such episodes as the organisation of the Jewish battalion in the Ukrainian Galician Army, 1918–20 (one of the first Jewish military formations of the new era). Furthermore, in addition to this, many Jews served in the general ranks of this army – some of them as officers.<sup>10</sup> Later, too, in 1943–44, individual Jews took part in the struggle of the Ukrainian Insurgent Army against the Germans and Russians. These facts sharply contrast with those anti-Ukrainian sentiments prevalent recently in the community of ‘Jews of

<sup>8</sup> On the problem of research see Ya. Dashkevych, ‘Zhydivsko-ukrayinski vzayemyny seredyny XVI–pochatku XX st.: periody rivnovahy, *Slovo i chas* (Kyiv, 1992), No. 9, pp. 65–69.

<sup>9</sup> The idea ‘The Lord’s punishments for our sins’ was reflected in Jewish literature as early as at the times of Khmelnytskyi, for example, the interpretations of the Jewish chronicler Nathan Hannover. During the German occupation, 1943–44, as reported from many small towns of East Galicia, after the liquidation of the ghettos, large Jewish communities together with their rabbis at their head went calmly to their place of execution under the guard of two or three German guards without resistance or attempts to escape.

<sup>10</sup> For more detail see Ya. Dashkevych, ‘Yevreysko-ukrainskiye vzaimootnosheniya v Vostochnoy Galitsii (konets XIX–nachalo XX v.), *Istoriicheskiye sudby yevreyev v Rossii i SSSR: nachalo dialoga. Sbornik statey* (Moscow, 1992), pp. 265–76.

Russian culture' and their successors. If today in the right-wing Russian and Ukrainian press there are anti-Semitic articles, these should be viewed as the consequences of the all-too-familiar state anti-Semitism prevalent until recently in the USSR, and still cultivated by certain politicians in today's Russia. Since 1991, on the one hand, all restrictions were removed on emigration of Jews to the USA, Israel, or Germany, while, on the other, Jews who remain in Ukraine have every opportunity to reach the highest posts in the state and the economy. As for the artificial formula 'anti-Semitism without the Jews' (that is xenophobia without a physically present object of hate) in western Ukraine it is not even worth discussing.

Historical and literary sources also provide evidence of particular ethnic myths and a specific mentality in the case of other minorities of East Galicia – Armenians, Germans, Gypsies, etc., but this lies beyond the scope of the present article.

## Conclusion

Beyond the scope of this article, too, remains a theme, which also is a component of the great problem the 'picture of the other' – ethnic auto- and heterostereotypes, particularly those which define the picture of a foreigner, and then, in particular cases, the image of 'the enemy'. Ethnic stereotypes were shaped in East Galicia in the context of the centuries-long interrelation of several peoples. In the research into stereotypes one should, however, not forget several theoretical questions. It is impossible to look at all these social phenomena simply through the rose-coloured spectacles of the idealist. Unpleasant as the concept of ethnic stereotypes may be (particularly those with chauvinist overtones) they cannot simply be ignored. One must first of all put the question as to what is the true content of the stereotype and strive to find an answer.

The problem of stereotypes and mentalities is not completely alien to Ukrainian historical and social sciences. On the contrary. At the present time one can observe a significant revival of research work along those lines.<sup>11</sup> A number of special conferences have been held on mentality (including ethnic mentality).<sup>12</sup> The use of the memoirs of foreigners about Ukraine in this regard is already an established tradition.<sup>13</sup> One may expect further observations based on reliable sources, and also new academic publications on this theme. □

<sup>11</sup> Cf. M. Trukhan, *Negatyvnyi stereotyp ukraïnytsya v polskiy pislyavoyenniy literaturi*, Munich–Lviv, 1992; N. Yakovenko, 'Obraz polyaka v ukraïniskiy istorychnyy beletrystytsi', *Polsko-ukraïniskiy studiyi* (Kyiv, 1993), Vol. 1, pp. 125–32.

<sup>12</sup> *Mentalnist. Dukhovnist. Samorozvytok osobystosty. Tezy dopovidey ta materiyaly Mizhnarodnoyi naukovo-praktychnoyi konferentsiyi, Lutsk, 18–23 chervnya 1994* (Kyiv–Lutsk, 1994), No. 1 (Mentality).

<sup>13</sup> For example, Z. Kuziela, 'Die Ausländer über die Ukraine', *Ukrainische Rundschau* (Vienna, 1907), No. 6–8, 11–12; (1908), No. 1, 10; (1909), No. 1, 3–4, 8; D. Doroschenko, *Die Ukraine und das Reich. Neun Jahrhunderte deutsch-ukrainischer Beziehungen* (Leipzig, 1941); V. Sichynskiy, *Chuzhyntsi pro Ukraïynu. Vybir z opysiv podorozhney po Ukraïni ta inshykh pysan chuzhyntsiu pro Ukraïynu za desyat stolit*, 2nd edition revised and enlarged (Prague, 1942); V. Sichynsky, *Ukraine in Foreign Comments and Descriptions from Vth to XXth Century* (New York City, 1953); Yu. A. Mytsyk, *Zapiski inostrantsev kak istochnik po istorii Ukraïny. Vtoraya polovina XVI-seredina XVII v.* (Dnipropetrovsk, 1981), No. 1 (German and Austrian sources).

## Was V.I. Vernadsky a Ukrainian Nationalist?

Elizabeth Luchka Haigh

Every nation needs its heroes, not least Ukraine whose very existence was long denied and its culture and language viciously suppressed. For centuries, most of the people who would have brought it credit as statesmen, artists and scholars were Polonised or Russified. Today Ukrainians honour the memory of the eminent scientist Volodymyr Ivanovych Vernadsky (1873–1945), who was a founder and the first president of the Ukrainian Academy of Sciences (UKAS), which held its inaugural meeting in Kyiv on 14 November 1918. In the past decade, there has been an explosion of popular and scholarly interest in Vernadsky and his work in both Ukraine and Russia. Although he lived most of his life in St Petersburg and Moscow, he occasionally wrote of his Ukrainian roots and his love for the Ukrainian language and culture, which had been ruthlessly suppressed by autocratic tsars. Some scholars have seized upon such documents as evidence of his Ukrainian nationalism.<sup>1</sup>

Others are not so sure! For example, Serhiy Bilokin in Kyiv has recently cautioned against seeing ‘our man’ in every ‘malorus’ (little Russian) who was not actively anti-Ukrainian. ‘We are pleased that our nation gave the world the creator of geochemistry and the conception of the noosphere’, he wrote, ‘but let us agree that he was not a Ukrainian nationalist’. For example, he notes that in the summer of 1918, some men resigned from a commission headed by Vernadsky, which was working to create a national library for Ukraine because they objected to the Russification upon which he insisted. In the same article, Bilokin published a letter which Vernadsky wrote in 1925 to a student living in Paris, who had contacted him about attempts to rebuild a Ukrainian national movement. Vernadsky informed him that while he valued the work of Ukrainians in science and art, he deplored Ukrainian chauvinism and considered Ukrainian political independence to be a mirage. Scholarly work, he chided, must be tightly tied to Russian scholarship to which Ukrainians have also contributed.<sup>2</sup>

Perhaps such an attitude can be put down to caution at a time when charges of ‘bourgeois nationalism’ were already beginning to have dire consequences in the USSR. For if Vernadsky felt no nationalistic stirrings, why did he write so fervently, before and after that letter, about his love for things Ukrainian? And why had he bothered to work assiduously under very difficult circumstances to create a UKAS and a national library? The concept of nationalism is very difficult to pin down because the word is applied, often loosely, to a wide spectrum of attitudes towards countries and the nations which inhabit them.<sup>3</sup> Nevertheless, so great is

<sup>1</sup> This position is perhaps most eloquently argued by Olena Apanovych. See, for example, “‘I lyubov do Ukrayiny yednala nas’”. Do 125-richia vid dnya narodzhennya V.I. Vernadskoho’, *Literaturna Ukrayina*, 10 March, 1988, No. 10, p. 7; ‘Pershyi Prezydent Ukrayinskoyi Akademiyi Nauk’, *Nauka i Kultura Ukrayiny*, (Kyiv: AS UkSSR, 1988), 22, pp. 64–73. See also K.M. Svitnik, E.M. Apanovich and S.M. Stoyko, *V.I. Vernadsky: Zhizn i deyatelnost na Ukraine* (Kyiv: Naukova Dumka, 1988).

<sup>2</sup> Serhiy Bilokin, ‘Diya Povnoty Kartyny’, *Rozbudova Derzhavy*, III, August 1992, pp. 57–59.

<sup>3</sup> For example, having been born in Canada to parents who emigrated from Galicia before World

Vernadsky's reputation among both Ukrainians and Russians, that it is worthwhile examining just what his attitudes were to the Ukrainian nation.

By the time that Vernadsky began his work on the organisation of the UkAS and the national library in May 1918, he was already famous for his work in such new fields of science as geochemistry, biogeochemistry and radiogeology. He was beginning his absorbing study of the biosphere and of the complex interaction between 'living matter' and the earth's surface, which made him a pioneer in environmental and ecological studies. After eighteen months in Kyiv, he returned to the Russian Academy of Sciences, where he spent most of the rest of his life. He visited Kyiv again only briefly on four separate occasions, although he remained a member of the UkAS.

Some people imply that he returned to Russia somewhat reluctantly. Lenin himself contrived to bring him there. Early in February 1921, he arranged to have Vernadsky and some other scientists and their families virtually kidnapped. They were arrested and returned by a special sealed train to Petrograd largely, it seems, so that the Cheka would not bother them.<sup>4</sup> Committed to a scientific foundation for the economic and intellectual life of the Soviet state, the Bolshevik leader wanted the able mineralogist at its centre. It mattered not that Vernadsky had long been an outspoken supporter of liberal causes. Perhaps it was on account of Lenin's patronage that Vernadsky enjoyed a privileged position in the USSR for the rest of his life and was largely spared the persecution suffered by many other intellectuals under Stalin's savage regime.

The principal piece of evidence causing people to regard Vernadsky as a committed Ukrainian nationalist surfaced only recently. When the Nazis invaded the USSR, Vernadsky and other elderly academicians were evacuated to Kazakhstan. There, in 1943, at the age of eighty, he composed his memoirs on the request of Oleksander Bohomolets, president of what was then the Academy of Sciences of the Ukrainian SSR. The document languished in the Academy's archives for more than four decades.<sup>5</sup> As it was being prepared for publication in 1988, a letter surfaced in which Vernadsky requested that the memoirs be translated from Russian into Ukrainian. Not having used the language since 1919, he could no longer write it.<sup>6</sup>

War II, I consider myself to be a Ukrainian Canadian and something of a Ukrainian nationalist. This does not detract from my Canadian nationality which I share with people who came from many diverse parts of the world. Canada is said to have two founding 'nations'. Today many French Canadian nationalists are pressing for Quebec's secession from Canada. Others, equally nationalistic, aspire merely to a larger amount of autonomy for their province within confederation. Such a complex mixture of attitudes has its variants in many other parts of the world and illustrates that a 'nation' is a much more complex entity than a country.

<sup>4</sup> This fascinating bit of information is disclosed by his son George Vernadsky in 'Bratstvo Priutino', *Novyi Zhurnal*, 1969, 97, pp. 218–37. He claims that this occurred in November or December 1920. In her 'Do 125-richchya vid dnya narodzhennya V.I. Vernadskoho', op. cit., Apanovych wrote merely that a special train was arranged for Vernadsky and his family by S.F. Oldenburg of the Russian Academy in the first half of February 1921.

<sup>5</sup> Volodymyr Vernadsky, 'Iz spohadiv pershyi rik', *Nauka i Kultura Ukrainy*, (Kyiv: ASUkSSR, 1988), 22, pp. 39–64. I first read a typewritten copy of the same document in the Bakhmeteff Archive of Russian and East European History of Columbia University, where it was deposited with other material when George Vernadsky died in 1973. It was largely these memoirs which formed the basis for the book by Svitnik et al, *V.I. Vernadsky*, op. cit.

<sup>6</sup> Apanovych, 'Pershyi Prezydent', op. cit.

Here Vernadsky laid out his Ukrainian credentials. His father's family were descendants of Zaporozhian Cossacks who had been granted nobility status in the reign of Catherine II. His mother was a member of the Korolenko family, long known as opponents of tsarism and admirers of Ukrainian culture. Her uncle, Mykola Hulak, was imprisoned in 1846 for his part in the secret Brotherhood of Sts Cyril and Methodius. Since her school days in Kyiv, his mother had been friends with the woman who married Mykola Kostomarov. Both Vernadsky's parents knew the Ukrainian language well and maintained national traditions in their home. His mother, a mezzo soprano, sang Ukrainian songs. His father was a graduate of the University of Kyiv. Between 1868–76, the family had lived in Poltava, Kharkiv and Kyiv and had maintained close contact with the Poltava region where they owned an estate.<sup>7</sup>

Vernadsky recalled his father's shock when the two of them were in Milan in 1876 and happened to read that St Petersburg had banned all publication in the 'little Russian' language.<sup>8</sup> The father had taught his son a version of Ukrainian history entirely different from that accepted in the gymnasium, often remarking that St Petersburg was built on Ukrainian bones. Back home, the young Vernadsky set out to acquaint himself with Ukrainian literature. For many years he was good friends with Mykhailo Drahomanov and read his work enthusiastically.<sup>9</sup> And so on!

On the basis of letters and other documents, some scholars have reinforced Vernadsky's Ukrainian credentials further still. For example, there is the one and only poem he ever wrote (in 1880) entitled 'Ukrayina, rodnaya moya storona'. It is a lament for a broken land. We read that Taras Shevchenko was one of his favourite poets, and that Lesya Ukrayinka's work was kept on his desk.<sup>10</sup> All in all, there is no doubt that Vernadsky abhorred Russia's suppression of Ukrainian language and culture.

In his memoirs of 1943, Vernadsky described his role in establishing the UkAS. He mentioned the difficulty he had in finding suitable persons to serve on the founding commission, because Ukrainian intellectuals had routinely been denied places at their universities. Two significant recruits in 1918 were his old friends Ahatanhel Krymskyi, an eminent orientalist from the Lazarevsky Institute in Moscow, and Professor Dmytro Bahaliy, a specialist in Ukrainian history and culture from Kharkiv University. These and other individuals worked well together because, as he wrote, 'Love for Ukraine united us'.<sup>11</sup>

He neglected to mention, however, that the founding commission also worked with persons who were downright disdainful of things Ukrainian. Stepan Tymoshenko, who had grown up in the Chernihiv province speaking what he described

<sup>7</sup> When he married, Volodymyr Vernadsky and his wife built a home there. Named Shishak, it is maintained in Vernadsky's honour by the UkAS.

<sup>8</sup> In Bad Ems, Germany, Russian Tsar Alexander II issued a secret decree banning the printing and distribution of Ukrainian-language publications within the Russian empire. It also forbade the importation from abroad of Ukrainian-language publications, the staging of plays and public readings in Ukrainian, and the printing of Ukrainian lyrics to musical works. It dealt a crushing blow to Ukrainian culture.

<sup>9</sup> Vernadsky, 'Iz Spohadiv pershyi rik', op. cit., pp. 40–46. This friendship is also mentioned by George Vernadsky, 'Bratstvo Priutino', *Novyi Zburnal*, 1968, 93, pp. 147–71.

<sup>10</sup> The relationship between Vernadsky and Krymskyi in the UkAS is the theme of Apanovych, 'Do 125-richia vid dnya narodzhenya V.I. Vernadskoho', op. cit.

<sup>11</sup> Svitnik et al., *V.I. Vernadsky*, op. cit., esp. pp. 18–37. The poem is on p. 20.

as a mixture of Russian and Ukrainian, was teaching engineering at the Kyiv Polytechnic when Vasilenko, Ukraine's Education Minister, contacted him in 1918 to participate in the UkAS project. He wrote about his part in it as follows:

I told [Vasilenko] that the organizing of such an academy did interest me, but that I opposed independence for the Ukraine, that I even opposed introduction of the Ukrainian language into the village schools... Vasilenko opined that in the realm of mechanics the language question was not material, and would not prove an obstacle to my work on the commission.

Tymoshenko refused to speak anything but Russian in the UkAS and wrote contemptuously of attempts to create a Ukrainian scientific terminology. 'In the absence of some needed Ukrainian term they would borrow freely from any foreign language – except Russian'.<sup>12</sup> Tymoshenko left Kyiv with Vernadsky in November 1919 and eventually settled in the United States. Recalling a visit to his former homeland in 1958, he enthusiastically stated that 'Our first stop on Russian territory was at Lvov... I was in Russia! All around me were Russians, speaking Russian'.<sup>13</sup>

Vernadsky tolerated the attitude of such as Tymoshenko because he himself did not support the idea of an independent Ukrainian state, even the one which existed in 1918 and which had employed him to initiate the UkAS project. However, the fact that he did not favour a politically independent Ukraine did not in and of itself disqualify him as a nationalist. As happens in all nations subject to foreign rule, there were Ukrainians such as Tymoshenko who disdained any hint of nationalist sentiment whatsoever on the grounds that Ukrainian was merely a peasant culture. At the opposite end of the spectrum of opinion were outright separatists who could countenance nothing short of complete independence for their people. Most people, however, among them nationalists with impeccable credentials, wished for something in between. That is to say, they coveted some measure of political or at least cultural autonomy for their nation within the context of a larger democratic state. Vernadsky had no wish to see eastern Ukraine break its links with Russia. But, as a liberal, he deplored any suppression of language, literature and free expression in general. He favoured cultural but not political autonomy.

While opposition to autocracy was ubiquitous in the liberal Russian circles in which the genteel Vernadsky family moved before World War I, political nationalism was unfashionable. Some liberals and socialists were prepared to concede the justice of, for example, Polish or Finnish demands for independence, but they presumed that the national frustration of Ukrainians would simply evaporate once democracy replaced autocracy. Some dismissed them as 'little Russians' who spoke

<sup>12</sup> It remains true today. Russians who were courageous in their opposition to Bolshevism and who are passionately committed to the democratisation of their country are bewildered by the wish of the Ukrainian and Belarusian people to be independent. Ten or twelve years ago, when the possibility of Ukrainian autonomy first began to be tentatively voiced, I heard Russians who flaunted their reforming principles protest that 'Some of my best friends are Ukrainians'. A good example is the viewpoint of Alexander Solzhenitsyn, a high-minded if not exactly liberal man, that talk of a separate Ukrainian nation is nonsense and that the Ukrainian nationality is a fiction.

<sup>13</sup> Vernadsky, *Iz spohadiu pershyi rik*, op. cit., p. 55. Vernadsky's political evolution and his absorption in liberal causes in the company of like-minded friends is most outlined at length by George Vernadsky, 'Bratstvo Priutino', *Novyi Zburnal*, 1968, 93, pp. 147–71; 1969, 95, pp. 202–15; 1969, 96, pp. 153–71; and 1969, 97, pp. 218–37.

a peasant dialect.<sup>14</sup> Although the Vernadsky family was obviously not among the latter, their political sentiments focused upon the political reform of Russia.

To that end, Vernadsky, along with some of his closest liberal friends, was a founder, in 1905, of the Constitutional Democratic Party (Kadets) and for many years a member of its central committee. Until the party's dissolution at the end of the Civil War, most Kadets insisted that the Russian Empire, with or without the tsars, was indivisible. Vernadsky resigned his party membership when he was elected president of the UkAS on the grounds that political activity might be interpreted as a conflict of interests.<sup>15</sup>

Between 1840 and World War I, there had been many groups, formal and informal, committed to Ukraine's cultural and political regeneration. As mentioned above, however, there were few advocates among them of outright independence from either the Russian or Austro-Hungarian Empires. For example, Mykola Kostomarov, the principal theorist of the Brotherhood of Sts Cyril and Methodius, advocated an independent Ukrainian republic in a federation of Slavonic nations. Vernadsky's friend Mykhailo Drahomanov argued that freedom consists of social and political pluralism. The democratic-populist trend which these men represented culminated in the Central Rada of 1917, whose members hoped to establish Ukrainian autonomy within a democratic, decentralised and federated Russia.<sup>16</sup> Mykhailo Hrushevskyi, head of the Rada and probably Ukraine's most prominent nationalist, expressed it as follows:

[T]he Ukrainian territory ought to be able to settle at home its own economic, cultural and political issues; it ought to keep its own armed forces, and dispose of its roads, revenue, land, and natural resources; it ought to possess its own legislation, administration, and judiciary. Only in certain matters, common to the entire Russian state, should Ukraine accept the decisions of the central parliament, in which the proportion of Ukrainian representatives ought to be the same as that of the Ukrainian population to that of the population of the whole Russian Republic.<sup>17</sup>

It was only on 22 January 1918, when central government had broken down in Russia, that the Rada declared outright Ukrainian independence.

Vernadsky, however, did not share Hrushevskyi's political aspirations. He did not favour even a moderate amount of political autonomy for Ukrainians.

<sup>14</sup> A good place to find an analysis of these attitudes and opinions is in Ivan L. Rudnytsky, *Essays in Modern Ukrainian History*, ed. by Peter L. Rudnytsky (Harvard University Press, 1987). See especially 'Trends in Ukrainian Political Thought', pp. 91–122; 'The Intellectual Origins of Modern Ukraine', pp. 123–41; and 'Drahomanov as a Political Theorist', pp. 203–53.

<sup>15</sup> Quoted by Rudnytsky, 'The Fourth Universal and its Ideological Antecedents', *Ibid.*, pp. 389–416.

<sup>16</sup> Skoropadsky's regime is increasingly coming to be seen as an honest attempt to make the most of a bad situation. For example, he is given a sympathetic evaluation by Oleh S. Fedyshyn, *Germany's Drive to the East and the Ukrainian Revolution, 1917–1918* (New Brunswick, N.J.: Rutgers University Press, 1971). Skoropadsky's contributions to Ukrainian rebirth were recently applauded at a Round Table in the Academy of Sciences in which nearly forty people, including Skoropadsky's daughter, participated. Their discussion is recorded in 'Dialnist Ukrainskoho Hetmana Pavla Skoropadskoho v Budivnytstvo Ukrayinskoyi Nauky', "Round Table, 19.05.93", *Informatsiynyi Byuletyn*, (Komitet Nauky i Kultury dlya zvyazkiv z Ukrayintsiamy za Kordonom pry Akademiyi nauk Ukrayiny), 1993, No. 3, pp. 13–36. See also Iu. Khramov and Iu. Pavlenko, 'P. Skoropadsky is zasnuvanie Ukrayinskoyi Akademiyi nauk v Kyievi', *Ibid.*, pp. 3–12.

<sup>17</sup> Stephen F. Timoshenko, *As I Remember*, translated from Russian by Robert Addis (Princeton, N.J.: Van Nostrand, 1968), pp. 158–61.

Furthermore, the intellectual and cultural freedom of expression which he advocated was in close association with Russian forms and institutions. The direction in which he steered the UkAS makes this very clear.

The possibility of creating a UkAS was raised in 1917 in both the Rada in Kyiv and the Provisional Government in Petrograd. In September, academician Sergei Oldenburg, Vernadsky's close friend and a fellow Kadet, became Minister of Education in Kerensky's administration. He employed Vernadsky to help promote higher education and to develop a national organisation of scientific research centres. To that end, they discussed the possibility of establishing academies of sciences in Georgia, in Siberia, and in Ukraine.

When the Bolshevik coup d'état destroyed the Provisional Government, Vernadsky retreated to his Poltava estate, where a second summons reached him in May 1918. This one was from Mykhailo Vasylenko, Minister of Education in the government of Pavlo Skoropadskyi, which three months before had supplanted Hrushevskyi's Rada. Both right and left leaning critics have generally dismissed Skoropadskyi as a mere pawn of the German occupiers. Recently, however, his administration has been commended for its notable achievements in Ukrainian science, education and cultural life. Hundreds of Ukrainian schools were created where none had existed before, and two Ukrainian universities were established. Foundations were laid for national cultural organisations including an archive, an art gallery, a national library, a theatrical institute, a historical museum, a drama and opera theatre, and a symphony orchestra. And of course an academy of sciences!<sup>18</sup>

Vernadsky accepted Vasylenko's invitation, but notably on the condition that he would be a representative of the Russian Academy of Sciences and not a citizen of the hetmanate. He implied in his memoirs that this was because he objected to the presence of German forces on Ukrainian soil. One suspects, however, that he would have imposed the same condition whoever was in control of Kyiv. It seems to follow that he saw the creation of a UkAS not as a component of Ukrainian nation-building, but as an opportunity to pick up what he and Oldenburg had had to abandon in November.

It may well be that Vernadsky intended to stay in Kyiv only long enough to see the UkAS firmly established. The credit for its continued existence after 1920 belongs to Krymskyi, its permanent secretary, and to Bahaliy, its vice president. Significantly, Krymskyi accepted Vernadsky's invitation to come to Kyiv in 1918 on the condition that he bring his valuable library with him, indicating that he intended to stay.

When Vernadsky arrived in Kyiv in May 1918, Hrushevskyi summoned him to discuss the UkAS project. It quickly emerged that they differed profoundly over the aims and the structure of the UkAS. Both men intended that the academy should incorporate the natural sciences, the social sciences and the humanities; it was simply a question of emphasis. In Hrushevskyi's opinion the primary aim of a UkAS is to promote the Ukrainian nationality, and he was affronted by the idea of modelling it on the Russian Academy of Sciences.<sup>19</sup> 'I think there will be a conflict', Vernadsky wrote in his diary. 'Will narrow chauvinistic interests prevail?'<sup>20</sup>

<sup>18</sup> Ibid., p. 384.

<sup>19</sup> Vernadsky, 'Iz spohadiv pershyi rik', op. cit., esp. p. 54.

<sup>20</sup> Quoted by P.S. Sokhan, V.I. Ulyanovsky, S.M. Kirzeav, *M.S. Hrushevskyi i Akademia* (Kyiv: Akademiya Nauk, 1993), p. 39.

Hrushevskiy refused to participate in the organisational work of the UkAS in 1918, and in November of that year he turned down the presidency in a somewhat peaked manner. When Skoropadskiy's administration collapsed, he attempted to get the UkAS dissolved in order to start again. His departure from Kyiv early in 1919 left Vernadsky and his colleagues free to establish firm ties with the Russian Academy. In May 1919 Vernadsky wrote to Oldenburg, by then the Permanent Secretary of the Russian Academy, asking for a plan of cooperation between their two institutions. Academician Alexander Fersman travelled to Kyiv to speak about current work in the Russian Academy.<sup>21</sup>

Even a UkAS with links to a Russian parent organisation affronted some Russians, however. The virulently anti-Ukrainian forces of the White Army led by General Anton Denikin, which occupied Ukraine at the end of August 1919, were opposed to it. That autumn, Vernadsky made two tortuous journeys from Kyiv to Rostov-on-Don, where the Whites established their administrative headquarters. He tried to reassure Denikin that the UkAS was not a threat to Russian hegemony and to negotiate for financial support. The second time, he did not return to Kyiv. In December 1920 Krymskiy sent him an official invitation to return to Ukraine and to resume his position as the UkAS head. Vernadsky replied that his health would not permit it at that time, but that he would return when it became warmer. In April 1921 he resigned his administrative duties in the UkAS, giving as his reason Petrograd's superior library resources without which he could not continue his scientific work.<sup>22</sup> Shortly thereafter he took up an appointment in Paris, where he remained until 1924. Almost certainly, he returned to Russia in the end because he was promised a specially constructed new laboratory in association with the Russian Academy of Sciences.

In a chapter devoted to Vernadsky's ties with the UkAS in the 1920s and 1930s, Sytnyk, Apanovych and Stoyko present virtually every available reference in which Vernadsky pleads his affection for Ukraine and for the UkAS. There is no reason to doubt that he meant what he wrote. Nevertheless, his scientific work took priority over such affections and loyalty. Certainly, for him Kyiv was not the intellectual hub of a separate Ukrainian nation as it was for such nationalists as Hrushevskiy. Vernadsky the scientist had other priorities.

If further evidence is necessary to show that the founder of the UkAS was strictly a Russophile, one may consider his family. For over sixty years, Vernadsky's family spoke and corresponded with one another only in Russian, although his daughter apparently knew some Ukrainian.<sup>23</sup> His son George studied history at Moscow University, where he was a student of Sergei Platonov and the ageing Vasiliy Klyuchevsky, both of whom interpreted the history of Kyivan Rus' as merely a stage in the evolution of the Russian state. He defended his MA dissertation in 1917, at the time of the Bolshevik revolution. In 1920, while he was a lecturer at Simferopol University in Crimea, the region fell under the administration of General Petr Wrangel, the head of what remained of the White Army. In

<sup>21</sup> Svitnik et al., *V.I. Vernadsky*, op. cit., pp. 61–62. Vernadsky also mentions it in 'Iz spohadiv per-shiy rik', op. cit.

<sup>22</sup> *Ibid.*, p. 90. This is also outlined in Apanovych, 'Do 125-richchya vid dnya narodzhennya V.I. Vernadskoho', op. cit.

<sup>23</sup> Apanovych, 'Do 125-richchya vid dnya narodzhennya V.I. Vernadskoho', op. cit.

September, at his father's urging, George accepted the job of managing Wrangel's publicity. He and his wife were evacuated from Crimea by boat at the end of October 1920.<sup>24</sup>

For many years George Vernadsky taught at Yale University and helped to establish Russian studies in the United States. Like his teachers in Moscow, he conceded no possibility that Ukraine might be a nation separate from Russia in its development and major characteristics. As he described it, after the Mongol invasion, 'southwestern Russia' became absorbed into the Grand Duchy of Lithuania and later the Polish-Lithuanian Commonwealth. Gradually, these separated Ukrainians and Belarusians were reunited with their fellow Russians.<sup>25</sup> It seems reasonable to assume that, much as he loved it, this is also how his father interpreted Ukrainian history. Hence his resistance to the idea of a Ukrainian state.

Vernadsky illustrates well the dilemmas and contradictions which beset Russified Ukrainian intellectuals in the lands of the tsars and the commissars. Clearly, he resented Russians' denigration and suppression of the language and culture of his forebears. Moreover, censorship offended the liberal principles upon which he based his life. On the other hand, he had no wish to see Ukraine severed from Russia on any level. His status as an honoured Russian scientist pleased him, and he was unlikely to want to put at risk the privileges that this conferred to live exclusively in Kyiv.

It could be that living for years in Stalin's barbarous USSR caused Vernadsky to re-evaluate his attitudes to Russia and Ukraine, and accounted for the strongly Ukrainian tone of the 1943 memoirs. Or it could be that, as a lonely eighty-year-old man, he was indulging in nostalgia and 'editing' his recollection of the past. It is just as likely, however, that the memoirs are an accurate recollection of feelings and attitudes which Vernadsky held for most of his life. Like most Russophiles, Vernadsky loved the land of his forebears. But he consistently aligned himself against persons and movements which worked for even a moderate amount of political autonomy. The Ukraine upon which he showered his fond emotion and nostalgia was tied tightly and irrevocably to Russia. His attitudes were those of an unrepentant 'little Russian'. □

<sup>24</sup> George Vernadsky, 'Krym', *Novyi Zhurnal*, 1971, 105, pp. 203–24.

<sup>25</sup> This is the interpretation in George Vernadsky, *A History of Russia* (Yale University Press, 1929). It appeared in numerous editions after that.

## The Millennium of the Church of the Tithes

Ludmyla Pekarska

This year marks an important anniversary in the history of Ukraine-Rus': the millennium of the completion and consecration of the first stone-built church in the state – the Church of the Dormition (better known as the Church of the Tithes) in Kyiv. This church was built by Grand Prince Volodymyr I to replace the principal pagan sanctuary – the shrine of Perun, the Slavonic god of thunder, and symbolised the transition of Rus' to Christianity and the consequent recognition of the Kyivan state by the Christian world.<sup>1</sup>

The official conversion of Kyivan Rus' took place in 988, and imparted an exceptionally high status to the Grand Prince. 'This is a new Constantine of Great Rome, who had himself and his people baptised, and so it came to pass'.<sup>2</sup> Volodymyr, who had been crowned with the pagan title of 'Prince of the Sun', now became 'equal to the apostles', and was eventually canonised as a Christian saint.

The baptism of the people of Kyiv was followed by extensive building work. A fortified stronghold, known as the 'City of Volodymyr', was constructed on the Starokyivska (Old Kyiv) Hill, dominated by the magnificent Church of the Dormition of the Mother of God. The *Chronicle of Bygone Years* dates the foundation of the church to 989: '... Afterwards, Volodymyr lived in accordance with the law of Christ, and resolved to build a Church of the Mother of God and sent [envoys] and brought back craftsmen from Greece'.

The building of this church was the culmination of Volodymyr's Christianisation of Rus', which helped establish close relations with Byzantium, and brought to his people a knowledge of Graeco-Roman culture. The church took seven years to build; it was completed in 966, and consecrated on 12 May of that year. Much of the building work was carried out by craftsmen from Byzantium. Although its official name was to be the Church of the Dormition, it soon became known, in popular parlance, as the Church of the Tithes. For, to celebrate the opening of the church, Prince Volodymyr held a great celebration ('he made a great feast that day for the boyars and city elders, and distributed much of his substance to the poor') and set aside one tenth of his revenues for the maintenance of this church. For this reason, it became known as the Church of the Tithes.<sup>3</sup>

<sup>1</sup> It should be noted that there were Christians in Kyiv about 100 years prior to the official acceptance of Christianity in 988 and the building of the Church of the Tithes. They were of both indigenous and Varangian origin ('there were many Varangians, Slavs and Rus' Christians', as the *Chronicle of Bygone Years* writes). Moreover, a small wooden Church of St Elijah was situated in the Podil area of Kyiv, close to the Dnipro harbour ('on the Ruchay'). The church served primarily the needs of visiting Christian merchants, who had a special reverence for St Elijah as the patron saint of trade. The Podil church is mentioned in the *Chronicle of Bygone Years* under the year 944, in connection with the treaty signed in Constantinople between Prince Ihor of Kyiv and Byzantium.

<sup>2</sup> *Povest Vremennykh Let* (Moscow-Leningrad, 1950), Part 1, p. 89.

<sup>3</sup> The term 'desyatynna' is derived from the Latin 'decima' – a state tax. The practice of giving a tenth of one's income to the support of the church and its good works derives, ultimately from Old Testament



Church of the Tithes. Reconstruction by M.V. Kholstenko

Our knowledge about the original architecture of this church is, alas, somewhat limited. We know, however, that the church was relatively small (22 x 31 m), that its roof was supported by two rows of six columns, and that there were three semi-circular apses extending from the east wall. More information, however, has survived about the interior. It was lavishly adorned with icons, crosses and precious stones, which Volodymyr had brought from Kherson, where, the *Chronicle* tells us, he himself had been baptised.<sup>4</sup> The floor of the church was made of glazed terracotta tiling, similar to majolica. Some fragments of it, made of marble, porphyry and other coloured stones, have survived. The walls were decorated with frescoes and mosaics. Because so much marble and carved stone was used in the interior, the *Chronicle of Bygone Years* describes the church as 'marmoreal'. The church contained the relics of saints – Pope Clement and his disciple Phoebus – which Volodymyr had also brought from Kherson. Here, too, he brought the sarcophagus of his grandmother, Princess Olha. In front of the church there was a square, where Volodymyr placed four 'copper shrines' (possibly antique altars) and copper figures of horses which had formerly adorned Kherson.

The first Metropolitan of Kyiv was Michael, a Greek, who was later canonised a saint. He was consecrated and appointed to the Kyivan metropolitanate by the Patriarch of Constantinople. Hence, originally, services in the Church of the Tithes were conducted in Greek.

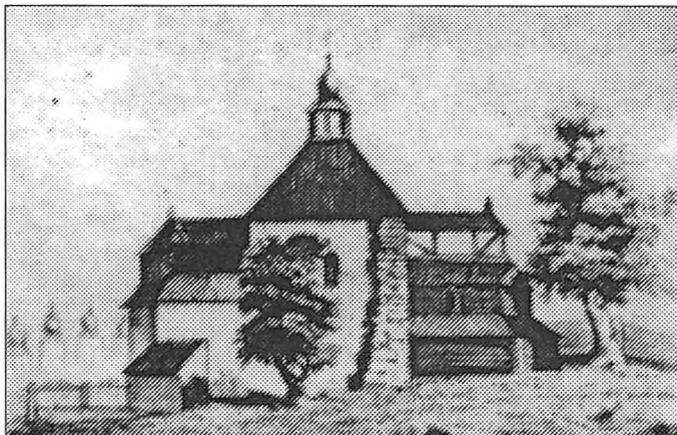
During the 990s, Kyiv was in diplomatic relations with Rome. In 979–80, the Pope sent a legation to Prince Volodymyr, which was received with 'love and honour'. It is noteworthy that relations with western Christendom continued into the following century. In 1013, for example, a treaty was concluded between Kyiv and the Holy Roman Empire.<sup>5</sup>

Situated in the very heart of Volodymyr's seat of power, the Church of the Tithes dominated not only the Upper City of Kyiv, but also the lower area, known as the Podil, and enhanced the ancient capital by its remarkable beauty. According to the documentary accounts, the church contained the tombs of seven princes, becoming, in the end, the final resting-place of Volodymyr himself. The Kyivan chronicler describes the funeral of Prince Volodymyr in considerable detail. Volodymyr died on 15 July 1015, in the village of Berestiv, to the south of Kyiv, which was part of his royal estates. His body was brought on a sledge to the Church of the Mother of God, 'which he himself had built', and there placed in a marble sarcophagus. The burial place of his wife, the Byzantine princess Anna, is not mentioned in the *Chronicle of Bygone Years*, but, according to the eleventh-century *Chronicle of Thietmar of Merseburg*, the sarcophagi of Volodymyr and

custom and law (see Genesis xiv, 20; xxviii, 18; Numbers xviii, 21–28; Deuteronomy xii, 5–18; xiv 22–27; xxvi 12–14; Nehemiah xii, 44) – although references in the Gospels (Matthew xxiii, 23; Luke xviii, 12) indicate that tithing alone, unless performed in the proper spirit, is of no merit in the sight of God.

<sup>4</sup> Mediaeval Kherson was a large trade and cultural centre in Crimea. It acted as an entrepôt for the Byzantine empire in maritime and land trade with the north Black Sea coast and Rus'.

<sup>5</sup> The attempts of the Papacy to reassert its influence over the old Rus' principalities were renewed after the capture of Constantinople by the Latins during the Fourth Crusade (1204). In that year, a legation was sent from Rome to Prince Roman Mstyslavych of Galicia-Volhynia, inviting him to adopt the Roman Catholic faith. Three years later Pope Innocent III and Cardinal Vitalis appealed 'to the clergy and laity of Rus'', since Byzantium and the Greek Patriarchate no longer exist (sic), Rus' should form a union with Rome and accept the Catholic faith. However, these missions were unsuccessful, as was the forced intro-



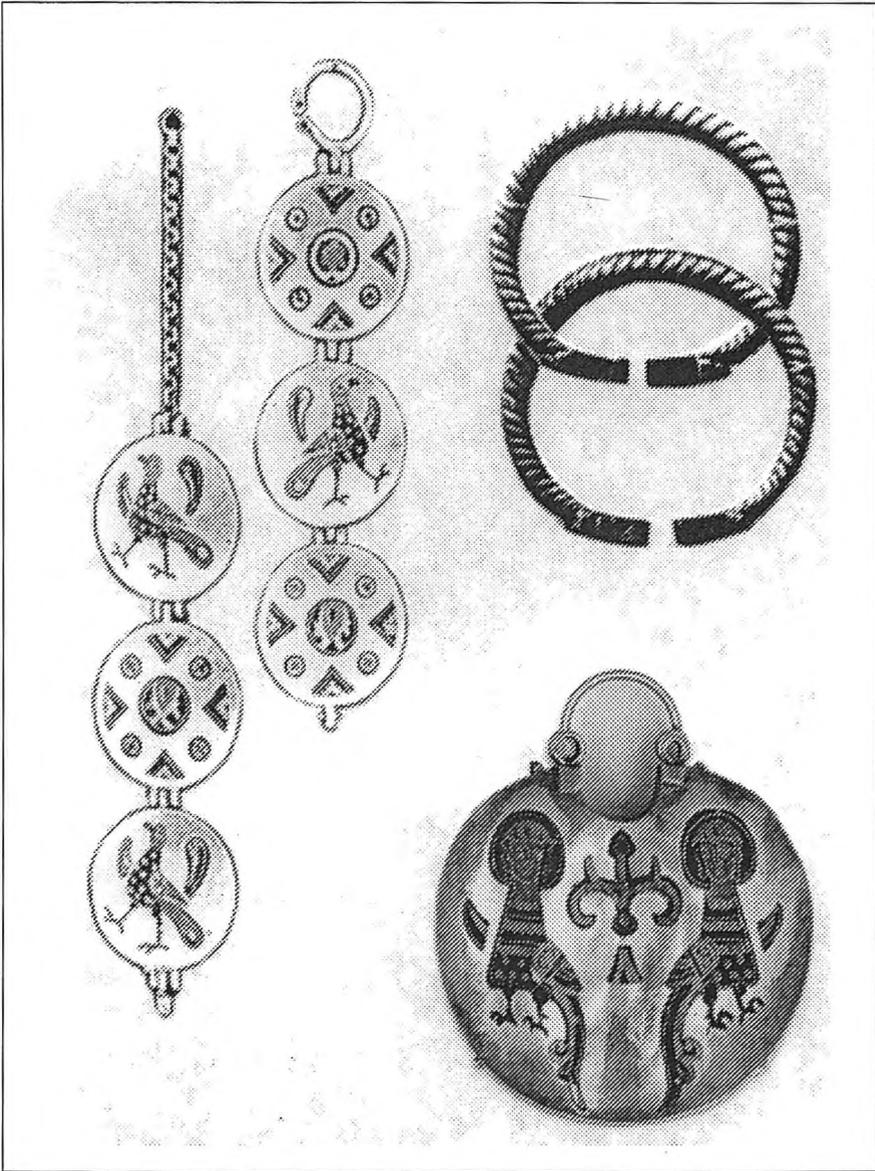
Church of St Nicholas, built by Petro Mohyla in 1635, incorporating the surviving walls of the original Church of the Tithes.

Anna stood side-by-side in the Church of the Tithes. In 1044, following a rite of posthumous baptism, the remains of two princes from the pre-Christian era, Yaropolk I Svyatoslavych (d.980) and Oleh Svyatoslavych (d.977) were reburied there, and in 1078, Izyaslav I, the son of Yaroslav I the Wise, who was killed in battle against the Polovtsians (Cumans), was likewise interred in this church. The last royal burial in the Church of the Tithes was that of Prince Rostyslav I Mstyslavych in 1093.

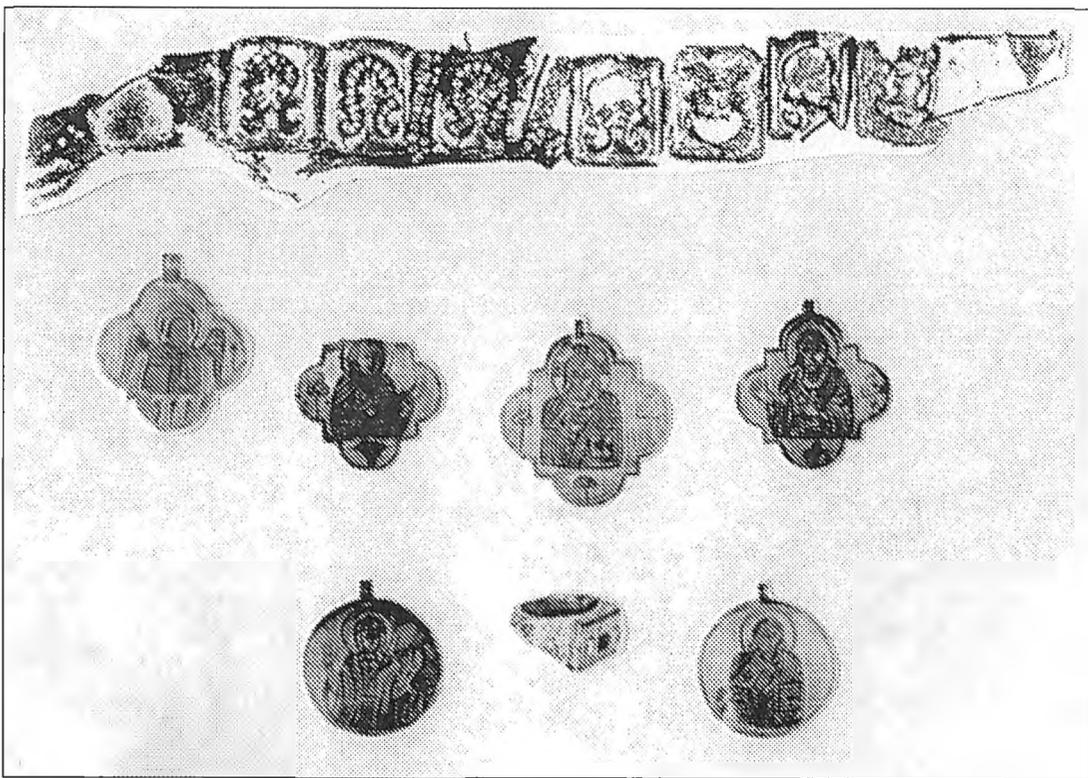
In the first half of the eleventh century, Volodymyr's son Yaroslav I, surnamed 'The Wise' on account of his concern for education and culture, considerably extended the church by building additional naves in the north, west and south, thus increasing its dimensions to 34.5 x 45 m. The first scholarly excavations of the church, carried out in 1908–14 by the architect Dmytro Milejev, revealed that beneath the stone foundations of the church, there was a wooden substructure consisting of two layers of rough-hewn wooden joists, laid cross-wise and secured by iron nails. The empty spaces between them were filled in with fine chips of yellow sandstone, and covered over with lime. This method of laying foundations was widely used in the eleventh century for churches and other large edifices in Kyiv, and indicates that a local school of architecture had already developed. The naves added to the original church were somewhat lower than the main, central section, giving it a tiered appearance.

Although in the first half of the eleventh century a famous new shrine, the Cathedral of St Sophia, was built in Kyiv, and took over the role of the seat of the metropolitanate, the former Church of the Tithes remained one of the mighty state edifices which symbolised endurance and continuity and gave the populace a sense of security. It is perhaps for this reason that the largest find in Kyiv of personal arte-

duction of Catholicism in the Galician lands, occupied by the Hungarian King Andrew II in 1214–19. It was not until 1254 that Danylo of Halych accepted a crown from Rome (under the influence of the Polish princes and King Bolesław II the Bold, who promised him assistance against the Tatars).



Artefacts from the hoard of 1842, discovered in the sanctuary of the Church of the Tithes. Bracelets (silver), fragments of a chain of medallions and a pendant (gold, enamel). In the Metropolitan Museum of Art in New York and Kyiv State Museum.



Artefacts from the 1939 hoard, discovered in the sanctuary of the Church of the Tithes (excavations by M.K. Karger).

facts from the princely era is associated with the Church of the Tithes. In times of danger, the people of Kyiv buried their valuables in and around the church. The majority of these were hidden during the last months and days of the existence of Kyivan Rus'.

The end of the statehood and power of Kyivan Rus' came suddenly, with the Mongol-Tatar invasion. During the 1230s, Khan Baty moved through the Slav lands, destroying everything in his path. After laying waste large territories of Rus', and bloody battles resulting in the capture of Pereyaslav and Chernihiv, the Tatar hordes, led by Baty's cousin Mengü Khan, reached Kyiv. Only the Dnipro lay between them and the city. The splendid city of Kyiv, its strong defensive fortifications, the gleam of the golden domes of its numerous churches and monasteries, and the beauty of its stone palaces made a great impression on the Mongols. Mengü



Ruins of the Church of the Tithes.  
From a nineteenth-century painting.

Khan was reluctant to storm the city, and instead offered the people of Kyiv terms of surrender. But the Kyivans 'having listened to him not', did not surrender the city. Then, in November 1240, the 140,000-strong Mongol army, led by Baty himself, crossed the Dnipro and besieged the city. In the words of the chronicler, the enemy 'brought siege-engines against the city' (outside the Lyadski gates), which ceaselessly pounded the walls, day and night. According to the *Third Pskov Chronicle*, the siege lasted for ten weeks and four days. Then, having breached the fortifications, the Tatars broke into the city. There was a valiant resistance by the Kyivan troops, led by the boyar Dmytro, the regent for Prince Danylo of Halych.<sup>6</sup>

The *Laurentian Chronicle* states that: 'In this year the Tatars took Kyiv and plundered St Sophia's and all the monasteries, and carried off the icons and crosses and all the church ornaments. And all the people, young and old, all they slew with the sword. This evil came to pass before Christmas, on St Nicholas's Day' (6 December 1240).<sup>7</sup>

Churches, monasteries and palaces, the homes and workshops of the people of Kyiv, books, manuscripts and works of art – all the precious cultural treasures of the

<sup>6</sup> Documentary sources contain little information about the boyar Dmytro. It is recorded only that he commanded the defence of Kyiv, was wounded in battle, and captured after the fall of the city. The Tatars respected his military talent and bravery, for which reason he was not executed.

<sup>7</sup> *Polnoe Sobranie Russkikh Letopisey* (hereafter *PSRL*), Vol. 1, p. 470.



The Church of the Tithes built in 1842 (architect Vasily Stasov).

state – went up in flames. The defenders were driven back to the ancient centre – to the stronghold of the ‘City of Volodymyr’, and the princely residence. There, in the princely court, beside the Church of the Tithes, in which people had taken refuge, the final and most bloody fighting occurred. The Church of the Tithes was packed with people, in the main body of the church, up in the galleries, and even in the sanctuary. When the storming of the church began, says the *Chronicle of Bygone Years*, ‘the walls collapsed under the strain’.<sup>8</sup> The Tatar siege-engines, which hurled rocks against the walls of the church, also played their part. Mykhailo Hrushevskyy, the doyen of Ukrainian historians, described the event thus: ‘The edifice of Volodymyr the Great, which symbolised the completion of the building of the Rus’ State, fell, burying in its ruins the remnants of its political order and its own hearth and centre’.

Archaeological excavations in Kyiv have revealed a shocking picture of the city destroyed by the Mongols. A mass grave excavated beside the Church of the Tithes contained hundreds of skeletons.<sup>9</sup> The devastation was so terrible that its extent could still be perceived several centuries later. Thus, at the beginning of the sixteenth century, the German diplomat Sigismund Herberstein wrote that ‘the ruins and remains of these ancient monuments testify that Kyiv was once a magnificent and truly imperial city’.

<sup>8</sup> *PSRL*, Vol. 2, p. 785.

<sup>9</sup> S.R. Kilievich, *Na gore Starokievskoy* (Kyiv, 1982).

<sup>10</sup> Petro Mohyla, a notable Kyivan scholar, patron of Ukrainian arts, and publicist, was born in 1574. He studied for a time at the renowned La Flèche College in the French province of Anjou, which served as a model for the College which he later founded in Kyiv in 1632. He worked incessantly to develop education and academic study in Ukraine, and for more than 20 years was at the forefront of Ukrainian book-publishing. At the age of 54 he was elected archimandrite of the Kyiv Monastery of the Caves, and at 59 became Metropolitan of Kyiv.

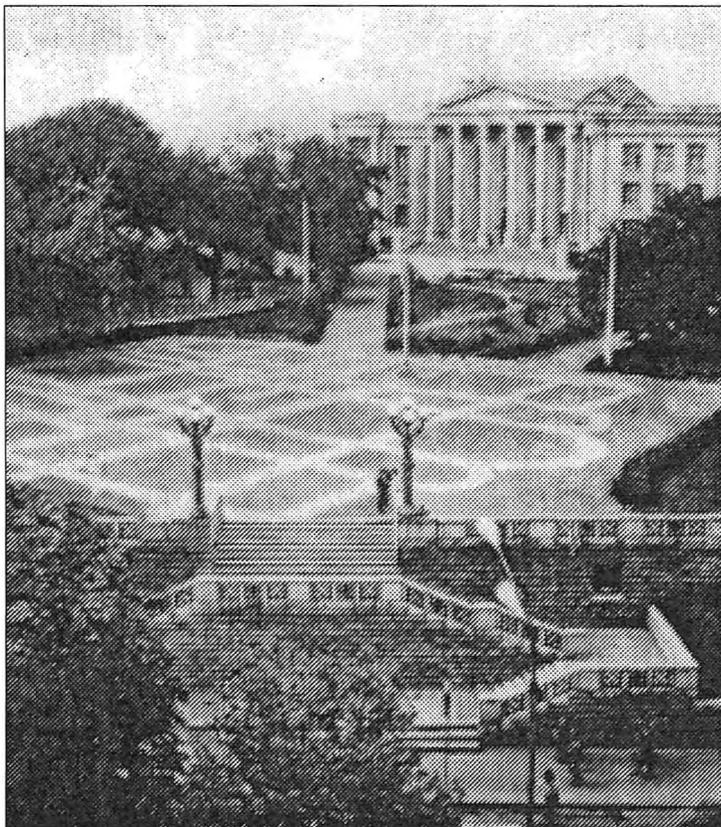
Centuries passed, but the Church of the Tithes remained in ruins. It was not until 1635 that the Metropolitan of Kyiv, Petro Mohyla,<sup>10</sup> who frequently visited the shrines of Kyiv, had a smaller church built on the ruins, in memory of the ancient church; this incorporated part of the surviving walls and was dedicated to St Nicholas. During one of his visits to the new church, Mohyla noticed some marble slabs where the soil had subsided, which proved to be the upper parts of the sarcophagi of Volodymyr and his wife Anna. Wishing to give due honour to the holy relics of the Prince and to stress the antiquity of Kyivan Orthodoxy, Mohyla had Volodymyr's skull transferred to the Church of the Saviour in Berestiv, and later, for greater safety, to the Church of the Dormition in the Kyivan Monastery of the Caves. Mohyla likewise gave Volodymyr's wrist and jawbone to St Sophia's Cathedral. The sarcophagi were then reinterred. Mohyla, who was interested in raising the status of the Orthodox Church, was very active in the restoration of church buildings, and just before his death in 1647 he assigned 1,000 zloty for the complete reconstruction of the Church of the Tithes. However, for more than a century no one was concerned about this church. Only in 1758 did Nektariya Dolhoruka, a nun from the Floriv convent, undertake the reconstruction of the church. Once again the marble sarcophagi were found and reinterred.

In 1822 Evgeniy Bolkhovitinov was appointed Metropolitan of Kyiv. He was an eminent scholar, who in 1806 had been elected a full member of the Imperial Academy of Sciences in St Petersburg for his work in philology, archaeology and church history. On his initiative, on 17 October 1824, excavations began at the Church of the Tithes. The Metropolitan assigned the task of clearing the foundations of the ancient church to a priest, Fr. Mykhailo Kohorovskyi, and an archaeologist, Kindrat Lokhvytskyi. There were plans to build a new church on that site. The foundations of the Church of the Tithes were uncovered in less than two months. Fragments of marble, mosaics and jasper were found. However, the site was left unguarded and the finds were stolen. The 'miraculous' objects were mounted in gold and silver and found an easy sale to antiquarians and pilgrims. The plan of the church, drawn up from observations of the uncleared site, was found to be incorrect. In 1826 further excavations were carried out by the architect Mykola Yefimov, who drew up a more accurate plan of the church. The foundations of almost the entire eastern part of the church had been broken up and carried off – probably with the aim of recovering the beautiful red quartzite.

A competition was announced for the best design for a new church, and a number of designs were submitted. The Kyiv architect Andriy Melenskyi was among those who competed, but his work did not find favour with the judges, who decided that the plan of the St Petersburg architect Vasily Stasov was better, although it, too, had certain flaws. On 2 August 1828, the beginning of construction work on the new church was solemnly blessed. Building operations continued for almost 14 years, and cost over 100,000 gold roubles. Oleksander Annenkov, a wealthy landowner whose residence adjoined the site, made a considerable contribution to the cost.

On 15 July 1842 Metropolitan Filaret of Kyiv, Archbishop Nykanor of Zhytomyr and Bishop Yosyf of Smolensk ceremonially consecrated the reborn Church of the Tithes.

The external appearance of the church evoked some opposition. Certain people approved of its grandeur, while others felt that the St Petersburg architect had not paid sufficient heed to the specific features of the Kyivan landscape and that



Outline of the foundations of the Church of the Tithes on the Old Kyiv Hill. In the background, the National Museum of Ukraine.

the new church with its heavy forms overshadowed the Church of St Andrew, the masterpiece of Bartholomeo-Francesco Rastrelli.

The outside of the church was stuccoed and adorned with figures of saints. The massive domes were painted green, since there was insufficient money to gild them. Inside, the iconostasis was constructed from copies of icons on the iconostasis of the Cathedral of Kazan in St Petersburg, made by the artist Volodymyr Borovykovskiy. Part of the floor was paved with slabs of various coloured marble, red slate and jasper, the rest was wooden. The main sacred treasure of the church was the ancient miraculous icon of St Nicholas, which had been brought from Kherson by Grand Prince Volodymyr.<sup>11</sup> There was also an icon of St Olha, a copy of the work by Gregory, the court painter of Byzantine Emperor Constan-

<sup>11</sup> It is noteworthy that legend also connects the half destroyed removable icon of the Saviour from the Dormition Church of the Kremlin with Prince Volodymyr, who brought it from Kherson. (A.I. Anisimov, *Domongolskiy period drevnerusskoy zhiupisi. Voprosy restauratsii*, Vol. II, Moscow, 1928, p. 173).

tine Porphyrogenitus (reigned 912–59), which stressed the spiritual links between those two great mediaeval states – Kyivan Rus' and Byzantium. Travellers were also drawn to visit this church in order to pay their respects to the relics of the 'baptiser of Rus'.

The new church did not fully cover the foundations of the ancient church, the sanctuary of which extended beyond the new building. After construction was completed and plans were being made for the area surrounding the church, a small crypt was discovered, where the sanctuary of the ancient church had been. In this completely unexpected place a great hoard of treasures from the princely period was found. Unfortunately, this hoard, regarded as the most important ever discovered in Kyiv, was never properly researched, and only fragmentary evidence of its composition remains. According to the surviving data, it consisted mainly of gold ornaments with intaglio enamel and golden vessels. There is reason to believe that these were church vessels, brought from Byzantium to adorn the new church and to impress the new converts with the magnificence of church ritual. The artefacts were hidden in the sanctuary of the church, which to the mediaeval imagination symbolised the kingdom of heaven.

According to one of Annenkov's servants, the treasure was stolen at the time of the discovery – Annenkov put it into two large sacks and hid it in his house. From the gold chalices alone, which he sold to be melted down, he made several thousand roubles. Over the next few years, he sold off small parts of the treasure to various museums. Some of them ended up in Moscow, at the Armoury and the Art Museum of Moscow University. In 1850 some 10 items from this hoard were delivered to the Tsar; these were later handed over to the Museum of the St Volodymyr University in Kyiv.

Collectors began to show interest in this treasure. To get a safer place to store it, Annenkov acquired the Dumnyi estate in the Lubny district of the Poltava gubernia, and transferred the treasure there. The small golden ornaments alone filled two drawers in a large chest. However, Annenkov died without acquiring a clear legal title to his property. Legal proceedings began, since both the old and the new owners had claims to the real estate and moveable property. As a result, a considerable part of the hoard disappeared. Thus one of the greatest treasures ever found in Kyiv was lost.<sup>12</sup>

Certain items found their way by various routes into private collections, the most important of these being that of O. Zvenyhorodskiy. His collection consisted of 43 Byzantine and Old-Kyivan enamels. After his death, his widow petitioned the Cabinet of Ministers of Russia to acquire this collection for the state. However, although a commission of experts on Byzantine art pronounced it unique, it was not acquired for the state, but instead passed into the hands of the American financier and collector J.P. Morgan. In 1917, after Morgan's death, his son donated the collection to the Metropolitan Museum of Art in New York. Hence some of the artefacts from the greatest Kyivan hoard, discovered in the sanctuary of the Church of the Tithes in 1842, can today be found in four museums around the world – in Ukraine, Russia and the USA.

<sup>12</sup> V. Lyaskoronskiy, 'Sudba odnoy arkhelogicheskoy nakhodka', *Zhurnal Ministerstva Narodnogo Prosveshcheniya* (St Petersburg, March 1913), pp. 91–98.

At the beginning of the twentieth century, the sacred relics of the Church of the Tithes were at last submitted to proper scholarly research. At that time the courtyard of the church and even part of the street adjacent to it were paved with slate from the foundations of the ancient church and tiles which had once formed part of the floor.<sup>13</sup> The Imperial Archaeological Commission adopted a ten-year programme of archaeological investigations of ancient Kyiv. The first site to be studied was that of the Church of the Tithes and its precinct. The centuries-long history of the church evoked a profound interest in researchers, and promised to yield interesting results. Excavations began on 4 June 1908, but were interrupted by the outbreak of World War I. Furthermore, the head of the excavations, the architect Milejev, died unexpectedly during a typhoid epidemic. Much of the material unearthed by the excavations, which had been preserved in the new Church of the Tithes, was taken to St Petersburg and the documentation was lost. During these excavations, six treasures from the princely era were found. For 80 years, the fate of these finds was unknown. Only two years ago it was possible to establish that one of the treasures, a collection of silver ornaments, is to be found in the Hermitage in St Petersburg, together with what is left of Milejev's collection.

The events of the 1230s, when many churches and monasteries of Kyivan Rus' were destroyed and looted, are strangely reminiscent of the events of the 1930s, when, as a result of Stalin's drive against religion, the new Church of the Tithes, together with many other Kyivan churches, was destroyed by the Soviet authorities. Other churches destroyed at this time included some mentioned in the ancient chronicles, which bore witness to the might, glory and high culture of Kyivan Rus', including St Michael's Golden-Domed Church and the Church of Our Lady of Pirohoshcha (the Defender of Walls).

However, even under these conditions research on the Church of the Tithes continued. In 1938–39 archaeological investigations were carried out, which fully uncovered the foundations of Volodymyr's church and yielded much interesting material. In the western part of its central nave, an ancient sanctuary (4.4 x 4.6 m) was discovered, in which there was a unique find: beside the skeleton of a woman, under fragments of rotten cloth, there was a collection of precious artefacts. These included a gold ring with precious stones, a gold-plated Venetian pendant, silver medallions, pins, a torque, crosses and cloth decorated with gold sequins and pearls. The earlier archaeologists paid no attention to the significance of this treasure and left it outside the ambit of Old-Rus' treasures. It was not made the subject of a separate study, its items were not properly recorded in detail, and some were described incorrectly. The museum description of the excavations of 1939 was compiled only after World War II, when some of the treasures from the find had already gone missing. Only very recently did it become possible to describe this material in detail, pointing out the most important things, such as the diadem, the necklace, details of shoulder adornments, and to prove that these valuables form a single collection which the owner had no time to bury, and which, together with her body, lay buried beneath the ruins of the Church of the Tithes for almost seven centuries.<sup>14</sup>

<sup>13</sup> *Izvestia Imperatorskoy Arkheograficheskoy Komisii*, Appendix to Part 27 (St Petersburg, 1908), p. 52.

<sup>14</sup> L. Pekarska, 'Dorohotsinnosti taynyka Desyatynnoyi tserkvy', *The Desiatynna Virgin Church (Kyiv)* (Kyiv: ArtEc Publishers, 1996).

The Church of the Tithes has been the object of research for almost 400 years. During this period, many works have been written about it, and a great deal of material has been acquired. However, fate has so willed that the treasures of the most ancient period of the Church of the Tithes have been scattered among many museums of the world.

This year, for the first time in the entire history of the Church of the Tithes, the enormous amount of material from these researches and investigations of many eras will receive worthy public attention. This will prove valuable not only to scholars, but also to the general public. On 12 May 1996, the National Museum of Ukraine opened a special exhibition and academic conference on the millennium of the Church of the Tithes.

As the Mother-Church of the land of Rus', the Church of the Tithes was the primordial spiritual jewel of Kyiv and the whole of Rus'. The fate of this church mirrors the fate of Kyivan Rus' itself. Built when the Kyivan state was first achieving international recognition, it was destroyed at the moment of the downfall of that state. But the Church of the Tithes can still be seen today – in graphic reconstructions and in the materials of archaeological research, and will continue to provide a fruitful field of research for many years to come. □

## The Arts

### **The Tale of Ihor's Host in the English-Speaking World**

Roksolana Zorivchak

**T**he *Tale of Ihor's Host* is a celebrated relic of the literature of Kyivan Rus', which has won international recognition and is accepted as an eternal treasure of world literature. In particular, *The Tale* is also very popular in the English-speaking world, especially in the twentieth century. And this is very important, in view of the extent of the use of the English language: for over one billion people around the world English is the first, second or third language, for 350 million people the English language is the native tongue, and it is the official language in 60 states. *The Tale* appeals to the English-speaking world as a work of exceptional beauty and peak of artistic form, and hence as a witness to the high level of poetic culture in Kyivan Rus'. There is also an element of mystery in *The Tale*, and mystery has a special attraction.

There are numerous English translations of *The Tale*, as well as a number of critical works. One has only to look at the annotated bibliography of critical works on *The Tale* by non-Soviet authors of the twentieth century (most of which are in English), compiled by Henry R. Cooper Jr. in 1978.<sup>1</sup>

*The Tale*, like any other literary masterpiece, is very difficult to translate. It contains many subtle visual, sound and prosodic images, unique poetic imagery, and almost no words without intensive contextual connotational semantics. Its symbolism (and symbolism is frequently a component of national and contemporary context) is also exceptionally difficult. S.P. Pinchuk<sup>2</sup> is correct in his assertion that

'The tropes of *The Tale* are often so complex that only a subtle aesthetic intuition and a profound understanding of the nature of the imagery of *The Tale* can serve as an instrument for the revealing of the content of the imagery and an evaluation of the verbal form of its embodiment'.

The proper nouns of the poem are exceptionally difficult to recreate. Expressive syntax, particularly the quite free order of words (almost absent in present-day English-language poetry), plays an important role in its stylistic form. The structure of *The Tale*, with its numerous assonances and distinctive system of alliteration, is intriguingly chimerical and rhythmic. Certainly, the fact that assonance and alliteration are characteristic of English-language poetry and create to a marked degree its phonetic pattern makes the translator's task somewhat easier. Anglophone translators may draw a certain support from the fact that there are already many translations (although each translator follows his own, as yet undiscovered, path)

<sup>1</sup> H.R. Cooper Jr., 'The Igor tale: An annotated bibliography of 20th century Non-Soviet scholarship on the Slovo', *Columbia Slavic Studies* (White Plains, New York: M.E. Sharpe; London: Mansell, 1978).

<sup>2</sup> S.P. Pinchuk, *Slovo o polku Ihorevim: Krytychnyi narys* (Kyiv: Vyshcha shkola, 1973), p. 90.

into various languages, first and foremost, in Russian, with which they are most familiar (the translations of V.A. Zhukovskiy, Dmitri Likhachev, V.I. Stelletskiy, Ye.O. Pavlenko, L.I. Timofeev, et al), since it is the Anglophone translators of Russian belles-lettres who are most often translators of *The Tale*.

The first English-language translations of the poem appeared in the second decade of the twentieth century. In 1915 the translator Leonard A. Magnus (he also translated Ukrainian poetry, particularly Shevchenko's poem 'Days are passing, nights are passing...') made a prose translation of *The Tale*. Published by the English Philological Society, this bilingual parallel text version contains a preface by the translator, and also his commentaries and glossary. The preface gives the history of *The Tale* and its historical background.<sup>3</sup> Shortly after, in 1918, appeared another, also prose, and fairly free translation of *The Tale* (with a print run of only 125 copies) by Helen de Vere Beauclerk.<sup>4</sup>

*The Tale* was twice translated (as co-author) by the Canadian Anglophone translator and politologue Prof. W. Kirkconnell. He first translated *The Tale* in 1947 in cooperation with the Ukrainian litterateur P. Krat, who also collaborated with another translator of Ukrainian belles-lettres F.R.H. Livesey. The translation was published with the financial support of the Petro Mohyla Ukrainian Institute.<sup>5</sup> Even from the point of view of content, the translation is far from adequate and contains many omissions. Moreover, *The Tale*, which does not have a strict poetic form or size, but is composed of rhythmic units of various length, was reshaped into tetrameter trochees, borrowed, as stated in the preface, from Henry Wadsworth Longfellow's *Song of Hiawatha*. This of course fundamentally changes the character of the work, alters its essence, and fails to recreate its rhythmic diversity. The preface to the translation contains unsubstantiated conjectures, as for example the unsupported statement that the name of the river 'Kayala', on whose banks the Rus' army suffered defeat, is derived from the verb 'kayatsya' (to repent), and is thus purely symbolic. What is important, however, is that Kirkconnell and Krat were the first Anglophone translators of *The Tale* to refer to it as a work of old Rus' (and not old Russian) literature. This is also reflected in the translation, which speaks of 'the land of Russ', 'the Russ princes' (the double 's' is infelicitous – the palatalisation Rus' would have been better).

Kirkconnell's second translation of *The Tale*, made together with K.H. Andrusyshyn, was published in 1963 in the anthology *The Ukrainian poets, 1189–1962*, which they compiled and translated, and which encompasses eight centuries of the development of Ukrainian literature.<sup>6</sup> This second translation has no omissions and exhibits a considerable variety of verse form.

One Anglophone translation of *The Tale* appeared outside the English-speaking world, in the *Trudy Tbilisskogo pedagogicheskogo instituta inostrannykh yazykov*

<sup>3</sup> L.A. Magnus (ed. and transl.), *The Tale of the armament of Igor, A.D. 1185: a Russian historical epic* (London: Oxford University Press, 1915), LXIII.

<sup>4</sup> *The Tale of Igor*. Adapted from the Old Russian legend by Helen de Vere Beauclerk, (London: C.W. Beaumont, 1918).

<sup>5</sup> *Prince Ihor's raid against the Polovtsi*. Translated by P.C. Crath, versified by W. Kirkconnell (Saskatoon, Sask.: The Petro Mohyla Ukrainian Institute, 1947), III.

<sup>6</sup> The Tale of the campaign of Ihor, son of Sviatoslav, grandson of Oleh', *The Ukrainian poets, 1189–1962*. Compiled and translated into English verse by C.H. Andrusyshyn and W. Kirkconnell (Toronto: University of Toronto Press, 1963), pp. 3–21.

(Works of the Tbilisi Pedagogical Institute of Foreign Languages) in 1958. It was made by I. Petrova. In 1981 this translation was reprinted by Moscow's 'Progress' publishers as a bilingual edition with parallel Old Rus' text. The introduction, comments and Russian translation are by Dmitri Likhachev. From the polygraphic and artistic point of view, the publication is irreproachable, with beautiful illustrations by V. Favorskiy.<sup>7</sup> In the introduction, Likhachev gives a detailed analysis of *The Tale* and its historical background, aimed at the Anglophone reader. Likhachev devotes great attention to the artistic characteristics of the poem, and its connections with folk-lore tradition. He corrects, in general terms, the view of the French researcher A. Mazon, who considered *The Tale* a later pastiche.<sup>8</sup> Unfortunately, the introduction cannot be regarded as objective because he considers the poem a treasure of Russian literature, 'forgetting' that it was created by the Rus' (that is old Ukrainian) people.

In 1960 in New York there appeared a translation by Vladimir Nabokov with his foreword and commentaries.<sup>9</sup> Of all the Anglophone translators of *The Tale* Nabokov (1899–1977) was certainly the most talented and, it would seem, the most deeply versed in the original and its historical context. He was an immigrant from Russia, a graduate of Cambridge University, the author of prose and poetic works in Russian and English (the celebrated work *Lolita*, 1958), a critic, and a translator (*Yevgeniy Onegin*, 1955). *The Tale* interested him, as he writes in the foreword, not as a poetic chronicle of its time, not as a work of great political and patriotic weight, but, rather, as the creation of beauty outside time. However, Nabokov also regards the poem as exclusively part of Russian literature, writing about 'Kievan Russia', 'ancient Russian language', 'Russian princes', etc.

In 1966, appeared a translation by D. Ward,<sup>10</sup> in 1973 by R.C. Howes,<sup>11</sup> and in 1979 a translation of the well-known Anglophone expert on *The Tale* R. Mann.<sup>12</sup>

With the exception of Kirkconnell and his co-translators, all the other translators unconditionally attribute *The Tale* to 'Russian' literature. Obviously, one cannot fail to be surprised by such ignorance on the part of the translators (for every translator is – or should be – simultaneously a researcher), their reluctance to see the truth (I have in mind, first and foremost, Nabokov and Likhachev). In addition to historical factors (Ukraine's sad history, lack of statehood, the iron curtain, which separated Ukraine from the whole world, etc.), this was partly due to linguistic factors: just as in the Russian language, in English there is no difference between the adjectival terms 'of Rus'' and 'Russian'; the apposite transliteration 'Rus'' was almost never used, and everywhere the word is 'Russian'. At the present time, there is some improvement in this matter, first and foremost, because Ukraine has become independent, and has appeared on the political map of the

<sup>7</sup> *Slovo o polku Ihoreve = The lay of the warfare waged by Igor*. Translated by I. Petrova (Moscow: Progress publishers, 1981).

<sup>8</sup> A. Mazon, 'Le Slovo d'Igor', *Travaux publiés par l'Institut d'Etudes slaves* (Paris, 1940), No. XX.

<sup>9</sup> *The song of Igor's campaign: An epic of the twelfth century*. Translated by V. Nabokov (New York: Vintage Books, 1960).

<sup>10</sup> 'The Tale of the host of Igor'. Translated by D. Ward. *Forum for Modern Language Studies*, April, 1966, Vol. 2, No. 2.

<sup>11</sup> *The tale of the campaign of Igor*. Translated by R.C. Howes (New York: W.W. Norton & Co., Inc., 1973).

<sup>12</sup> *The song of Prince Igor*. Transl., introd. and comm. by R. Mann (Eugene, Oregon: Vernyshore press, 1979).

world. Thus in the latest edition of *The Encyclopedia Americana*<sup>13</sup> we find the term 'Kievan Rus'. Likewise, British Foreign Secretary Malcolm Rifkind, addressing the Institute of International Relations in Kyiv on 4 September 1995, spoke much about the relations between Ukraine and Europe at the time of 'Kievan Rus'.<sup>14</sup> Undoubtedly, a certain positive influence on the distinction of the terms 'Rus' and 'Russia' resulted from the foundation of such Ukrainian academic centres as the Ukrainian Research Institute of Harvard University (1973), the Canadian Institute of Ukrainian Studies (1976), the publication of the works of leading Ukrainicists and historians in the English-speaking world, particularly I. Lysyak-Rudnytskyi and Orest Subtelnyi, as well as the five-volume *Encyclopedia of Ukraine* (1984–93).

As far as the adjective 'Rus'kyi' is concerned, if one has the will, it is not difficult to find a solution. Since in English (as opposed to Ukrainian) a noun may very often be used adjectivally, so hence the transliterated nominal form 'Rus' could be used in such expressions as: 'Rus' state'. One can also render the adjectival form 'rus'kyi' by 'Ruthenian' (as a historical reality – 'rusych', 'rus'kyi'). Thus in the Kirkconnell-Andrusyshyn translation the word 'Ruthenian' is used specifically in this understanding, c.f.: 'Ruthenian wives burst forth in lamentation'.<sup>15</sup> In the major English and American lexicographic dictionaries the lexeme 'Ruthenian' is to be found, but with the following meaning, c.f.: 'Ruthenian, n., 1 a member of a group of Ukrainians, or Little Russians, living in Ruthenia and Eastern Czechoslovakia; 2 their East Slavic language closely related to Ukrainian; a. 1 of Ruthenia or Ruthenians; 2 of Ruthenian';<sup>16</sup> 'Ruthenian, n., region in Western Ukrainian SSR, formally a province in Czechoslovakia; Ruthenian, n., 1 any of the group of Ukrainians living in Ruthenia; the Ukrainian dialect; a. of Ruthenia or Ruthenians; 2 of Ruthenian'.<sup>17</sup> In reality the definition should be as follows: 'Ruthenian, n., 1 an inhabitant of Kyivan Rus'; 2 the language of the inhabitants of Kyivan Rus'; a. of Rus'.

As regards other problems, then in the mentioned translations there are many interesting discoveries, questions for further debate, guesses at obscurities and discrepancies between them and the original in a broad philological context, which still await a serious researcher.

Unfortunately, there are far too few critical works about the translations themselves. Of those which exist, pride of place must go to the very valuable article by D. Ward on his work on the translation of *The Tale*.<sup>18</sup> In it he dwells in greater detail on the 'obscurities' of *The Tale*, on the reproduction of the functions of expressive syntax (in particular the word order, parallel syntactical constructions), archaisms, verbal images, and prosody. In the final section of the article, the author gives concrete examples of the solution of particular translating problems.

<sup>13</sup> *The Encyclopedia Americana*. International Edition: (30 vols., Danbury, Conn.: Grolier Inc., 1992), Vol. 24, p. 1.

<sup>14</sup> 'Building a new Europe'. Speech by Foreign Secretary Malcolm Rifkind, at the Institute of International Relations, Kyiv, 4 September 1995, p. 1.

<sup>15</sup> Andrusyshyn & Kirkconnell, op.cit, p. 10.

<sup>16</sup> *Webster's new twentieth century dictionary of the English language* unabridged, 2nd edition (New York: The Publishers Guild, Inc., 1958), p. 1590.

<sup>17</sup> *Webster's new collegiate dictionary*, 3rd edition (New York: The Publishers Guild, Inc., 1986), p. 1177.

<sup>18</sup> D. Ward, 'On translating Slovo o polku Igoreve', *The Slavonic and East European Review*, June 1958, Vol. XXXVI, No. 87, pp. 502–12.

In Ukraine, in connection with the 800th anniversary of the poem in 1965, there appeared an article by Prof. Yu.O. Zhluktenko on its English translations.<sup>19</sup> It is true, he made a comprehensive analysis only of the translation of I. Petrova. But under the prevailing totalitarian regime it was an act of uncommon bravery that Zhluktenko gave bibliographical information about the translations of Kirkconnell, Krat, Ward, and Nabokov. This article constituted a subtle linguo-stylistic analysis of the original and its English interpretation. If he had the opportunity to compare the various translations, then his study, clearly, would have been more successful. It is worth noting that (as far as I am aware) neither in Russian, nor Belarusian translationology are there any works devoted to English translations of *The Tale*.

In 1978 in the Ukrainian Free University in Munich a certain M. Pankiv defended an English-language dissertation on the theme 'Canadian-English translations of "The Tale"', which made a comparative analysis of the two translations of *The Tale* by Kirkconnell and his co-authors. Unfortunately, the defence of dissertations at the Ukrainian Free University is not followed by the publication of author's abstracts and articles reflecting the content of the research. Hence the achievements of this dissertation were not introduced into academic circulation, at least in Ukraine. The only mention of it is in the bibliographical index of B.S. Wynar.<sup>20</sup>

As for the works on *The Tale* in English, the majority of these are of an informative character, and it is good that in general this information is correct. It is not easy for researchers whose native language is not Ukrainian to demonstrate something new about the poem, particularly after the works of V.M. Perets, V.P. Adrianova-Perets, Mykhailo Hrushevskiy, Dmytro Chyzhevskiy, Dmitri Likhachev, M.K. Hudziy, O.I. Biletskyi, L.Ye. Makhmovets, N.P. Okhrimenko, S.P. Pinchuk and other very profound researchers.

In the field of comparative literature there is the doctoral dissertation of A.M. Barker<sup>21</sup> 'Sea and Steppe imagery in Old English and Old Russian epic' in 1976. In her opinion *The Tale* and the Old English epic *Beowulf* serve as convincing evidence of the effectiveness of descriptions of nature as the background for the picturing of the achievements of people in heroic poetry. Citing in detail the textual material, the author demonstrates that pantheism in *The Tale* is very deep, while in *Beowulf*, on the other hand, the sea is personified only negligibly. To comparative literature also belongs the research of Oleh Romanyshyn "'The Tale of Ihor's campaign" and "The poem of Cid": A tentative comparative study'.<sup>22</sup>

Among the monographs dedicated to the imagery of the poem, the research of Yu. Besharova, who reviews the problem in the light of Byzantine-Slavonic poetics, deserves particular attention.<sup>23</sup>

In 1984 R.L. Mann, the translator of *The Tale*, defended in the University of Kansas a doctoral dissertation 'Oral composition in The Slovo o polku Igoreve',

<sup>19</sup> Yu.A. Zhluktenko, "'Slovo o polku Igoreve" v angliyskom perevode', *Teoriya i praktika perevoda Respublikanskiy mezhdovedstvennyi nauchnyi sbornik*, 1985, 12th edition, pp. 3-10.

<sup>20</sup> *Ukraine: A bibliographic guide to English-language publications*. Compiled by B.S. Wynar (Englewood, Colorado: Ukrainian Academic Press, 1990), p. 293.

<sup>21</sup> A.M. Barker, 'Sea and Steppe Imagery in Old English and Old Russian Epic', PhD dissertation (New York University, 1976).

<sup>22</sup> O.S. Romanyshyn, "'The Tale of Ihor's campaign" and "The poem of Cid": A tentative comparative study', *The Ukrainian Review*, 1970, Vol. 17, No. 3, pp. 65-84.

<sup>23</sup> Ju. Besharov, *Imagery of Igor's tale in the light of Byzantine-Slavic poetic theory* (Leiden: E.J. Brill, 1956).

which related the poem to the oral traditions of Kyivan Rus'. Very close thematically to this dissertation is his monograph *Lances sing: A study of the Igor tale*.<sup>24</sup> In both works Mann reviews in detail the imagery of wedding songs, wailing for the dead and other popular traditions, echoes of which can be perceived in the poem. Mann also makes a certain parallel between *The Tale* and *Zadonschbchina* (a narrative of Dmitri of the Don, Grand Prince of Muscovy, and his victory over the Tatars at the battle of Kulikovo, 1380), offers his (quite interesting) interpretation of obscure words and expressions, and stresses that this was, indeed, an oral work. Obviously, both the dissertation and the monograph are valuable because their author is an Anglophone researcher. Yet, once again, he was hardly in a position to say something new, for example, about the interrelation between *The Tale* and *Zadonschbchina* after the works of Adrianova-Perets and others. Mann also wrote a number of other articles on this theme, including, in particular, a study in which he postulates – without any real evidence – the possibility of the loss of an entire page in the introductory part of the poem.<sup>25</sup>

One of the first doctoral dissertations on the poem was that of V. Sajkovic in 1953: "The Tale of Igor" studies on the question of its authenticity: Trends in the history of its criticism', at the University of Pennsylvania (Philadelphia). This focuses on the historical, ideological and linguistic problems surrounding *The Tale*, its place in the context of the culture of Kyivan Rus', and reviews the literature of the subject. Sajkovic convincingly demonstrates the authenticity of *The Tale*. A fairly full analysis of published English-language materials on the history of the discovery of the poem and its authenticity is to be found in *Early Russian Literature* by J. Fennell and A. Stokes, published in 1974.<sup>26</sup>

However, the argument about the authenticity of the poem continues unabated, indeed, since the collapse of the Soviet Union it has become even more intense. At the XI International Congress of Slavists in Bratislava on 30 August–8 September 1993, the American researcher W. Schamschula presented a paper on *The Tale* and its Czech and Gaelic connections.<sup>27</sup> In it he repeats the long-allayed suspicions of M. Caryer and later A. Mazon, and bases himself on works of the Russian researcher A.A. Zimin<sup>28</sup> and from Oxford J. Fennell,<sup>29</sup> as well as on newer works by, in particular, V.P. Kozlov,<sup>30</sup> H.M. Moyseyeva and M. Krbets.<sup>31</sup> Basing himself on an analysis of the sources, he asserts that *The Tale* expressed the concept of the group of A.I. Musin-Pushkin (unity of Russia in the borders of Old Rus') in the form of a description of a heroic episode from ancient history. The author of *The Tale* was, in his view, I.P. Yelagin (he cites par evidence, in particular, Yelagin's unpublished work *Opyt povestvovanyya o Rossii*, discovered by

<sup>24</sup> R.L. Mann, *Lances sing: A study of the Igor tale* (Columbus, Ohio: Slavica Publishers, 1990).

<sup>25</sup> R. Mann 'Is there a passage missing at the beginning of the Igor tale?', *Slavic Review*, 1982, Vol. 4 (41), pp. 666–72

<sup>26</sup> J. Fennell, A. Stokes, *Early Russian Literature* (Berkeley; Los Angeles, 1974), pp. 191–206.

<sup>27</sup> W. Schamschula "The Igor's tale" and its late 18th century Czech and Gaelic connections', *XI Medzinárodný zjazd slavistov. Bratislava, 1993: Zborník resumé* (Bratislava: Veda, 1993), p. 187.

<sup>28</sup> A.A. Zimin 'Kogda bylo napisano "Slovo"?', *Voprosy literatury*, 1963, No. 3, pp. 135–52.

<sup>29</sup> J. Fennell, "The Slovo o polku Igoreve": The textological triangle', *The Oxford Slavonic papers*. New series, 1968, Vol. 1, pp. 126–37.

<sup>30</sup> V.P. Kozlov, *Kruzbok A. I. Musina-Pushkina i 'Slovo o polku Igoreve'* (Moscow, 1988).

<sup>31</sup> G.M. Moyseyeva, M. Krbets, *Yozef Dobrovskiy i Rossiya* (Leningrad, 1990).

Kozlov), who was assisted by, possibly, other members of the group, in particular I.M. Boltin, M.M. Bantysh-Kamenskyi, O.F. Malynovskyi.

At the Congress not a single scholar of the east European researchers, like the Slavists of the English-speaking world, entered into discussion with Schamshula. His paper was published in full in the collection of American materials of the XI International Congress of Slavists. It would, of course, be relevant for competent experts to debate in international learned publications, just as in his time R. Jakobson soundly disproved Mazon's theory.<sup>32</sup> Serious scholarly research on *The Tale* by Ukrainian and English-speaking scholars, published in English-language journals and academic collections, is the most effective means to strengthen the awareness of *The Tale* as a valuable treasure of Ukrainian culture within the English-speaking academic world.

#### Translations of *The Tale of Ibor's Host* into English

- 1898: 'The Song of Prince Igor's Band', translated by J.A. Joffe, *Stories from the Classical Literature of Many Nations*. Edited by B. Palmer (New York: Macmillan), pp. 13–41.
- 1902–3: 'The Song of Prince Igor', translated by L. Wiener, *The Anthology of Russian Literature: From the Earliest Period to the Present Time* (New York & London), pp. 15–38.
- 1915: *The Tale of the Armament of Igor, AD 1185*. Edited and translated by Leonard A. Magnus (London: Oxford University Press).
- 1918: *The Tale of Igor*. Adapted from the Old Russian legend by Helen de Vere Beauclerk (London: Beaumont).
- 1919: 'The Lay of the War-ride of Igor', translated by Alexander and Wanda Petrunkevich, *Poet Lore*, No. 30, pp. 289–303.
- 1943: 'The Song of Igor's Campaign', translated by B.J. Guernsey, *A Treasury of Russian Literature* (New York: The Vanguard Press), pp. 15–41.
- 1947: *Prince Ibor's Raid against the Poloutsi*, translated by P.C. Crath, versified by W. Kirkconnell (Saskatoon, Sask.: Petro Mohyla Ukrainian Institute).
- 1948: 'The Song of Igor's Campaign', translated by S.H. Cross, "La geste du Prince Igor: Épopée russe du douzième siècle". Edited by H. Gregoire, R. Jakobson, M. Szeftel, J.A. Joffe, *Annuaire de l'Institut de philologie et d'histoire orientales et slaves*, Vol. 8 (New York), pp. 256–89.
- 1955: 'The Tale of the Host of Igor', translated by D. Ward, *The Bridge*, December, pp. 7–20.
- Reprint 1966: *Forum for Modern Language Studies*, Vol. 2, pp. 160–74.

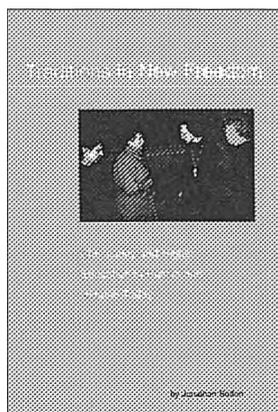
<sup>32</sup> R. Jakobson, 'The puzzles of the Igor's tale on the 150th anniversary of its first edition', *Speculum*, January 1952, Vol. XVII; Jakobson op. cit., *Selected writings* (The Hague, Paris, 1966), Vol. IV, pp. 380–410.

- 1958: 'The Lay of the Warfare Waged by Igor', translated by I. Petrova, *Trudy Tbilisskogo pedagogicheskogo instituta inostrannykh yazykov*, Vol. 1, pp. 158–244.  
Reprint 1981 *Slovo o polku Igoreve = The Lay of the Warfare Waged by Igor*. Translated by I. Petrova (Moscow: Progress Publishers).
- 1960: *The Song of Igor's Campaign: An Epic of the Twelfth Century*. Translated by Vladimir Nabokov (New York: Vintage Books).
- 1962: 'The Song of Prince Igor, translated by D. Obolensky, *Penguin Book of Russian Verse* (Baltimore: Penguin), pp. 34–61.
- 1963: 'The Tale of Igor's Campaign, translated by S. Zenkovsky, *Medieval Russia's Epics, Chronicles, Tales* (New York: Dutton), pp. 13–31.
- 1963: 'The Tale of the Campaign of Ihor, Son of Sviatoslav, Grandson of Oleh', *The Ukrainian Poets, 1189–1962*. Selected and translated into English verse by C.H. Andrusyshen & W. Kirkconnell (Toronto: The University of Toronto Press), pp. 3–21.
- 1967: 'The Song of Igor's Campaign', translated by B. Dmytryshyn, *Medieval Russia: A Source Book, 900–1700*, pp. 11–29.
- 1973: *The Tale of the Campaign of Igor*. Translated by R.C. Howes (New York: W.W. Norton & Co., Inc.).
- 1979: *The Song of Prince Igor*. Translated, introduced and comments made by R. Mann (Eugene, Oregon: Vernyhore Press).

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## Reviews



**Traditions in New Freedom. Christianity and Higher Education in Russia and Ukraine Today.** By Jonathan Sutton (Bramcote Press, Nottingham, 1996), 128 pp.

This book was engendered by a research project of the Department of Theology and Religious Studies at the University of Leeds. Dr Sutton, who for many years taught Russian and has also worked in various aspects of human rights (including the administration of aid to religious groups in the then USSR), wisely prepared himself for this project – in a manner somewhat unusual for academics specialising in Russian, by acquiring a working knowledge of Ukrainian, although still (and again, undoubtedly wisely) turning to expert linguistic help for the translation of textual material. Or, at least, so one may judge from the extensive acknowledgements which precede the main text.

Dr Sutton's 'field' research began in 1993 (i.e. when the inevitable confusion of the immediate post-Soviet era was beginning to settle) and comprised five month-long visits to Russia and Ukraine. The cities visited were – in Russia: Kostroma, Moscow, Novosibirsk/Akademgorodok, Penza, St Petersburg. Saratov, Smolensk, Tver and Yaroslavl, and in Ukraine: Chernihiv, Chernivtsi, Donetsk, Ivano-Frankivsk, Kharkiv, Kyiv, Lviv, Odesa and Poltava. All toponyms in Ukraine are, incidentally, given in their Ukrainian version (with, in the introduction, the 'formerly standard Russian spellings' given in parentheses) although Dr Sutton prefers the spelling 'Kiiv' rather than the officially approved transcription 'Kyiv'. A map of Ukraine is also included. (Personal names, also, in the main, follow Ukrainian forms, although on occasion a Ukrainian 'H' is transliterated in the Russian manner, as a 'G'. In the case of contemporary scholars, this may, of course, simply reproduce the form which they have printed on the Latin-script side of their visiting card – however Sutton also transliterates the first name of the 18th-century Ukrainian philosopher, Skovoroda, as 'Grigoriy'). The research, Dr Sutton stresses, was 'undertaken from a western point of view', its aim being 'not only to promote understanding of current developments in Russia and Ukraine, but also to facilitate more effective reciprocal relations between those who are concerned with theology and religious studies in the West and in Russia and Ukraine'.

The book deals with both state and independent teaching institutions, with courses addressed both to students intending to enter the clergy or otherwise work full-time in religion, e.g. lay catechists, and also subsidiary courses for students pursuing other fields of study. In the latter case, Dr Sutton says, 'the context and basis of research for this book were greatly altered by religious studies becoming a *compulsory* subject in Ukraine' in 1993, when higher education institutions were instructed to include a minimum 30 hours' instruction in religious studies during the academic year as part of a new eleven-subject compulsory core curriculum. This new requirement, Dr Sutton says,

changed the balance in our comparative study. We could still pursue questions about the 'Soviet' educational legacy and weigh up evidence of continuity and change in the two countries. But the introduction of religion as *compulsory* confronts us with the question whether this itself is evidence of *continuity* with the pre-glasnost mentality of the Soviet authorities. Also, the *status* of religion as a subject for study is no longer the same in Russia and Ukraine. In Ukraine, the state uses and manages religion in a way not now happening in Russia, and this has implications for the growth of pluralism in post-Soviet society.

Dr Sutton does not make it clear whether he perceives other evidence of Ukraine's alleged 'management' of religion, or whether he considers that the compulsory nature of religious studies is enough to prove his case. Making courses compulsory does not necessarily mean a change of attitude within the department concerned nor ensure that they provide a sound and non-hostile approach to their subject-matter. Dr Sutton defines ten factors shaping religious studies in the post-Soviet space, some of which (for example, the general run-down condition of post-Soviet educational institutions and the almost total lack of money wherewith to purchase vitally needed equipment and, in particular, text-books appropriate to the new, democracy-oriented era) apply to all faculties and subjects. Regarding those which relate specifically to religious education, Dr Sutton draws the following conclusions:

- 'There is a core of lecturers available in higher education for the subject which they were previously not able to teach' – including religion. On the other hand, 'the *previous* arrangement of subjects and faculties plays a particular role'. Religious education is split between the social sciences and the humanities, with the social sciences predominating (a legacy of the Soviet curriculum with its courses in 'scientific atheism').

- Many of these social-science oriented courses are taught by former lecturers in 'scientific atheism'. Even those who do not use the new courses actively to propagate their own views (in accordance with their constitutional right openly to profess atheism and teach it) often 'steer discussion of religious topics firmly towards ground acceptable to humanists and secularists'. Topics such as 'ecology' and 'non-violence', for example, play an important role in such courses.

- Religious studies is more of a 'humanities' subject in the context of 'cultural studies', although it can often retain 'a clear *secular* emphasis, confining the discussion of religion to its historical and aesthetic influences'. One legacy of the Soviet approach is a tendency to play down the individual and to concentrate on 'broad cultural surveys and the "history of ideas"'. The syllabuses of courses at the Ivan Franko University of Lviv and the Kyiv-Mohyla Academy are discussed as examples.

- Only one state university, the Yuriy Fedkovych University of Chernivtsi, actually has a department with the word 'theology' in its title. Significantly, its core course syllabus does not include the component 'religion as a socio-historical phenomenon' found elsewhere. At Kharkiv State University, however, a series of post-graduate seminars on 'Theological Argument' has been inaugurated.

- Some administrators have expressed themselves personally unhappy with the introduction of religious studies, but have been forced to comply lest the Ministry of Education withhold approval of the overall academic plan and budget of their institution.

- The constitutional guarantee of 'freedom of conscience', in Dr Sutton's opinion, could, in certain courses, be 'open to misuse'. 'Freedom of conscience' itself appears as a subject of study at certain institutions (the Kyiv-Mohyla Academy, the Ivan Franko University in Lviv and the State Institute of Culture in Kharkiv), which could make these courses a possible platform for 'those who would steer academic discourse back towards a Marxist-Leninist hostility towards religion'. The course taught at the Pedagogical Institute in Poltava, which includes such elements as 'Atheism and social progress' and 'Atheism as real humanism and its influence on culture', represents, Sutton concludes, an 'openly aggressive defence' of the Marxist-Leninist atheistic stance. On the other hand, he warns that '[t]he inclusion of freedom of conscience as a topic within history of world religions courses may signify pressure from another direction', and that the 'primary task' of the topic 'the realization of freedom of conscience in democratic Ukraine' (which features in courses at the State Institute of Culture in Kharkiv and the Kyiv-Mohyla Academy) is 'to affirm the democratic credentials of the new Ukrainian state and the efficacy of its legislation on freedom of conscience'. Viewing the situation from outside, Dr Sutton may perceive grounds for such fears. But to a student in today's Ukraine, such an element may seem a perfectly necessary and natural part of the course – a means of learning what rights he or she possesses under the new, changed legislation.

- On interdenominational and inter-faith conflict, Dr Sutton notes that Ukraine had, at the time of writing, 63 identifiable religious communities, and cites as an example the 22 religious communities identified by the Head of the Department of Religious Affairs in Chernivtsi within his administrative district. Then, after citing a list of *Western* publications on current religious conflicts in Ukraine (presumably to enlighten the Western reader – or is he implying that some of them are used as source material for teaching in Ukraine?) and commenting, somewhat gloomily, that '[t]here is some danger that the intricacies of inter-church relations may alienate otherwise receptive students', he notes a 'reluctance' in 'some quarters' to 'allow *denominational* religious education into higher education and, even more, into state schools... based on the fear that existing inter-denominational conflict might affect school-age children'. (The argument seems a little elliptic – why should school children be affected by denominational education at the higher-education level? Because, perhaps, of its effect on future school teachers?). He notes the state-building efforts of the Kravchuk regime 'which it was not politic for his successor Leonid Kuchma to reverse', drawing attention to the 1993 directives making Ukrainian language a compulsory university entrance examination requirement and requiring that at least 50% of all cultural courses should deal with specifically Ukrainian material. (Religious studies, as we have seen, frequently is incorporated into such courses). This raises the question of the *Ukrainian* identity of religious studies. After noting such significant developments as the reopening of the Kyiv-Mohyla Academy, the 'revaluation' of the writings of Hryhoriy Skovoroda (1722–94) and Pamfil Yurkevych (1826–74), Dr Sutton raises the question that while "[i]t is entirely understandable that Ukrainians should now wish to recover and affirm the worth of their own cultural heritage... whether the formal study of religion in state higher education should be made to serve this purpose'. 'Given that religion is interwoven with nationality', he observes, 'these must relate to one another, but how?'

• Regarding the former lecturers in Marxist-Leninism and ‘scientific atheism’ now working in religious education, Dr Sutton reveals a certain scepticism regarding motives. Some of these persons, he says, claim to have been at the centre of the lobbying to have religious education made a compulsory subject. But, he hints, this was not so much a matter of ideology, as the fear of being left without a job. ‘If, following the phasing out of their old subject, these lecturers read the signs in 1991 and 1992 and then, by lobbying, secured compulsory status for *religion* by the beginning of the academic year 1993–1994, this indicates great astuteness and organizational skills’. However, according to one such lecturer, Dr Mikhaylo Gaykovskiy (*sic*) of the Forestry Institute and Academy of Arts in Lviv, the ‘groundwork’ for the change was laid in 1988, when he introduced a course in religion at the Lviv Academy of Arts, and the content and structure of this course were included in the submissions to the Ministry of Education of those lobbying for the inclusion of the subject in the core curriculum. The principal argument used in favour of inclusion, he told Dr Sutton, was a ‘purely secular justification, namely that anyone deemed to be “well-educated” ought to know about religion’. Dr Sutton comments hopefully that ‘[i]n time, teaching approaches more favourable to religion may follow’.

Dr Sutton now moves out of the state sector to consider theological training given under the aegis of the churches themselves. The first such chapter deals with what he terms the ‘Russian Orthodox Church’, although it also deals briefly with Orthodox theological establishments in Ukraine – the Kyiv Theological Academy and the Odesa seminary. Dr Sutton undoubtedly visited the latter – in one of the few personal anecdotal touches in the book he describes his reception by the Acting Rector, Fr. Innokentiy Shestopal, ‘who was wearing his overcoat in his office in the large seminary building that appeared to be unheated, even in December’. Dr Sutton gives no indication, incidentally, to which Orthodox jurisdiction these establishments belong. If they still come under the Moscow Patriarchate, their inclusion in a chapter on *Russian* Orthodox education may not be entirely inapposite.

The next chapter, ‘Theological Education in Ukraine: Two non-Orthodox communities’, describes the specialist educational institutes of the Greek-Catholic and Baptist Churches. Dr Sutton begins by noting that ‘[t]he serious constraints experienced by Christian denominations during Soviet rule were mild by comparison with the complete non-recognition which forced the Greek-Catholics into a catacomb existence for forty-three years’. In the ‘extraordinarily busy’ years since 1989, this Church, he says, has ‘been building an entire network of educational and social structures’, including the establishment of the ‘Resurrection’ radio station, and the opening of several theological teaching institutions, in particular the Theological Academy in Lviv, whose reopening in 1994 has, he says, like the refounding of the [Orthodox-oriented] Kyiv-Mohyla Academy in 1992,

both symbolic and practical significance: they both represent a sound scholarly tradition of Ukrainian origin that may be adapted to modern needs. Whenever the symbolism of past cultural richness and suggestions of continuity with that past can be evoked, the opportunity is used, in part to help overcome the damaging effects of intervening subjugation.

In addition to the Lviv Academy, the Greek-Catholics also have a Theological Institute at Rudno (where students can complete their secondary education as well as embarking on theological studies) and a Theological Institute in Ivano-

Frankivsk, many of whose students are already graduates, and where a 'sound academic achievement is a pre-condition of entry'. The Ivano-Frankivsk Institute, Dr Sutton notes, 'has a *practical* orientation' with students expected to do some teaching as part of their course work, and the Institute's administrators (in 1993) 'exploring the possibilities of providing chaplains for the armed forces'. For all three institutions, details are given of student numbers and content of courses, and particular emphasis (and approval) is given to the work of Dr Boris Gudziak (whose own theological education was in Rome and Harvard) in establishing the Lviv Theological Academy, both as a teaching and a research institution, as well as serving as a basis for making religious education reach out into the community, through, in particular, the 'broad context of the arts and music'. After noting the very great material difficulties under which all three institutions have to operate (in spite of, as Dr Sutton notes, considerable help from the diaspora), he concludes that 'For all these difficulties, one cannot but be impressed by how much the Greek-Catholic community has achieved in two or three years'.

The Greek-Catholic theological institutions use Ukrainian as the language of instruction, although, owing to the shortage of books, the Ivano-Frankivsk Institute 'uses and distributes a book (in Russian) on Catholicism, written by Prince A. Volkonskiy and published in Paris in 1933, *Catholicism and the Sacred Tradition of the Christian East*'. (The author was, presumably, a relative of Princess Yelizaveta Volkonskaya, a Russian who, in spite of the Tsarist ban, was converted from Orthodoxy to the proscribed Greek-Rite Catholic Church). The Baptist Theological Seminary in Odesa, on the other hand, teaches in Russian and English. (The intensive study of English is a priority at this seminary – 700 hours of instruction during the 4-year degree course, and there are many visiting lecturers from abroad who teach in English). The seminary belongs to a network of teaching institutions belonging to the 'Eurasian Federation of Evangelical Christians/Baptists' which operates in the republics of the former Soviet Union – and, incidentally, has the heaviest work-load of any teaching institution belonging to that Union: 30 contact hours per week and a total of about 4200 hours of instruction over the four-year course. 'This large number of hours', Dr Sutton says, 'reflects the common Russian/Soviet belief that addressing students in the lecture hall constitutes education, and that increasing the number of contact hours in itself gives them *more* education'. A valid comment, but one wonders why the Federation's other teaching institutions (in Belarus, Kyrgyzstan, Moldova, Russia and Uzbekistan) have less of a work-load. The Ukrainian member-organisation of this Federation, the Union of Evangelical Christians/Baptists of Ukraine, also operates a Seminary in Kyiv, which teaches in both Russian and Ukrainian. There is also an Association of Bible Institutes of Ukraine, which, although not formally linked to this Union, in practice cooperates with its Pastors at the parochial level, and a Centre for Christian Cooperation, which provides 18-month courses taught in both Russian and Ukrainian. Dr Sutton briefly outlines the work of these latter institutions; his main attention, however, is focused on the Odesa Seminary.

These two '*non-Orthodox*' churches, Greek-Catholics and Baptists, Dr Sutton notes, have been 'especially active in their endeavours in theological education' – a hint perhaps that the trouble-torn Orthodox community of Ukraine has been less attentive to educational needs. Furthermore, he notes

[b]oth communities, Greek-Catholics and Baptists, benefit from their contact with those who represent their denomination in other countries. It goes without saying that great financial support is vital for their work, as is the teaching experience of clergy and scholars in the Greek-Catholic diaspora and among Baptists abroad who are prepared to advise.

But these two churches have already, he said, 'drawn on *all* existing resources to make possible projects to benefit the rising generation' and only in the course of the next five to ten years will it 'begin to become clear whether the educational initiatives of 1989 to 1995 are sufficiently well grounded to produce a system of theological training appropriate for clergy and laity living in a rapidly changing modern Ukraine'.

The republics of the former Soviet Union, Dr Sutton notes in the final chapter of the book, 'are *not* experiencing a religious renaissance of the kind or proportions predicted in the mid-1980s by critics of the communist authorities'. In face of the 'malaise of the emerging society', 'something other than Christian triumphalism was required'. Dr Sutton's well-researched book provides a fascinating view of the steps being taken by both the state- and church-supported educational sectors to meet the needs of post-Soviet society in the two republics studied. One may not always share his qualms – his apprehensions about the role of religious education in the state-building process and its possible misuse by 'nationalists' on one side of the political spectrum and his doubts as to the motivation of the U-turn to religion by certain former teachers of 'scientific atheism', but one must respect the manner in which he works his way, calmly and with sound scholarship, through a mine-field of conflicting views, aims, ideals, fears and prejudices. The study of religion, or even of 'religious education', impinges on the deepest levels of human experience, and in the former Soviet space, the emotional context of the subject is particularly intense. Dr Sutton has, nevertheless, succeeded in producing an excellent insight into his subject, and producing a book which will not only serve future researchers as an important time-frozen snap-shot of post-Soviet religious education at a particularly interesting point of its development, but also will undoubtedly prove a fascinating account for all who are interested in education, religion and the post-Soviet space. And – which is of particular relevance to readers of *The Ukrainian Review*, unlike most works of what one may term 'post-Sovietology', it is a book in which Ukraine features at the centre of attention.

### **Survival. The IISS Quarterly, Vol. 38, No. 2, Summer 1996**

This latest issue of the journal of the International Institute for Strategic Studies contains (pp. 143–65) a major and insightful article 'Ukraine's Balancing Act', by F. Stephen Larrabee, a senior staff member at RAND. The 'balancing act' in question is how Ukraine, having declared its neutrality in the Declaration of State Independence of 16 July 1990, can maintain this stance between the conflicting pressures of 'its desire to join all-European institutions on the one hand, and its close economic dependence on Russia on the other'. '[W]hether – and for how long – Ukraine can continue this difficult balancing act' is, Larrabee says in his opening paragraph, the 'key question'.

Larrabee attempts to answer it by analysing the various foreign policy challenges and threats facing Ukraine – attitude and policy towards NATO, the 'Russian factor',

the 'European [i.e. West European] Dimension', 'Central European Connection', and 'Baltic-Black Sea Cooperation'. Russian pressure is perceived throughout as the motive force driving Ukraine towards the various available 'balancing' options. He begins his discussion from the West's initial reluctance, after 1991, to abandon its Moscow-centric policies and deems the efforts of the Kravchuk regime to establish close ties with European political, economic and security structures to be a failure – a principal cause of which was Ukraine's reluctance to give up the Soviet nuclear missiles deployed on its soil and its attempt to use them for bargaining counters. (Yet he goes on to say that, by late 1993, Western fears that 'Ukraine might disintegrate and possibly lose physical control over the nuclear arsenal stationed on its soil... galvanised the West into paying greater attention to Ukraine', leading, in 1994–95, to a 'concerted effort' to help stabilise Ukraine – which would imply that Kravchuk's policy did, indeed, belatedly pay off!).



Regarding NATO and possible ties with Western defence structures, Larrabee implicitly addresses two scenarios: Russia under Boris Yeltsin, and Russia under 'Zyuganov or some other nationalist'. (This article was, of course, written prior to the Russian presidential elections, however Russian politics are still so fluid that the latter considerations are by no means irrelevant now!). Larrabee stresses that an 'independent Ukraine acts as a key strategic barrier between Russia and the West', and that 'if Ukraine were incorporated into a Russian-dominated defence arrangement, with the possibility of Russian troops being

stationed on Ukrainian soil', plans for NATO 'enlargement would... be affected', and the current assessment that there would be little need to station foreign combat troops or nuclear weapons in prospective new, Central European members of the alliance could well change. Since the main Russian argument against NATO enlargement (at least publicly) is the fear of such a deployment of nuclear weapons, it would appear to be a logical consequence of Larrabee's argument that it would be in Russia's interest *not* to include Ukraine in such CIS defence arrangements. (But politics, alas, seldom pays heed to logic).

Taking it as axiomatic that there is little likelihood of Ukraine applying to join NATO in the near future, (while noting that a number of prominent politicians including Vyacheslav Chornovil and Ivan Zayets support NATO enlargement and Ukrainian membership, and that support for it is also strong in the Security and Defence Commission of the Rada) Larrabee analyses the various practical possibilities of cooperation with NATO open to Ukraine – including 'Partnership for Peace' (which Ukraine was the first of the CIS countries to join), the draft agreement for a 'special relationship' presented in September 1995, and the Polish-Ukrainian peacekeeping force, which (if Poland joins NATO) could prove a 'back-door' entry for Ukraine into the alliance.

Turning to relations with Russia, Larrabee likewise takes as axiomatic Ukraine's continuing economic dependence on that country, particularly in the fossil fuel sector, but considers that the threat of Russia's using oil and gas supplies as a weapon of political blackmail are limited – since 90% of the gas delivered from

Russia to Europe has to cross Ukraine – and, if the Russians threaten to cut off fuel supplies to Ukraine, the latter can simply interrupt gas transmissions to Europe. However, when and if new pipelines are built bypassing Ukraine, ‘Russia’s economic clout is likely to substantially increase’ and ‘over the long run, a reduction in Ukraine’s dependency on Russian energy and the development of a coherent energy policy are important prerequisites for Kiev’s ability to maintain its sovereignty and independence’. There is little new in these arguments – it is worth noting, however, that Larrabee accepts without question the Russian claim that the new gas pipeline across Belarus and Poland is primarily intended to bring the gas from the new Yamal fields in Arctic Russia to northern Europe. In fact, a careful examination of the announced construction plans shows that the pipeline will be built in four stages – with the first stage linked up to existing Russian fields. Only in the final, fourth, stage will it be taken through to the Yamal – and in view of the high cost of construction across Arctic terrain (to say nothing of the outcry from environmentalists about the probable damage to that very fragile environment) there are considerable doubts within the international gas industry about whether that last stage will ever be completed. The main purpose of the new pipeline is almost certainly the political one of bypassing Ukraine, and ensuring a flow of gas to Europe across docile Belarus.

Turning to other issues, Larrabee opines that while ‘[m]ost Russians have difficulty accepting Ukraine as a truly independent country and assume that sooner or later Ukraine will return to the Russian fold’, ‘[t]he Yeltsin government, however, appears to recognise that a confrontation over Ukraine is not in Moscow’s interest’. He notes, however, that Yeltsin’s ‘willingness to find a negotiated solution to the division of the Black Sea Fleet’ and the June 1995 agreement on allowing Russia to lease facilities in Sevastopol ‘veils’ but does not solve the ‘much broader political issue’ of whether the Russian presence should be permanent – and if not, for how long they should stay. (The Russians want a 99-year lease; the Ukrainians suggest 5–10 years!).

Another point over which Moscow and Kyiv are, in Larrabee’s words, ‘fundamentally at odds’ is the role of the CIS. Although the Kuchma government is keen on economic cooperation with the CIS, it is opposed to ‘any form of CIS political, economic or military integration’. The Russians, however, have now begun to press more strongly for such integration, and, Larrabee suggests, the appointment of Yevgeniy Primakov as Russia’s Foreign Minister in January 1996 ‘appear[ed] to signal a stronger emphasis on CIS integration’. Primakov began his new job with a tour of all CIS countries; his visit to Ukraine did not resolve any of the outstanding issues, but, according to Larrabee, ‘it did create a better overall political climate’ between the two countries and ‘underscore the importance Moscow attaches to relations with Ukraine’.

On the ‘European Dimension’ (i.e. Western European, insofar as this has not already been addressed under the heading of NATO) Larrabee once again calls attention to failure of ‘many European officials’ to take on board Ukraine’s ‘European identity’. He then reviews major developments to date: Ukraine’s partnership agreement with the EU, the ‘meagre’ financial assistance provided by the EU to Ukraine (85 million ecu in credits of which 60 million were deducted for food imports in 1992), EU restrictions on Ukraine’s exports of (economically)

'sensitive goods' (metals, chemicals, textiles and agricultural products), which make up almost two-thirds of Ukraine's exports, and the EU pressure on Ukraine to close the Chernobyl nuclear power station. Larrabee then touches briefly on Ukraine and the Council of Europe (Ukraine was the second CIS country, after Moldova, to be admitted), Ukraine's relations with the WEU ('limited to regular exchanges of visits and information'), and with the two West European countries to have shown some interest in Ukraine – Germany and the United Kingdom. Under the 'Central European Connection' he notes that Ukrainian efforts to strengthen ties with regional bodies like the Visegrad Group and the Central European Initiative have, in general, 'met with only limited success' since, paralleling their West European counterparts, '[m]ost Central European officials do not really regard Ukraine as a "Central European" country' and in view of the slow pace of economic reform in Ukraine. The role of Poland as a possible 'bridge' between Ukraine and 'an expanding NATO and EU' is dealt with in some detail, and also more briefly, with Slovakia, the Czech Republic and Hungary. Regarding the latter, Larrabee observes that 'there is a large Hungarian minority (160,000) living in Ukraine. This minority is relatively well treated – far better than those in Romania or Slovakia. As a result, the minority issue has not burdened Hungarian-Ukrainian relations in the way it has Hungary's relations with Slovakia and Romania'. At the time of writing this review, there is, in fact, a certain amount of tension, triggered by the Hungarian minority's plans to erect a monument in the Ukrainian Carpathians to commemorate the passage of the migrating Magyars in the summer of 896. One hopes that Mr Larrabee's appraisal is correct, and that the present coolness represents only a minor blip in generally friendly relations.

'Baltic-Black Sea Cooperation' deals briefly with Ukrainian proposals for a belt of independent states from the Baltic to the Black Sea (which the Central Europeans fear would conflict with their desire to establish strong ties with NATO, and the idea of a Baltic-Black Sea oil pipeline. 'This proposal was discussed between President Kuchma and Latvia's President Gaitis Ulmanis during Ulmanis' visit to Kiev in November 1995', says Larrabee, implying that this is a new idea. In fact, it dates back to 1993, when representatives of the democratic parties of Latvia, Lithuania, Belarus and Ukraine met in Minsk to discuss a possible 'Baltic-Black Sea Oil Collector', which would cross-cut the existing East-West pipelines and allow oil to be brought in at the most competitive prices at terminals at Odesa, Ventspils and Butinge. Ukrainian-Turkish relations and the 'growing coincidence of [their] economic and strategic interests' are likewise noted as the basis for a 'growing *rapprochement*' between the two countries in the future.

The final section, 'Implications for Western Policy', begins by noting that '[t]he emergence of an independent Ukraine was one of the most important consequences of the Soviet Union's collapse', and that the West therefore 'has a strong interest in preserving an independent, democratic Ukraine'. However, if Ukraine backtracks on reform, this could lead to an 'erosion of support...', especially in Europe, where attitudes towards Ukraine remain ambivalent'. 'Faced with a more assertive Russian policy, Ukraine may turn to the West for greater political and economic support'. In which case, Larrabee concludes, 'The West's response will have a critical impact not only on Ukraine's ability to maintain its independence but also on Eastern Europe'. The West, and especially the EU, Larrabee concludes, 'should

do more to assist Ukraine's economic transformation' and in particular allow Ukrainian 'sensitive' goods on to EU markets, thereby reducing Ukraine's economic dependence on Russia. The USA and its European allies 'should also encourage closer economic and political ties between Ukraine and Central Europe'. The question of NATO enlargement is addressed once more, and other possibilities of Ukraine's cooperation with NATO without actual membership are raised: Partnership for Peace, Foreign Minister Udovenko's proposal for the opening of a special NATO information office in Kyiv, joint exercises, etc. Such steps, Larrabee suggests, 'could bolster Ukraine's self-confidence and give it a stronger anchor to the West' – even without full membership of NATO or 'a direct security guarantee'.

Finally, he stresses that

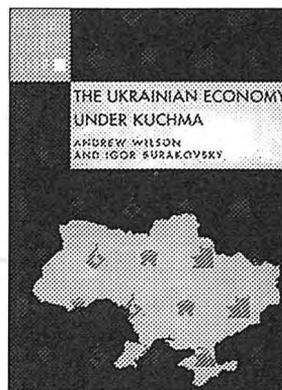
[w]hile a further enlargement of NATO beyond the first tranche of new members is unlikely to occur soon, it would be a mistake to decide now to formally limit the process of enlargement. This would remove a major incentive for other newly emerging democracies in Eastern Europe and the former USSR to reform and have a negative political-psychological impact on the countries not included in the first round of enlargement – including Ukraine – which would, rightly or wrongly, feel that they had *de facto* been abandoned and/or consigned to the Russian sphere of influence.

An interesting, informative, and insightful article.

**The Ukrainian Economy under Kuchma.** By Andrew Wilson and Igor Burakovsky (Royal Institute of International Affairs, 1966) 39pp.

This paper – produced under the aegis of the RIIA 'Russia and Eurasia Programme' – is, in effect, an economic mid-term report on the Kuchma presidency. As such, its overall tone accords well with the description of economics as the 'dismal science'. After noting, in its opening paragraph, that 'since independence in 1991 [Ukraine's] economic performance has been highly disappointing, at times verging on the catastrophic' it goes on to suggest that the 'second chance' offered by the election of Kuchma in 1994 has been only partially utilised. Privatisation has not advanced beyond 'technical redistribution of property', a 'dynamic and self-generating private sector has only just begun to appear', and 'a specific Ukrainian "industrial policy" has yet to emerge'.

Within this somewhat depressing framework, Wilson and Burakovsky present an extremely competent and well-documented account, not only of the course of reforms under Kuchma, but also of the 'political gridlock' and 'economic malaise' inherited from the Kravchuk era. Kuchma, they assert, was not elected primarily on a reform ticket – his election programme, they say, 'criticized Kravchuk for neglecting practical measures and stressed the importance of "marketization", but he had no well-developed programme of reform and many did not take his rhetoric seriously'. Economic issues, *per se*, were not a decisive issue in the election, since 'economic circumstances were equally distressed in all regions of Ukraine', and it was



'the sharp variations in regional and ethno-linguistic voting patterns that were the key factor underlying the results'. Kuchma, they assert, was, above all else, 'elected as an anti-nationalist candidate' and 'entered office in a paradoxical situation in which he faced economic collapse but had not really built a coalition in favour of economic reform'. Kuchma's first months as president were therefore 'devoted to the formation of a programme more or less *ex nibilo*', while contending with power struggles between various factions in his cabinet, and on-going problems with a parliament in which he 'has never enjoyed substantial support'.

Various 'expert' explanations have been advanced for Ukraine's poor economic performance in 1992–94 (ranging from the massive price rises to systemic structural problems within the Ukrainian economy and the development within the 'semi-reformed economy' of vested interests resistant to further change). Wilson and Burakovsky adopt a 'multi-causal view of Ukraine's problems, while accepting the monetarist argument that misguided policy responses in 1992–4 made Ukraine's problems much worse than they otherwise would have been' so that, when Kuchma became president in 1994, Ukraine 'was in dire need of both stabilization policy and structural reform'.

After thus setting the scene, the authors address, in Chapter 3, 'The genesis and development of the Ukrainian reform programme'. In spite of a considerable lobby of opinion ('including many members of the opposition and both Ukrainophone and Russophone liberals') in favour of a Ukrainian 'third way', which would draw on the experience of Japan and the East Asian 'tigers', Kuchma's first economic programme (October 1994) and the stabilisation and systemic transformation programme (STF) agreed with the International Monetary Fund the following month was essentially monetarist – although still relying considerably on administrative solutions, with the establishment of a 'plethora of new state agencies' to 'oversee the reform programme'. But this programme, and the 1995 budget which it inspired, proved to be the 'high-water mark of the reformist tide', and by May 1995, the emphasis was shifting towards "the maintenance of production", structural reform and industrial policy', with the 'softening of monetary and fiscal policy in order to revive domestic demand and industrial production, protection of the internal market from foreign competition, case-by-case support of specific industries and sectoral reorganization to create new industrial and financial groups'. Budgetary support for ailing industries was revived in July, and in October the government promised to guarantee payments for gas imports until the end of the year. There was talk of raising the inflation target to 4–5% instead of the 1–2% proposed by the IMF. In September Kuchma declared his aim to be 'a state-regulated, socially-oriented market economy'. Summarising these developments and the accompanying political rhetoric, Wilson and Burakovsky conclude that the

essence of a search for a Ukrainian "third way" seemed to amount to the attempt to forge a unique combination of stabilization and industrial policy... backed by historical musings on the native tradition in political economy'. Nevertheless, they consider, 'much of the talk of "correction" and "a Ukrainian way" was rhetoric designed for domestic consumption', and that while some of the stringency of the 1994 programme was relaxed, its essentials were preserved, and the 'STF programme' remained intact, although the Ukrainians were failing to meet some of its formal targets.

Chapters 4 and 5 discuss domestic and foreign economic policy in greater detail. Domestically, the scene is one of reforms which have, to date, largely failed to take off. Ukraine's banking system remained, in the early post-independence years, 'little changed from the Soviet era, and was a major structural cause of inflation'.

The new private banks were "too closely tied to groups of firms through cross-ownership of shares". Even today, '[i]n general, the Ukrainian banking system is much less well-developed than its Russian counterpart... Primary financial markets (capital markets, bond markets, equity markets) are still being organized and ... a secondary tier of financial instruments has yet to be developed'. Attempts to create a market in government bills has been 'only partially successful', privatisation, never implemented under Kravchuk and suspended within a few weeks of Kravchuk's coming to power, finally got under way in January 1995, with the revived voucher scheme, but 'after so many delays... public interest was limited', while the 'left-wing lobby in parliament continued to fight a successful rearguard action against mass privatization, particularly of large and "strategic" industries'.

Ukraine's foreign economic policy is generally perceived to be bound up, first and foremost, with the struggle to ensure supplies of non-solid fossil fuels. Wilson and Burakovsky, however, approach the issue more systematically, beginning with the 'curious position' by which post-independence Ukraine 'continued] to use the [Russian] rouble as an official currency but issuing its own "coupons" in parallel'. Ukraine's departure from the rouble zone, the long delay in introducing 'a "proper" convertible national currency, the hryvna', and the pressure from the IMF insisting that the hryvnyia should wait until a 'much longer period of macroeconomic stability has been achieved'. They then outline the various 'limited moves' made during Kuchma's term of office as Prime Minister (1992–93) to establish partial internal convertibility of the karbovanets – and the 'widespread evasion and massive capital flight', which followed when this 'experiment' was ended. They then describe the steps taken under Kuchma's presidency to rectify the situation: unification of the exchange rate, the ban on domestic trade in US dollars, and the heavy drain on Ukraine's 'minimal' foreign exchange reserves caused by government intervention to limit the fluctuation of the karbovanets against the dollar. In spite of this drain, however, 'apart from the one-off dive in August 1995, over a year of relative currency stability has been achieved'.

Addressing now specific issues, the authors note that – even if trade with Russia is restored to something approaching the level of Soviet times, it 'is unlikely to bring the effects expected by its Russophile advocates in Ukraine, as trade would now have to be undertaken on a market basis'. (In other words, there is no going back to the past!) Ukraine's foreign trade is, indeed, still to a large extent dominated by intra-CIS trade – and more than half the Ukrainian foreign debt is owed to CIS countries; by the end of 1995, out of an accumulated foreign debt of \$8.8 billion, \$3.4 billion was owed to Russia, and \$0.79 billion to Turkmenistan (mainly for energy supplies), while \$2.3 billion is owed to the IMF. The expectations of 1991–92 that Ukraine's economy would benefit from independence and the move towards world-market prices for trade have proved baseless – the 'almost total dependency of its energy-guzzling industry on oil and gas imports from Russia and Turkmenistan' have 'easily outweighed any other relative price gains'. Furthermore, the foreign aid promised by the Naples and Winnipeg G-7 summits

of 1994 has only partially materialised, so that 'Ukraine is now locked into a cycle of dependency on international aid' but 'not receiving sums appropriate to the scale of its tasks'.

Nevertheless, in their 'Conclusions', Wilson and Burakovsky strike a note of cautious optimism. The first two years of the Kuchma presidency, they say, have seen 'considerable economic achievements... [p]rice liberalization and subsidy reduction have brought fiscal stabilization within sight' and first steps have been taken towards the 'more rational and sustainable' use of energy. The decline in GDP 'showed signs of bottoming out in 1995'. On the other hand, the relaxation of enterprise budgetary constraints in mid-1995 (just as they were beginning to bite) came, they say, 'at an inappropriate moment' and '[i]t is not clear that the Ukrainian authorities recognize the importance of this problem'.

As for the possibility of a specifically 'Ukrainian' model of economic reform – that, they say, will require 'a well-developed vision of long-term industrial restructuring' – and the breaking of the power of the 'rent-seekers and vested interests that would otherwise smother reforms'. And this, they suggest, cannot easily be accomplished by a gradualist approach, in an environment where 'the social, economic and bureaucratic structure of the late Soviet period survived into independence virtually intact'.

A well-researched, lucidly written, but, alas, far from hopeful, analysis.

#### **Aviation Week and Space Technology, Vol. 45, No. 5, 1996**

This issue contains an article (pp. 56–59) describing 'Sea Launch', a multinational commercial venture for launching satellites from a converted semi-submersible oil-rig. The 'Sea Launch' partners are listed as the Boeing Commercial Space Co., Kvaerner (Norway), RSC-Energia and KB Yuzhnoye and PO Yuzhmash (Ukraine) – i.e. Pivdenne and Pivdenmash. These two Dnipropetrovsk-based companies, which together have a 15% stake in 'Sea Launch', will supply the Zenit rockets to be used as first- and second-stage boosters for the launches. Ronald C. Olson, President and General Manager of 'Sea Launch', is quoted as saying that the 'unique capabilities' of the Zenit are 'key factors' in the commercial viability of the scheme. (These capabilities include horizontal integration, self-erecting and self-fuelling capabilities, and a thrust ratio of 1.6:1 as opposed to the 1.1:1 ratio of most other boosters). 'Sea Launch', Olson explained, unlike other new booster programmes, is not developing new technology; its role is to 'meld and coordinate a multi-national program with partners from vastly different cultures and industrial backgrounds'. This highly informative presentation is illustrated, *inter alia*, by an artist's impression of what, it is hoped, will be a regular sight after June 1998 – a Zenit-boosted carrier blasting off from the 'Sea Launch' floating pad. □

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## *50th Anniversary of the AUGB*

### **Fifty Years of the Association of Ukrainians in Great Britain**

*Lubomyr Mazur*

**T**he groundwork that paved the way for the establishment of the Association of Ukrainians in Great Britain may rightly be attributed to expatriate Ukrainian military personnel who served with the Canadian and American armed forces stationed in the UK during the Second World War. They spent the war years providing support and assistance for ethnic Ukrainians arriving in the UK via other diverse routes and thereby helped to promote the Ukrainian national cause. This was more than a simple matter of duty, it was a matter of honour and their national obligation. Ethnic Ukrainians subsequently arrived in the UK, some via the labour camps of Siberia and the Middle East, where together with the Western Allies they fought the Germans long and hard as part of the Polish Armed Forces, others directly from Western Europe, where they were similarly involved as part of the Polish armed forces.

However it was shortly after the D-Day invasion of Normandy and the liberation of Nazi-occupied France that the largest intake by far of Ukrainians arrived in the UK. They were either Ukrainian prisoners-of-war or civilian refugees, and were representative of three distinct generations. Amongst them were to be found able and well-experienced political and community leaders and professional people. The vast majority of them were Ukrainians born in the 1920s who had witnessed the endeavours of the Ukrainian underground movement, as exemplified by the Organisation of Ukrainian Nationalists (OUN) under the leadership of Stepan Bandera, the Ukrainian Liberation General Council (UHVR) and the Ukrainian Insurgent Army (UPA).

So were laid the foundations of the Ukrainian community in the UK. The fledgling community comprised Ukrainians of different generations and contrasting backgrounds, having diverse views, attitudes, experiences, opinions and convictions. Notwithstanding this they were, nevertheless, able to put aside their differences to further their common cause. They pulled together to establish a Ukrainian institution which would help channel their national aspirations, represent and protect their national status and interests, and focus the essence of their efforts and attention on the attainment and re-establishment of their national ideal – the foundation of a free, sovereign and independent Ukrainian nation-state on their native Ukrainian soil.

It was such a clarity of vision and purpose that concentrated the minds of the Association's founding fathers who in Edinburgh, on 19–20 January 1946, established the Association of Ukrainians in Great Britain. Membership was open to all Ukrainians on a non-partisan, non-sectarian basis and as it turned out, in Ukrainian terms, it became geographically broad-based with members from all parts of Ukraine – Transcarpathia, Bukovyna, Galicia, Volhynia, Polisia, and the

central regions. At that time the vast majority of these Ukrainians had little idea that the United Kingdom of Great Britain and Northern Ireland was to become their adopted home for the next fifty years.

During its first eighteen months the Association's membership grew very rapidly as Ukrainian 'voluntary workers' arrived in the UK from Displaced Person camps in Germany, Austria and Italy.

On 20 December 1947 the Association was incorporated under The Companies Act 1948 and the War Charities Act 1940. From its inauguration until March 1948 the Association's central authority and its executive power were vested with the President and members of the General Committee who were elected directly by the membership. Thereafter a change was introduced to the Constitution and the Association was governed by a President and Council or Board of Directors who were directly elected, whilst the executive function was exercised by an appointed Chief Executive and General Committee. Whilst originally this Council comprised ten directors, this was subsequently doubled in size to twenty, a situation which still exists today. The executive function continues to be administered by appointees.

From the very outset the Association was concerned with the well-being of Ukrainians in their new adopted British homeland. It participated in charitable undertakings, actively lobbied on behalf of Ukraine and Ukrainians, promoted both Ukrainian pastoral and secular activities within the community, stimulated initiative and enterprise, provided community centres where Ukraine's cultural heritage could be fostered for the benefit of the Ukrainian generations to come. The Association originally set itself three main tasks, namely:



Participants in the inaugural meeting of the AUGB.  
Edinburgh, 19–20 January 1946.

- to represent the membership and the Ukrainian community at large in all matters Ukrainian;
- to act on their behalf in all dealings with the authorities and the host community in the United Kingdom;
- to interact and cooperate with other similar Ukrainian community institutions throughout the world.

Shortly after 1948 the growing needs of special-interest groups within the Ukrainian community, namely Ukrainian women, ex-servicemen, students, teachers and the youth, naturally created appropriate conditions for the establishment of other Ukrainian societies with their own leadership, constitution and agenda. As a result The Organisation of Ukrainian Women in Great Britain (OUZh), The Association of Ukrainian Teachers and Educators (SUUV), The Ukrainian Students Relief Board (KoDUS) established themselves as affiliated divisions of the Association, and were referred to as autonomous Sections.

During its first fifteen years, whilst devoting attention, time and effort to strengthening itself organisationally, the Association, first and foremost, championed in one way or another the inalienable rights of the Ukrainian community. Notably, early on, the Association organised the first ever public demonstration by Ukrainians against the intended deportation to Germany from this country of invalided and chronically sick Ukrainians. This met with success and in later years such pro-active campaigning proved to be a very effective means of drawing public attention to the plight of Ukraine and Ukrainians. Amongst its wide-ranging activities the Association: a) tailored its welfare activities to the requirements of the needy, the sick, the invalided and orphaned members of the community, b) addressed the issue of the advancement of learning, education and culture within the membership and the community (amongst others establishing a network of Ukrainian community schools), c) encouraged the finding and development of community leaders, d) lobbied for the official recognition by the British authorities of the term 'Ukrainian' as a legitimate nationality, e) co-founded both the World Congress of Free Ukrainians (since Ukrainian Independence renamed the World Congress of Ukrainians SKU) and the Coordinating Centre for Ukrainian Community Organisations (now the European Congress of Ukrainians [ECU]), f) published and distributed English language publications about Ukrainian national aspirations, the Ukrainian people's underground movement, g) compiled and disseminated hard news concerning life in Russian-occupied Soviet Ukraine, h) popularised Ukrainian-language newspapers, magazines, periodicals and books by acting as agent/distributor of diaspora publications, as well as publishing its own.

In time much was accomplished by the Association. The welfare requirements of a section of the Ukrainian community were such that the Association firstly launched its 'Invalids Fund' and later supplemented this with its 'Mutual Aid (Social Welfare) Fund'. In due course these resources, together with the membership's generous nature, enabled the Association to acquire two Residential Homes where invalided, frail and retired Ukrainians could be cared for in pleasant, homely and comfortable surroundings. The first such Home was 'Sydenhurst', located in Chiddingfold, Surrey, which was followed, many years later, by 'Kobzarivka', situated in Weston-on-Trent, Derbyshire.

In addition to caring for the physical well-being of its community members, the Association devoted considerable time, effort and human and material re-

sources to fostering and promoting Ukrainian culture in the widest possible sense of the word. It is primarily thanks to this policy that Ukraine's colourful and eventful past, its heroic leaders, historical and literary characters, its fateful events, national heritage and treasures, and its festive occasions, national customs, traditions and rituals have remained at the forefront of the community's attentions to this day. This is also a reflection of the idealism and national awareness that Ukrainians have of their desire to maintain their cultural identity in the face of impending assimilation.

In the early 1950s the average age of a typical Ukrainian community leader was about twenty-six. An overwhelming determination and desire to succeed at everything that was good for Ukraine and Ukrainians were the dual stimuli that guided the Association's leadership both at national and local level. Initially, as the Association's branch network grew, community affairs were managed intuitively, on the basis of trial and error, but with time the acquired wealth of knowledge, know-how and experience became accessible to the up and coming Branches. At this point it should be said that, without the comprehensive support and cooperation of those other Ukrainian organisations which came on the scene during the community's formative years, the Association's agenda and workload would have seemed much more daunting. Although a remarkable feature of the human resources side of the equation is that today, fifty years on, the majority of the Association's officers are still first generation expatriate Ukrainians, the last ten years or so proved fairly fruitful for the Association as a significant number of second generation Ukrainians have chosen to contribute their time and effort within its governing and executive structure, either as members of the Board (Council) at the national level or as local Branch Chairmen and officers.

In the early years the Association put so much effort into informing the host British community about matters Ukrainian that in 1954 it resolved to publish an English-language quarterly – *The Ukrainian Review*, which it continues to do to this day. Since 1947 the Association has published a Ukrainian language weekly newspaper *Ukrayinska Dumka* (The Ukrainian Thought), which it regards as its masthead, as well as an annual pocket almanac – *Kalendarets Ukrayintsya u Velykiy Brytaniyi* (Diary of the Ukrainian in Great Britain), a truly unique annual reference publication. With time and the appearance of second generation Ukrainians of school age the Association helped to set up the Ukrainian School network throughout the community and complemented the work of its associate Division The Association of Teachers and Educators (SUUV) by publishing *Yuni Druzi* (Young Friends), a Ukrainian-language children's magazine, adventure books, short stories, booklets etc. To this day children's publications are still available from the Association's bookshop, which additionally offers for sale a range of Ukrainian newspapers, periodicals, magazines, reference books, school books, classical and modern Ukrainian literature, novels, poetry, songbooks, music, maps, greetings cards, pictures, traditional arts and crafts etc., as well as English language literature on matters Ukrainian.

The Association's fiftieth anniversary is a time for honouring those of its members who, whether at local or national level, have excelled in promoting the aims and objectives of the Association. It is necessary to acknowledge the exceptional and determined work of all Association activists, who for so many



Celebration of the 50th anniversary of the AUGB.  
Edinburgh, 20 January 1996.

years have given their all, and are still prepared to do so, in order that the Association may continue to grow and flourish, that it might leave behind it an illustrious history and long-lasting imprint on society.

(I should like to take this opportunity of specifically extending the Association's governing body's most heartfelt vote of thanks to every single member and officer who has contributed to the fact that the Association is today able to celebrate its Golden Jubilee Year. The effort that has been put in by everyone has been colossal and almost immeasurable. It is unthinkable to imagine how the Association would have looked today had its human resources not been so dedicated and committed.)

It is a time for recalling and celebrating the Association's achievements and successes. Mindful of this and of how significantly Ukrainian national aspirations have figured in the minds and deeds of its membership during the past half-century, naturally enough the Association particularly welcomed the dawning of freedom, sovereignty and independence for Ukraine on 24 August 1991. The news of the re-establishment of Ukrainian statehood was an exciting and moving moment for Ukrainians in general and the Association in particular. The joyfulness of the Independence Day celebrations has become indelibly imprinted upon the minds of every Ukrainian patriot. Independence has reinvigorated the Association which in turn has striven increasingly to help the Ukrainian people reconstruct their national home once more in all senses of that word. Through the decades that led up to that fateful day in August 1991, the Association applied considerable effort and resources on a nation-wide basis to champion the rights of the oppressed Ukrainian people and bring the plight of Ukraine to the attention of governments,

parliaments and leading political figures, both nationally and internationally, bringing to the concept of a 'Free Ukraine' many lifelong adherents and supporters and thus winning Ukraine many true British friends. To this end the Association organised numerous rallies, public demonstrations and marches, and regularly drafted position papers, resolutions, memoranda, letters, petitions, press releases and briefings. Useful contacts in the media were developed. All this was aimed at putting the Ukrainian case from a specific and definitive standpoint on Ukrainian issues. Looking back in the light of Ukraine's independent status today, all these efforts by the Association over the past forty-five years have more than justified themselves and one may well argue that the lobbying tactics which were adopted on behalf of a 'Free Ukraine' have significantly contributed towards creating a positive climate of opinion regarding Ukraine within the UK.

Although the Ukrainian people today find their newly-acquired independence a challenging prospect and rather more demanding than they might have predicted, nevertheless, we in the Association are quietly confident, intrinsically optimistic and positive that Ukraine and its people can and will have a bright and prosperous future. Despite the prevailing economic and political teething problems in this fifth year of independence the Ukrainian people have everything going for them. This year alone the former outdated Soviet Constitution was eventually superseded by a new national Ukrainian Constitution and a new currency – the hryvnya – was introduced on the occasion of the fifth anniversary of Ukrainian independence. Our firm conviction regarding the brightness of Ukraine's future is backed by the continuous active encouragement and support which is given to all our community-based efforts designed to provide Ukrainians in Ukraine with access to that very know-how that can and will make life in a democratic, newly-emerging open, free market economy all the more sustainable.

During its fifty years the Association has become a well-known, respected and reputable organisation both within and outside the world-wide Ukrainian community. The Association has not only unified Ukrainians but has provided them with opportunities where they have been able to hone their individual crafts, skills and abilities and apply them for the benefit of the Ukrainian community at large.

It is a self-evident fact that societies grow and prosper best when they are left to their own devices and are permitted to grow and develop naturally without external interference. Ukrainians in Great Britain have understood this point well all along. Their independence of mind and spirit, national consciousness, good-naturedness and idealism, coupled with a hard-headed practical approach to solving life's and the community's problems, have been the key factors that one has so often heard over the years drawing admiration and fascination from the host British community. It is thanks to these noteworthy characteristics of the indomitable Ukrainian spirit that today we are able to rejoice in celebration of the Golden Jubilee of the Association of Ukrainians in Great Britain. □

## *Current Events*

### **Address by President Leonid Kuchma**

*On the 5th Anniversary of the Independence of Ukraine,  
'Ukrayina' Palace of Culture, 23 August 1996*



**D**ear compatriots, esteemed participants in the festive meeting, respected guests and friends.

Our nation's everlasting aspiration for freedom was embodied in the historic Act of Ukrainian Independence adopted on 24 August 1991.

The five years which separate us from that memorable day are a whole epoch which has forever been carved in the grand chronicle of our people.

The state has been established. Ukraine has passed the cross-roads of history; it has resolutely set out on the highway of civilised development and is going over to new forms of social life in a regular and steadfast manner.

Therefore Ukraine exists and will exist! Now and forever!

And so, today, we are celebrating not just a routine or even a jubilee date in the history of our independence, but the establishment of the Ukrainian state.

It is symbolic that the festive meeting is taking place in the restored Ukrayina palace, which can be referred to as a symbol of new Ukraine.

The Ukrainian people have for centuries been persistently and courageously moving towards this glorious event. They have sacrificed everything in the name of freedom and independence – the crust of bread earned through their hard labour, the peaceful existence of their families and life itself. In the name of independence they united and rose up in arms in defence of their land against the various powers who wished to enslave them. Appraising this path of history from the threshold of the first jubilee of independent Ukraine, we recall the prophesy of genius, uttered by the Great Bard [Taras Shevchenko] 'In one's own house – one's own truth, One's own might and freedom', and turn to our illustrious founding fathers, Volodymyr the Great, Yaroslav the Wise, Danylo of Halych, Bohdan Khmelnytskyi, Pylyp Orlyk, Mykhailo Hrushevskyi, all fighters for the Ukrainian state.

Their dedicated lives are illuminated by the eternal truth: there is no homeland without freedom and no freedom without a homeland.

Commemorating our great forebears, let us also express our thanks to our contemporaries – statesmen and politicians, who have done so much for the breakthrough of Ukraine into its new status – from the Declaration of State Sovereignty to the Constitution of independent Ukraine.

As President of Ukraine and a citizen, I bow in homage before the wise Ukrainian people. For it was the Ukrainian people who in the referendum of 1 December 1991 unanimously displayed their unyielding desire to have their own state.

I express profound gratitude to our brothers and sisters – the world-wide Ukrainian diaspora, scattered by fate around the whole planet, who in their words and deeds sorrowed over Ukraine and dreamed of its resurrection.

We place great importance on the support of the world community in our efforts to organise our independent life.

An independent Ukraine in the heart of Europe is a triumph of historical justice.

The experience of the whole human race shows that independence is never achieved painlessly and without losses. It requires great self-sacrifice, patience, courage, noble intentions and forceful action.

The price for Ukraine has been almost unendurable ordeals.

An entire period in our history following the era of [Hetman Bohdan] Khmelnytskyi is called the Ruin. For long years we were ruled by others and shamelessly derided. But it was the totalitarian system which left the most terrible mark.

Let us imagine that history had taken a different course and ask ourselves: would a sovereign Ukraine allow itself to kill millions of its citizens by a man-made famine? Would it allow the intelligentsia of the nation to be shot without trial and its most industrious peasants to rot in concentration camps? If it had possessed a real and not a fictitious sovereignty, would Ukraine have agreed to destroy itself by so high a concentration of ecologically harmful enterprises? And would it have built the apocalyptic, globally dangerous, Chornobyl power station near the very heart of Ukraine?

The answer is unequivocal: No!

Let us look back at our past and commemorate with a minute of silence and sorrow the tens of millions of our compatriots with whose lives is paved the martyr's road of the Ukrainian people to freedom.

Esteemed friends.

The experience of the whole world and our experience too convincingly demonstrate that, at every turning point of its development, the profound attention of society turns to the origins of the nation, and to efforts to restore its racial memory and acquire a deep knowledge of its own history.

It teaches us something else: the past cannot instruct the present generation what to do, but it can warn them against those things which they should not do.

In our case, it warns us against losing our civic unity and endurance; expecting some surrogate mother to give birth to our longed-for freedom and prosperity for us; abandoning all hope of democratic change; and shrinking from the difficulties of the state-building process.

We must not try to wipe from people's memories Ukraine's almost 70 years of existence within the Soviet Union, nor the several centuries when it formed

part of other state structures. Nor should we look back at the Soviet past simply from the viewpoint of Stalinism or 'democratic' anticommunism.

Such was our fate – and it remains part of our history.

What we require is not ideological dogmas, but truth and objective knowledge, especially since all too often emotional and politically-coloured judgments are made about this latest phase in Ukraine's development. It is for this very reason that, despite five years of statehood, the very fact of which proves that we have passed a historic point of no return, a proper understanding of the factors behind the collapse of the Soviet Union remains a matter of current importance.

The fact that the fall of the USSR was unexpected in the eyes of the general public does not mean that it was the result of random chance.

What made it come to pass?

The same factors which caused the fall of every other empire.

The Bolsheviks managed to prolong the existence of the Russian empire for another 70 years on the basis of Communist cosmopolitanism. But although they radically changed its outer appearance, they could not prevent the process of ageing and disintegration of this non-viable organism.

The USSR emerged as an interim, compromise formation, appropriate to a period when empire in its pure form was no longer possible but independence, too, was still impossible. Clearly, this balance could not last forever, even from the point of view of the formation of nations, the creation of nation-state structures (albeit largely formal and artificial), the gradual transformation of '[Soviet] Republics' into embryonic nation-states and the consolidation of the administrative élites and party bureaucratic hierarchies in those republics.

Ukraine, moreover, had always preserved a certain amount of independence and possessed perhaps the most explicit features of statehood among the republics.

At the same time, one should also observe that the very first attempts of the Soviet government to adapt the administrative-command economy to market conditions marked the beginning of the disintegration of the single economic area, which was held together not by economic laws, but by the centralised management structure, the totalitarian system in general.

As soon as the economy began to search for the most appropriate forms of existence, it became necessary to embody it in a proper state organisation.

The ease and rapidity of its landslide collapse and the simple procedure that wound up the Soviet Union in the Bielaviežskaja Pušča were vivid proof of the rule-book nature of this result by the entire course of history and how, in the last stages, the actions of the leadership of the USSR, including the Communist Party, inevitably led up to it.

These are all objective facts, to which only those are blind who do not wish to see. Such people do not want to think about what would have happened if the collapse of the Soviet space had been prevented by force. They still go on thinking in terms of world hegemony rather than the laws of social development.

Today's understanding of state independence is another matter. I have to put particular stress on this, because for the past five years the prevailing idea has been that independence is a necessary precondition for the civilised development of state and society. However, the way this issue was approached by different political forces and politicians, amounted to conceptual anarchy, ranging from self-glorification and self-

admiration to a casual and amorphous vision of Ukraine's statehood and even denial of the reality of its existence outside unions and blocs.

And this despite the fact that Ukraine has established itself as a sovereign state in the minds of our people, and has been recognised throughout the world.

It is quite obvious that interpreting independence in an absolute sense leads to artificial isolation and greatly limits the potential of the physical and spiritual development of society. In the modern world, where the links between states in trade, technology, information, culture and politics are becoming ever more important, it is impossible to imagine a prosperous country deliberately trying to limit such contacts. From this point of view, no country is absolutely independent (either economically or politically).

The hallmark of sovereignty is a country's ability to develop its own course, acceptable to the majority of its population, in which external factors and influences are taken into account insofar as they do not mean a radical change of this course, and in which internal factors and forces take precedence over external ones.

Independence, therefore, is the freedom to choose one of a set of possibilities presented by society's internal forces, its interests and needs. External circumstances, of course, are of great importance, but they do not determine the choice of path and the nature of transformations in the country.

This is the course we have on the whole managed to maintain, and not only maintain, but fill with real content.

During the past five years, starting from scratch and in far from optimal conditions, all the attributes of statehood, have been formed. An integral state mechanism has been formed for Ukraine, complete with virtually all its elements, from borders to the Honours List.

The transitional period of the self-determination of the state is over. Its most conspicuous outcome was the adoption of the new Constitution which embodies what the world aspires to – a fully-defined and predictable internal and foreign policy of the state.

This was an event of huge importance, one of those few historic dates which unite people not by the hand of the ruler, but by the will of their souls, which turns a populace into a nation and a territory into a state.

Ukrainian society now has a clear and full answer to the question: what are we building and where are we going?

We are building a sovereign and independent, democratic, social and law-governed state, in which individuals, their life and health, honour and dignity, inviolability and security are recognised as the highest values in society, truly, seriously and forever.

Promising foundations have been laid in our country for the market model of economic management, a basis for economic stabilisation and improvement.

Millions of citizens have become freehold owners of their apartments, houses and plots of land. Today we take it for granted that the days of exhausting queues in the shops, permanent shortages and degrading ration cards or coupons are no more.

Radical changes have taken place in the organisation of state power. Firstly, it is truly shaped by the people. Secondly, the executive, legislative and judicial branches of power are gaining experience and moving away from confrontation, which ensures stability in the country.

In a complex situation, we have managed to achieve a European mode of behaviour in state-political and social life. It is based on tolerance and compromise, political and ideological pluralism, freedom of conscience, speech and information, and diversity in the field of ideas, which have replaced dictatorship, censorship and one-party rule.

We are becoming a country of free people.

The threat of territorial division has been completely eliminated; to a large extent a balance has been achieved between the interests of the regions, for the sake of the common needs of state and society.

Ukraine has entered the international community on terms of equality. Its formal presence in the United Nations and a number of leading international organisations has been transformed into a position of influence. The international recognition accorded Ukraine was reinforced in the awareness of world opinion as a result of our team's successful performance at the 26th Summer Olympics.

Thanks to our goodwill, the global nuclear tension on the planet has been reduced. Today we do not feel any direct threat of aggression against us and we, in our turn, do not regard any state as a military adversary.

This and other cardinal changes and the new achievements in the life of Ukraine are the result of tremendous efforts by all our compatriots, their will, constancy and unfading hope for better things.

Much has been achieved, many things are under way and still more lie ahead.

For a clear picture of who we are today, we should recall who we were not so long ago, how we lived and how we took our first steps towards establishing the state. We should also take into account the fact that in so short a period of time one cannot bring large-scale transformations to a logical conclusion nor solve problems which have built up over decades.

Like litmus paper, the reforms themselves have revealed precisely the unattractive nature of all the ulcers and defects of our previous existence. Coupled with our mistakes, this has prevented us from accomplishing more. Furthermore, our achievements could have been greater and the price people paid for the reforms much lower had we been able at the start of our state-building to foresee the whole depth, complexity and diversity of the problems and to make an adequate response to them.

On top of everything else, muddled thinking about the main operating principles of the state mechanism, serious blunders in personnel policy, a prolonged failure to understand the essence of sovereignty and excessive concern about the external attributes of statehood while ignoring the need to give it real content, and the dominance, in essence, of politics over economics, all became significant obstacles.

Over-optimistic expectations from independence, in conjunction with an inadequate level of self-organisation in society, the underestimation of the inertia of the old political system, and the release of a potentially huge amount of energy, which in many ways has the nature of a politically uneducated force, all produced their effect.

We began to pay attention too late to the somewhat different outlooks and mental guidelines in society, and underestimated the importance of a regular dialogue with people so that they could become consciously aware of the need for and the essence of the reforms.

And the main thing is that during the past five years no unified strategy for solving the tasks of state-building, particularly in the economic sphere, has been formulated. Now we are going through the necessary stages of the evolution rather too late, when our room for manoeuvre has become limited, the choice of tools to implement the transformations policy is less and society's reserves of strength are running out.



Khreshchatyk Street, Kyiv. Scene from the Independence Day parade, 24 August 1996.

I will say openly and honestly that, as President, I cannot be satisfied with the actions of the organs of power, nor with the situation in Ukraine. For I know perhaps better than anyone else the depth of the problems and how difficult the life of our people is today, for which we should apologise to them, and how immoral and dangerous it is to boast without cause. At the same time, I am absolutely convinced that it is necessary to talk about positive achievements and to define the signs and turning points of our development not just to mark the festival, but in order to mobilise ourselves, to maintain our course and achieve our goal – to bring to completion our political, legal and economic reforms, and go over to dynamic, full-bodied development. The more so since the turning point is now visible, the necessary conditions for reaching a qualitatively new level have been created, although some people do not wish to recognise this and prefer to suggest something different. Our current problems should soon be replaced by economic growth and a higher standard of living for the people. Ukraine's statehood is no longer in doubt, so we can now shift the priorities in our future policy, placing them in the following sequence: individual, family, society, state.

Esteemed members of the audience.

The specific feature of the present moment in the life of Ukraine is determined by the fact that an emotional perception of the new Constitution is being replaced by an in-depth awareness of its significance.

Firstly, as a guarantee of independence, the instrument of a truly reformist development of the state.

Secondly, as a social contract which creates new principles for ensuring stability in the country, the moral and psychological unity of the people, and the raising of its spiritual level.

Thirdly, as a mechanism of the constructive interaction of all branches of power in the interests of the comprehensive development and consolidation of Ukraine.

Fourthly, as the fundamental legal regulator, due to which the state and society cease to be dependent on the world-view of politicians.

Fifthly, as a means of establishing Ukraine in the world and creating a favourable investment climate for the whole of our economy.

The five-year constitutional process in Ukraine was characterised by a diversity of approaches and the complexity of the course of action.

Of particular importance – and an extraordinary step in this course – was the constitutional treaty between the Supreme Rada and the President of Ukraine, which allowed us to keep the process under control, initiated a single state policy based on the principle of the division of powers and stimulated the constitutional process.

During this period, three separate draft Constitutions were prepared. However, none of these gained the approval of a majority of the legislature. Had an agreement been reached, valuable time would have been saved. Instead of tinkering with the old system, we could have got on more efficiently with its restructuring and transformation. We would now be in a qualitatively different situation, with a more dynamic course of development.

It is important to draw lessons from this for the future.

The painstaking work on the final draft Constitution, which was eventually enacted, took almost two years. It required a truly titanic effort, boundless patience, talent for compromise, and a conscious sense of responsibility to the people for the future of the country and civic peace.

I say this because some people would like to impose the primitive idea that the Ukrainian Constitution was run up overnight. Justice requires us to remember that during the entire painstaking process of creating this document, there were few people willing to work on it with all their efforts. But there was no lack of those who did not want it to see the light of day. But, in its final stages and now today, all too many of them claim to be the 'father' of the Basic Law.

There is no need for a modern myth about the 'log at the constitutional subbotnik'. [An early Soviet documentary showed Lenin carrying a log at a Communist extra labour Saturday with a number of other workers. Later, many people claimed to have carried the log with Lenin].

It is better and far more necessary to concentrate our efforts on practical tasks – to create conditions guaranteeing that our life is fully governed by the law. Only then can we combine freedom with responsibility and achieve order, justice and prosperity.

It is not enough to adopt the Constitution. One must learn to live by it.

The main thing is not to drown the Constitution in talk, not to turn it into an object of political campaigning, not to place party goals and ideological interests above the Basic Law, but, from the outset, to fill the public consciousness with a respectful, even, if you like, reverent attitude to it.

If we do not respect the Constitution, there will be no respect for us, for Ukraine and its people. In the long run, there will be no state, no future for its people.

In this respect, I would like to single out four priority tasks.

Firstly, to establish a system of educating every citizen in the law, legal education and assistance, beginning with each individual studying the contents of the Basic Law.

Secondly, to establish effective control over the implementation of and adherence to the Constitution and its legal norms by those whom they concern.

Thirdly, to bring the entire legislation in line with the Basic Law and draft the relevant new legislative acts.

Here I wish to stress once again that we are not talking about 'adapting' the Constitution to the existing legal framework, but bringing the legal framework into line with the Constitution, and preventing attempts, so to speak, to 'amend' the Constitution during the drafting of the new laws it envisages.

Fourthly comes the codification of Ukrainian legislation, first and foremost, the adoption of the Ukrainian Civil Code as the fundamental legislative act in the field of civil and property rights, called upon to establish a clear legislative framework for the functioning of the market economy.

Also awaiting attention is the adoption of other codified legislative acts, particularly the Civil-Procedural, Criminal and Criminal-Procedural, Administrative Penal and other codes. The government should urgently occupy itself with their drafting, naturally basing its work on the science of jurisprudence.

The legal system of Ukraine should fully answer the new conditions of life of society, provide reliable guarantees for protection of the rights and interests of the person, all subjects of social relations.

For this it is also necessary to expedite the reform of the judicial-legal system. The courts themselves have to become the force which will defend the law and ensure its supremacy in the life of the state and society.

The completion of this work, together with other measures being coordinated by the special Presidential commission on the implementation of the new Constitution, will allow us to complete the building of our statehood, and will mean the establishment of a firm legal, and therefore fair, order in the country.

We must and, I am confident, shall build a state which will not be an instrument in the hands of a single political force, and will not therefore dictate the way society should live, but will simply serve it reliably and efficiently.

We can then be confident that relations between the state and society will not change with every new election. This will ensure the triumph of democracy and steady progress.

A strong state is a necessary condition for democracy and, vice versa, democracy is a necessary condition for a strong state.

The Constitution of Ukraine has not only consolidated our democratic achievements, it has also opened up new prospects, given a powerful impetus to the

development and consolidation of civil society, and to the strengthening of the interaction between the institutions of power and society.

It stimulates from above the process of establishment of the subjects of social development, in particular, it assists the normalisation of their relations, and civilised nature of their actions.

In broad terms, so far it is only the individual citizen who has received adequate guarantees of his/her rights and freedoms and the achievement of his/her interests. The activity of associations of citizens – at the head of which are parties – is defined only in very general terms and still requires appropriate legislative regulation.

Five years have proved beyond doubt that the strength of civil society and the political system is, to a large degree, determined by electoral law. To a considerable extent it is on this that the implementation of the fundamental principle of popular rule depends, as, too, does the decision regarding whom people entrust with power.

Current legislation does not conform to these requirements nor to the task of establishing a permanent multi-party system. This is why the amendment of the electoral law is a top priority.

A comparison between decades of state atheism and the present-day picture vividly illustrates the fact that freedom of conscience is an undeniable achievement of the Ukrainian state.

The church and religion are being restored to their proper place in society. In the past five years, the number of religious communities [parishes] in Ukraine has increased by 5,000, and amounts today to 18,000. The religious spectrum has expanded from 37 to 65 denominations, currents and movements. Almost 3,000 places of worship and around 8,000 church treasures have been returned to religious organisations. No less than 1,165 churches have been built and almost 2,000 more are under construction.

The church is separated from the state but is not separated from society. And in the same measure as the state cares for the spiritual and moral well-being of society, so it does for the meaningful existence of this institution, which by tradition provides for the moral well-being of society and the patriotism of its citizens.

For this reason we cannot show indifference to the inter-church conflict inherited from the past. Nor can we simply adopt the stance of a disinterested observer regarding the growing presence in the Ukrainian religious space of active foreign missionary organisations and totalitarian sects, with their destructive influence on people, above all, the young.

We can and should protect our citizens from the spiritual aggression of totalitarian cults.

We are ready to support any initiatives aimed at achieving unity and peace between the churches.

Today, I repeat my position: the state must not usurp the functions of the church, and the church must not take upon itself positions of [temporal] power. The state is called upon to protect and support the church, while the church is called upon to provide spiritual guidance and protection for the state and its people.

One of the key signs that our state is established as a democracy is its balanced policy in so sensitive a sphere as inter-ethnic relations.

Having inherited numerous problems from the nationalities' policy of former times, the new Ukraine has, nevertheless, managed, within a short period of

time, to create a clear-cut system of state regulation of ethno-national processes, which conforms to international standards and is capable of ensuring the full-strength revival of all nations, and of guaranteeing them universally recognised human rights.

This is laid down in the Ukrainian Constitution.

And this means that we have all the principles required to ensure the unity and integrity of the country in the new historic conditions, to coordinate the interests of the state and those of all ethnies, to consolidate their multilateral cooperation and develop national [minority] cultures and languages.

Social changes begin with an understanding of historical roots, from the sources of the psyche, its moral health, concern about the state of affairs in one's own home state and a feeling of proprietorship.

The national memory and psyche are like the ozone layer which protects life on Earth, forming the nucleus of our nation and state.

A spiritually sick nation has no future.

The right to national memory and national awareness is as inalienable as the freedom of religion. Democracy envisages a respect for all the manifestations of the human psyche, including the right to love one's homeland and identify oneself with one's nation.

Thus, for a new state formation like Ukraine, which is overcoming the consequences of cosmopolitanism as an ideology of suppressing everything national and effectively destroying historical and cultural memory, the formation of national self-awareness, the extension of democracy to the sphere of the psyche and the organic unity of these two phenomena are of exceptional importance.

We have defined our strategic approach towards reforming all components of the sphere of humanities. We are making maximum efforts to preserve its potential and support its vital activities.

Now that the fundamentals of statehood have been established, it is possible to define this trend as a subject at the focus of state policy.

This is demanded, on the one hand, by the difficult situation now surrounding culture, education and science, and, on the other, by their role in the life of the country, as the fundamental values of statehood, social consciousness and national security.

In speaking about such positive phenomena as freeing our cultural life of political dictates and ideological censorship, restoring whole sections of the cultural traditions of the world and our nation, and guaranteeing the conditions for them to develop naturally, one cannot, however, refrain from mentioning certain very worrying trends.

I have in mind attempts to effect the expansion of our intellectual life from without and to replace forcibly whole layers of the national culture with an *ersatz* 'mass culture'.

Our priority task is, therefore, to create individuals who think within the context of Ukrainian and world history, to inculcate in them a feeling of identity with the Ukrainian state, its culture and people; to preserve the cultural heritage, to stimulate and give support (including financial support) to policies in the cultural field; to ensure that cultural treasures are made accessible to all citizens; and to promote actively the initiatives and projects of creative artists.

By implementing these aims, we shall build strong spiritual foundations for Ukrainian statehood.

The new stage which Ukraine is entering requires priority attention to education. For it is education which is called upon to pave the way to a new social, economic, legal and political culture, and to make our society dynamic and open.

From our very first steps in reforming this branch we have managed to make important fundamental changes – to abandon the focus on a unified and standard individual, to eliminate the excessive ideological pressure in schools and the practice of imposing obsolete clichés and stereotypes on the younger generation, and to acquire the openness needed in modern society.

However, we can all see the difficult situation, which the sphere of education is now facing, barely able to survive for both objective and subjective reasons.

We must preserve, at all costs, our educational potential, the traditions of secondary schools and universities, and the highly-qualified and dedicated personnel of our education system, and must ensure that the constitutional provisions on the right of citizens to quality education, which are guaranteed by the state, are consistently implemented.

While paying heed to the various types of educational establishments and forms of education, the state should keep a watchful eye on the problem of preserving a single educational space in Ukraine.

Large-scale transformations are also awaiting us in the field of science. The main trend is to form a science policy which will give the key role not to bureaucratic departments, but to the people who are directly involved in the process of developing know-how and new technologies.

At the same time, we are working on the principle that the introduction of innovations in the humanities and a single rational state policy, with the participation of the intelligentsia and under their control, is a necessary condition for restoring creative artists and intellectuals to their proper place in the life of society.

We should proceed from the concept that investment in the individual is investment in the country's future.

Ukraine, like other countries in a state of transition, requires a new set of value guidelines, a special spiritual substance based on freedom, democracy, free labour and social justice, and spiritual and cultural development based on national as well as basic universal values.

Hence it requires an intensive search by society as a whole for common national ideological and spiritual guidelines, and universal unifying values, capable of consolidating and strengthening the state and ensuring its progress towards contemporary standards of civilisation and a clear historical perspective.

It so happens that the ideological factor has always played an enormous role in the life of Ukraine. The Soviet period of our history was especially charged with ideology, which, however, failed to protect us from poverty, servitude and the derogation of the individual, but was meant to make up for all other human values. The individual supposedly had utopias to shield himself from his miserable life.

Therefore, the absence today of a single ideological scheme, a *sui generis* ideological core, is perceived by many as one of the discomforts of life today. For the first time in many years, ideology is no longer the generalising dominating force in the country, although each political group is striving to offer its own ideological doctrine to society as a whole.

From time to time, one hears calls for a new state ideology. However, as the Constitution proclaims: the state recognises no ideology as mandatory.

While trying to free society from ideological narcotics, we must also understand that Ukraine will find it difficult to survive, hold out and establish itself in an ideological vacuum.

The state should have an ideological dominant note, not as a state ideology, but as the ideology of state-building. This is obvious and unequivocal. It should not be based on abstract utopias, but on natural, high national values common to all.

As a rule, these are defined as 'the national idea'. In my opinion, discussions to date about the content of this idea have failed to clarify the issue, and have simply confirmed that the problem requires attention at the state level and a broad scholarly discussion, involving as many people as possible.

First and foremost, the national idea should be part of the public consciousness and a unifying force of the nation, and not simply an elegant concept on paper. From this viewpoint, I have already expressed my understanding of the national idea, which is based on deep historical traditions which have their roots in the life-giving sources of Kyivan Rus', the Galician-Volhynian principality and the Cossack state. It is the idea of a powerful and prosperous Ukraine; the idea of statehood, patriotism and solidarity; the idea of spiritual values, constitutional order, civic peace and harmony; the idea of justice and well-being; the idea of openness to the world.

To this, I wish to add only a few considerations.

Firstly, a positive attitude to the national idea should not lead to a proclamation of national superiority, a *sui generis* Ukrainian Messianism.

We need democratic, humanistic patriotism, characterised by love for the homeland and pride in its people. A life-giving patriotism capable of unifying. A patriotism based on respect for the individual and human rights. Such an ideological synthesis of patriotism and democracy will, in my opinion, become a sure foundation of a civil society.

Secondly, the main essence of the national idea is not its rhetoric, but its accurate reflection of current realities and the formulation of tasks capable of integrating our society. These, for example, include the defence of national security, politics, the economy and culture, the maintenance of national control over key natural resources, technological independence and protection of national production, control over finances, the fulfilment of our interests in international relations, and so forth.

Thirdly, the national idea is a form of the nation's self-awareness, an indication of how a nation understands itself, its place and role in the world. A nation, like an individual, cannot live without self-awareness. But the act of self-awareness – self-identification – begins with adherence to the principle of an indivisible history, recognition of its every page.

The past must not be separated from the present. We must learn to regard Ukrainian history from the point of view of historical continuity, or, as Mykhailo Drahomanov [Ukrainian historian, 1841–95] would say, traditionality. We must pay tribute to the Ukrainian National Republic [1918] and [its President] Mykhailo Hrushevskyi, as well as to Soviet Ukraine, from which, after all, we have inherited a united Ukrainian nation within its present borders.

Our past is an integrated social process, albeit one of many contradictions, like the life of that integrated social entity – the Ukrainian people. So let us live according to the principle: a common history in the past and a common ideal in the future.

This, in its turn, requires a tough political compromise, based on sober calculation and a mutual ‘amnesty without confiscation’. This is the only way we can consolidate our main achievement – the preservation of civic peace and accord in the state.

Today it is extremely important to summon up political will and act with maximum unison. There is nothing to divide us. We have a common homeland. And we all want it to be rich and happy, a true mother to all of its citizens.

I wish to use this opportunity to say again that the President of Ukraine has demonstrated many times his capacity for dialogue and is always ready to cooperate with anyone whose main priority is the fate of Ukraine. For the sake of its future, for the sake of ourselves and our prosperity, I call for accord among all politicians, all political forces and all citizens.

Fortunately, there have been no open civil conflicts in independent Ukraine, and there will be none unless we lose our sense of direction and wander off from the universal civilised course. Moreover, the traditional system of our people’s values plays the role of a *sui generis* safety valve which prevents conflicts occurring.

This is supplemented by the fact that the current transformations are based on the idea of property and ownership. This is very important since history shows that a civil war is, strictly speaking, possible, only when the issue of power is made the foundation of the modernisation of society.

A well-known definition may be paraphrased as follows: civil war is the continuation of the idea of power by violent means, while civic peace is the continuation of the idea of ownership.

A society oriented towards ownership based on labour is destined by its very nature to national peace.

Therefore, it is self-evident that the level of stability in our life will be determined by the rate and effectiveness of reforms. Social accord can and must be ensured on the basis of the equal right of people to private property, on the opportunity to make an honest living and be certain that tomorrow no one will confiscate what has been earned.

All this will bring to society both political stability and the long-awaited economic growth. Most important, is to see the mainstream processes in the kaleidoscope of social life, to bring them to the knowledge of the people, and to encourage society to become the master of its present day and its future.

The mass media, which in the years of independence have reached a modern level in terms of quantity and which are capable of forming the information space of the country, play a leading role in this process. At present, over 6,000 periodicals are published in Ukraine. 740 private radio and television organisations have been set up alongside the state ones.

The constitutional principle of the freedom of the mass media is inviolable. For their part, the state and society have reason to expect journalists to perform their civic and professional duty by promoting the spiritual and moral revival of Ukraine and consolidating its statehood.

The success of these activities is directly linked to the rate at which we manage to ensure the flow of information for the nation.

On the basis of these considerations, it has been decided to set up a Ministry of Information of Ukraine.

Esteemed members of the audience.

As you know, in November 1994 the President of Ukraine put forward the main provisions of a new concept for the socio-economic reform in the country. Much of what was planned then has since been reflected in the Constitution.

Before we embarked upon the course towards radical changes, we had covered a difficult road which we cannot appraise without some reservations.

However, although quite a few mistakes have been made, the past five years have determined the overall result. Despite all the apocalyptic prophesies, Ukraine's economy has not slipped into an abyss. The main life support systems, although strained to the limit, have continued to function. The complex process of forming Ukraine's own monetary, financial and banking system has been going forward.

In a word, this has been a period of building the economic sovereignty of the Ukrainian state.

We have chosen the difficult path of the practical implementation of transformations which were long overdue. Had we embarked on this path in the first years of independence, we would have had significantly fewer difficulties. Indecisiveness and inconsistency in its implementation, when every two or three steps forward were offset by a giant stride backwards, put up the price society is having to pay for the restructuring of our life.

The delay in liberalising prices, in the abolition of the fixed rate of the karbovanets and in the adoption of unpopular, but inevitable decisions regarding tariffs on local public utilities, built up a huge inflationary potential and, by the end of 1994, society was feeling the full force of its ruinous effects.

By taking difficult decisions, we have managed, practically speaking, to bring price rises to a halt. Over the past three months, the increase has been less than one per cent. Ukraine is now approaching the final stage of the initial financial stabilisation. Conditions have been created for putting a final end to the decline in production. In the first half of this year, industrial output fell by three per cent as compared with 13 per cent last year.

In actual fact, small-scale privatisation has been completed and the privatisation of large and medium-sized enterprises has been significantly accelerated. The private sector now accounts for over half of all industrial output.

In September the Programme of Activities of the Cabinet of Ministers of Ukraine will be submitted to the Supreme Rada for consideration. The situation in the state as a whole will depend on the lines of approach laid down in it, and the fate of the government itself will depend on the way these lines are implemented.

The Programme is to be targeted principally towards ensuring the restoration of full-scale investment processes and economic growth, on the basis of the consistent implementation of financial stabilisation, supported by decisive structural reforms.

The payments crisis and the late payment of wages are the most acute manifestations of the systemic illness of our economy. This has a particularly disturbing effect on society and I, as President, am likewise very concerned about it.

A policy of financial stabilisation, based on keeping expenditure within the limits of budgetary income, has helped transform the problem of nonpayments from a hidden to an open one. It has removed the veil of illusions and given a clear signal to society: the problem cannot be solved without structural reforms. It is necessary to treat the symptoms of the illness, namely to reduce superfluous production capacities and revive potentially healthy ones, and to bring the budget-funded sector into line with the real possibilities of maintaining it.

Structural reform concerns, first and foremost, the coal and power-engineering industries.

It is no less important for the agrarian sector.

The division and privatisation of land, a balanced credit policy and state support for rural life are of fundamental significance. A country with almost 40 per cent of the world's black soil should not have any problems with food supply. This is a national disgrace.

It is clear that the implementation of an active restructuring and investment policy requires a more resolute reform of ownership relations.

It is necessary to complete, as soon as possible, the mass, certificate-based privatisation which involves the participation of the population at large and to move on to a new stage – the sale of blocks of shares under investment commitments. This envisages a search for reliable investors and the formation of an efficient owner.

This question is so important that it needs to be considered once again at the state level, and a truly state-level approach towards solving it should be ensured. In the euphoria of market transformations we have forgotten that the state, as owner, is obliged to manage the state sector of the economy efficiently. It is necessary to build a clear-cut management system and put a stop to the futile struggle between the ministries and the State Property Fund of Ukraine.

Any further delays in the reform of the taxation system would be intolerable. A decree of the President of Ukraine has defined the main parameters and guidelines in this sphere. In essence, they mean a general reduction of tax pressure, and the creation of a stable and comprehensible taxation system with clear-cut procedures for levying taxes, stepping up responsibility for tax evasion and ensuring the budget revenue.

A separate, and very important issue is that of implementing a protectionist policy. Being well aware that we have inherited an economy with a high level of concentration and centralisation of production, with numerous monopolies, the technical and technological level of which is trailing behind world standards, we should act consistently and reasonably on this issue.

The fact that the budget is unbalanced in real terms and that it contains a significant hidden deficit, evokes serious concern. Out of inertia, we have gone on distributing something that simply does not exist and have then been surprised at the scale of the payments crisis and social security debt. It is time to put an end to this. But not, of course, at the expense of increasing tax pressure.

Next year, we should introduce full-fledged budget financing through the state treasury. We cannot put up any longer with the fact that dozens of trillions of karbovantsi, earmarked for doctors, teachers, servicemen and pensioners, are wandering around for weeks and months along the tangled channels of the budgetary system.

The government must ensure that all the budgetary funds are concentrated in a single treasury account and must work out a new, responsible attitude towards the drawing-up and implementing of the budget.

As regards the backlog in paying wages to the employees of the budget-funded sector, the President's stand on the issue is clear-cut and unequivocal: the law on the budget must be observed. I will continue to demand that the government and local executive authorities seek realistic ways to solve this problem and pay up back wages as soon as possible.

We should always remember: no reforms just for the sake of reforms. No policy should be aimed at transformations as such.

The main aim is the individual, his or her daily concerns, family and, ultimately, peace of mind.

It is this for which we must work, having first clearly defined the economic interest of the nation.

In my opinion, the latter should be formulated as follows: in the long term, to ensure a maximum growth in the well-being of the maximum number of citizens of Ukraine, and in the short term, to minimise the number of citizens losing out on the road to this goal, and the scale of their losses, and to guarantee ear-marked compensation commensurate with these losses to the vulnerable strata of the population.

We must realise that we have only ourselves to take responsibility for getting out of the current situation. It is the destiny of our generation to provide our children and grandchildren with a worthy standard of living.

It is, first and foremost, families who feel the brunt of all the trials and troubles of the transitional period. And there are over 14 million families in Ukraine, including 670,000 families with many children. Delays in the payment of wages, low social-security benefits, lack of housing, street crime – none of this is conducive to strengthening the nucleus of society and hence the state.

Supporting and strengthening the family and solving the long-standing problems of childhood and demographic development, on the basis of an appropriate state programme, must be a priority of our policy. If we can do this, we shall have established Ukraine forever, and ourselves as a great nation.

Youth policy is no less urgent an issue for both today and our future. Ukraine needs a young generation of entrepreneurs, farmers, creative artists, scientists, politicians and managers, workers in all technical fields, young, active citizens who are loyal to the ideals of a civil society and a law-governed state.

This is what prompted my decision to establish a Ministry of Family and Youth Affairs.

The state's concern for its senior citizens should be stepped up fundamentally. Not just because one in four of our citizens belongs to that category. It is our duty to do everything we can to make the autumn of their lives warm and comfortable, to ensure that they do not feel abandoned and humiliated.

For this purpose the reform of the pension law should be speeded up, with the labour contribution of citizens and changes in the cost of living taken into account.

The state should pledge to guarantee the restoration and preservation of the value of the population's savings from financial sources which actually exist.

Public health and realistic guarantees of medical care for all Ukrainian citizens, within the compass of basic standards, is an important social and political issue.

But, generally speaking, the best means of social protection is productive labour and high real wages. The state is obliged to support those who live at the expense of their labour and talent, and ensure the required level of employment. A free society ought to give people the opportunity to reveal their abilities to the full and realise them in practical terms.

Esteemed friends.

Five years ago, the following question was often asked: how long a period did history allot, this time round, for Ukraine's independent existence?

The celebration of today's jubilee gives an irrefutable answer to this question and emphasises the evident nature of the fact that the absence of the Ukrainian state from the political map of the world was an anomaly, a sad and artificial paradox not just for its own people, but for the whole of Europe.

Therefore, the foresight of those who drew up the Declaration of State Independence, the Act of Independence and the Constitution of Ukraine – the documents which determine the main parameters of our foreign policy – should be given due tribute. The implementation of these documents is promoting the establishment of Ukraine on the international scene as a respected, reliable, equal and predictable partner. Clearly, this would have been difficult to do without the long-standing traditions of state-building, including those in the sphere of diplomacy and international relations.

On this festal day, I should like to recall the true 'moments of truth' in the establishment of the young Ukrainian state on the international scene.

We are celebrating the fifth anniversary of independence without lethal nuclear weapons on our territory.

The signing by the Presidents of Ukraine, the USA and the Russian Federation of the trilateral statement on nuclear armaments stationed in Ukraine, and the subsequent accession to the Nuclear Non-Proliferation Treaty (NPT) created reliable guarantees for our security, promoted the development of political, economic and other forms of international cooperation, and the establishment of constructive relations with leading countries.

Ukraine thus made an important contribution to the formation of an all-European security system and the process of determining its mechanisms.

The recognition of Ukraine's key role and place in Europe, recorded in the relevant documents of the European Union, NATO and the Western European Union, places upon us a particular responsibility for maintaining stability and conducting a balanced and predictable foreign policy. In our turn, we are counting not only on the relevant security guarantees extended to Ukraine, but also on political support for our internal and external political efforts.

Assessing our achievements on the international scene, I would like to recall that Ukraine has become a member of the Council of Europe and the OSCE [Organisation for Security and Cooperation in Europe], it has joined the Central European Initiative and consolidated its position within such influential international institutions as the International Monetary Fund, the World Bank and the European Bank for Reconstruction and Development. We have signed the 'Partnership for Peace' programme and are developing an 'enhanced relationship' with NATO. Cooperation with the European Union, which has recognised us as an economy in transition, has acquired new dimensions in terms of quality.

Even these few examples give a convincing answer to those who until recently had been inclined to see excessive 'political idealism' in our international efforts.

The path towards the integration of Ukraine into European structures and the deepening of transatlantic cooperation was adopted not for reasons of national security, but by profound economic interests as well.

We are well aware that Ukraine's present economic relations with Western European countries and with the USA, Canada and Japan, lag significantly behind the level of political relations. However, we regard a broad political dialogue with the most influential states of the world, coupled with internal stability, as a reliable prerequisite for effective economic cooperation, primarily in the sphere of investments.

It is important to step up economic and political cooperation in the Central-East European region, since relations with our immediate neighbours are a priority in all respects.

Ukraine's geopolitical position requires the economic and political balancing of our relations with both the West and the East.

The strategic choice of joining the European integration processes should by no means undermine the efforts to ensure Ukraine's interests in the post-Soviet space. In the first years after the break-up of the USSR much was lost in that respect.

Nevertheless, Ukraine's policy in that direction is becoming consistently more active and pragmatic.

Relations with Russia are of a decisive nature. It has been and remains our most important partner.

We hope that now, after the democratic presidential elections in Russia, favourable conditions are developing for dealing with top priority tasks. These include the signing of a comprehensive treaty and the conclusion of final agreements on dividing the Black Sea Fleet, and on defining conditions and time frames for the deployment of its Russian section on Ukrainian territory.

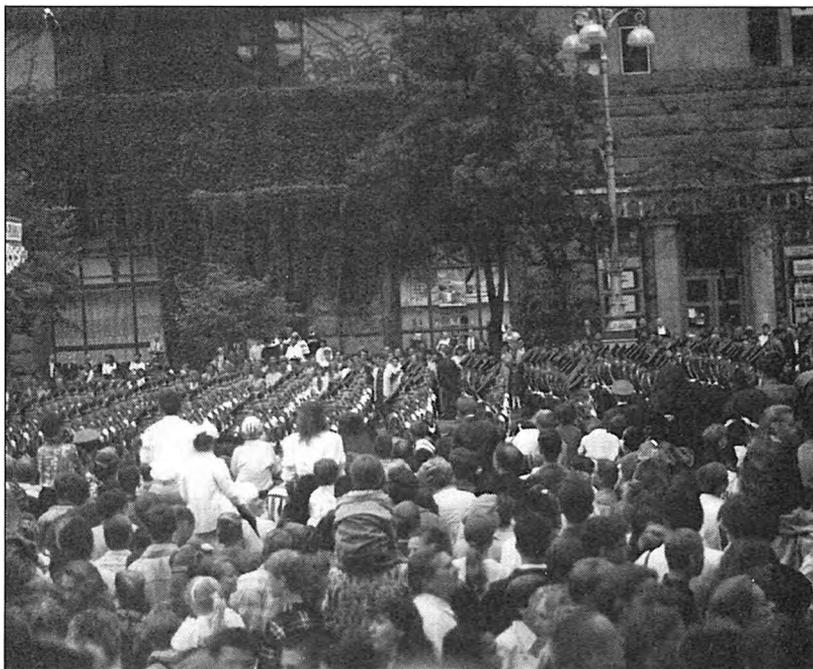
One should also note that Ukraine cannot take a one-sided stance on relations with Russia, especially in the economic sphere, although certain circles are trying to push us in that direction.

One should, however, take into account that the post-Soviet countries are economically and technologically lagging behind the developed countries, and realise that, although the building of a modern economy is possible in each of them, first and foremost, in conditions of in the main material and intellectual self-reliance, nevertheless the investment of modern technology and capital from outside is of huge importance in achieving this task.

This process can prove sufficiently effective for Ukraine provided there are direct contacts with the developed countries and international organisations.

Relations with them via Moscow have no future, not only because Russia itself is in critical need of investment and technological and technical modernisation, or because the preference of 'multi-channel' contacts to 'single-channel' ones is evident. Primarily it is that state and private foreign structures are sensitive gauges of whether a country is truly independent.

If the answer is negative, they prefer to maintain contacts through a neo-metropolis where the real power is concentrated.



Kyiv. Independence Day parade, 24 August 1996

We have no right to allow such a development. That would be, indeed, voluntary self-isolation.

There have been mistakes and certain tactical blunders during the five-year period. However, this is a natural process. The main result, however, is that Ukraine has become a fully-fledged member of the world community and the European home.

Esteemed members of the audience.

Now, on the threshold of the third millennium, the contemporary world is entering a new period of civilised development, bound up with the survival of mankind as a whole.

Only a country that is able to make global, strategic decisions, which stem, if you like, from a new understanding of the very essence and purpose of a nation's existence can worthily take up the challenge of time. This is why all our approaches to solving current problems should be based on criteria of this scale.

A natural combination of the current and long-term tasks and their practical resolution is a sign of the efficiency of state power, the responsibility of all its branches, and the effectiveness of the laws enacted.

The system of drafting and enacting laws and their essence should comply with the tasks of building a new society, a new Ukraine. All these years we have been carrying out restructuring and creating a new economy and new principles of life, for the most part, on the basis of Soviet laws. Hence the results.

Meanwhile, a considerable number of Bills, which are intended as the legal basis of our new life, are being held up in the Supreme Rada. Speeding up their passage must be a major priority. This issue should be accompanied by political and economic balance and legal validity of laws.

The work of the executive bodies of power, beginning with the Cabinet of Ministers, needs radical improvement. According to the Constitution, the government is the supreme organ of executive power and bears full responsibility for the entire economic and social situation and the standard of living in Ukraine. There is no one else to appeal to. The government must realise this fact and Ukraine must be aware of it too.

The judicial arm must also become a firm pillar of the state, on a par with the legislative and executive arms. Only authoritative and strong justice is capable of ensuring effective efforts on the part of all the branches of power and, most importantly, the effective protection of citizens' rights.

The implementation of a balanced regional policy and the organisation of a system of local self-government is an important factor in building a democratic Ukraine. It should be recognised that its establishment in practical terms has turned out to be a much more difficult task than expected, since it is replacing a diametrically opposite method of organising local life, which, in Soviet times, was marked by the strict centralisation of power and state paternalism, as a result of which social initiative was undermined. And the latter cannot be restored by artificial methods.

Time and appropriate efforts by the state are required to clear the path for fully-fledged local self-government, as envisaged by constitutional norms. The weakness of state bodies at this stage, often forced the President not only to take the initiative, but also to assume responsibility and take the blame for mistakes, blunders and even inactivity.

With the adoption of the new Constitution, the main activities of the President should be re-focused on issues of state-building, personnel policy, defining the fundamental principles of economic, social, humanitarian and foreign policies, and exercising control over the methods and pace of their implementation, guaranteeing state security, the irreversibility of the changes and preserving the main course of the reforms, establishing civil rights and freedoms, ensuring nationwide and state interests, and uniting people and consolidating society.

Reform of the armed forces, creating a truly efficient army and navy and providing them with all they need, will occupy an important place among these issues. At the turning point of state-building, we are often compelled to take tough, unpopular decisions, to bear the burden of moral responsibility for them and for the quality of their implementation, and I am well aware of all this. I am also aware of the fact that he who does the work is always more vulnerable to criticism than he who simply observes the course of events and passes judgments. The actions of those who ought to bear the greatest responsibility for the state of affairs in the state, but who are trying instead, as they say, to shift the blame on to others, are deeply immoral. These 'down-to-earth contemplations on the eve of the holiday' cannot prompt me to any other conclusion. I am convinced that those who have assumed responsibility for the fate of the people and for Ukraine ought not to be bothering about their own rating. The policy of

flirting, making capital on objective difficulties and people's misfortunes, wordy rhetoric about whose love for the Ukrainian people is stronger, are the way to nowhere. What we need is to bring the country on to a course of stable and dynamic development, responsibility, a synthesis of energy, discipline and unity, an effective and integral personnel policy, competence, professionalism, self-sacrifice and loyalty to the homeland. Dilettantes can only build an amateur state. But history does not recognise these.

Dear compatriots, esteemed participants  
of the gala gathering, and friends.

A new, independent Ukraine has risen from the dead and emerged at the crossroads of the millennia. Our turbulent times in many ways resemble the rapids of the River Dnipro in Cossack times, when the mighty, rapid waters with stormy waves and whirlpools surged over them. Traversing these 'insatiable' rapids was an extremely difficult and dangerous task even for experienced and bold Cossacks, requiring their utmost strength and extraordinary skills. Such is our passage, over the historic rapids of independence, into the twenty-first century.

I hope and believe that we shall have sufficient courage, restraint and knowledge to overcome all the rapids on the way towards a prosperous and happy Ukraine – a true mother to all its citizens.

We are a strong and wise people, a people which has endured tremendous trials, but has endured and is now establishing itself in its own country – Ukraine. Forever! □

## New Constitution of Ukraine, At Least it's a Beginning

*Ihor Dlaboha*

A few weeks before the fifth anniversary of proclaiming the long-awaited independence of Ukraine, the Supreme Rada, the Parliament, adopted on Friday morning, June 28, after a tumultuous all-night, 36-hour session, the independent country's equally long-awaited, post-Soviet Constitution.

Even the Communists and their left-wing allies, after opposing the draft of the Constitution, specifically the articles on private ownership and the codification of historical symbols as seals of sovereign statehood – the Trident seal, the blue-and-yellow flag and anthem – joined the euphoria and turned on the 'yea' light on their parliamentary desks. By dawn, word had spread throughout the capital city of Kyiv that the lawmakers were close to adopting the Constitution. Despite economic hardships associated with nascent statehood, the Ukrainian people, hoping for salvation from a new Constitution, held their breath for the ultimate announcement that from now on they will be ruled by their own law.

Quite expectedly, the throng that waited outside the parliament building turned their quiet anticipation into boisterous, drunken revelry, when at 9:30 in the morning the adoption of the Constitution was reported. Whether at home, in a government office or on the floor of the Supreme Rada, Ukrainian champagne, cognac or 'horilka' justifiably poured freely.

The Constitution, which was approved by a vote of 315–36, with 12 abstentions, took effect immediately and replaced the older version, created in 1978, when Ukraine was still a Soviet republic.

According to insiders, President of Ukraine Leonid Kuchma, who sought adoption of a single law of the land in order to enhance his position vis-à-vis parliamentary leaders, was a personal winner in this tussle.

'However, whether his victory is as unambiguous as it seems at first glance is far from clear', wrote Markian Bilynskyj, director of the Pylyp Orlyk Institute for Democracy, which was established by the US-Ukraine Foundation.<sup>1</sup>

'President Kuchma's track record through the constitutional process suggests a man who never quite knew what he wanted but was absolutely certain about what he did not want: A Supreme Rada, or more generally a system of radas (councils) that was configured to exercise an almost suffocating control over the executive branch rather than the classic oversight functions of a genuine Western-style parliament'.<sup>2</sup>

Another winner, Bilynskyj said, was Oleksander Moroz, the speaker of the parliament, who 'within the space of 12 or so hours shot from being a political creature, staring extinction in the face, to something of a parliamentary statesman, relentlessly pushing for the adoption of the constitution out of, in his own words, higher motives, transcending narrow party concerns'.<sup>3</sup>

<sup>1</sup> Markian Bilynskyj, 'Finally, a Constitution is Born', *The National Tribune*, New York, Vol. XV, No. 27, July 7, 1996, p. 4.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*

Coming on the heels of the communist débâcle in the Russian presidential elections, the adoption of the Constitution turned Ukrainian communists into losers, as well. Bilynskyj continued: 'The Left are bound to try to exploit the Constitution's many inherent weaknesses and contradictions in the near future. But their tactics are again likely to be generally negative rather than goal-oriented in a positive sense. Moreover, it would come as no surprise were today's defeat to lead to a series of enervating internal power struggles'.<sup>4</sup>

Though it is not the first constitution or national code of laws in the 1,000-year history of the Ukrainian people, the 1996 Constitution is the latest attempt by the people of now independent Ukraine to codify the relationship between the people, the government and the President. The Constitution is composed of 161 articles, divided into 14 chapters. Some 30 per cent of the articles deal with rights and duties of individuals and citizens. According to Petro Matiaszek, executive director of the Council of Advisors to the Supreme Rada, '[m]uch of the language in this area is taken virtually verbatim from the various European human rights conventions'.<sup>5</sup>

Ihor Derkach, a former people's deputy who is currently a legal consultant to the Council of Advisors of the Presidium of the Supreme Rada, believes that looking at Ukraine's latest attempt at carving out its own Constitution, the document, despite its inconsistencies, 'creates favorable conditions for the development of a law-based state, for further political and economic reform, and for the further integration of Ukraine into Europe'.<sup>6</sup>

Though replete with many enviable freedoms and rights, and short on privileges for the high and mighty, the new Constitution's true application in day-to-day life remains to be determined.

For media practitioners, the section on freedom of the press can be found in Chapter 2. However, the single passage that 'censorship is forbidden' in Ukraine precedes it as Article 15 of Chapter 1. While the entire spirit of the Constitution seems to grant citizens and individuals many rights and freedoms, many of the articles' subsequent fine tuning formally designates that these rights and freedoms are in effect so long as they do not violate anyone's freedom, individually or collectively threaten the government or the existence of independent Ukraine.

(Writer's translation) Article 34:

Everyone is guaranteed the right to freedom of thought and word, of free exchange of his opinions and convictions.

Everyone has the right freely to collect, maintain, take advantage of and disseminate information orally, in print or by any other means – based on his choosing.

The fulfilment of this right can be restricted by law in the interest of national security, territorial integrity or civic order for the purpose of avoiding uprisings or crimes, for safeguarding the health of the population, for protecting the reputation or rights of other people, for circumventing the dissemination of information, obtained confidentially, or for upholding the authority and impartiality of the judicial system'.

<sup>4</sup> Ibid.

<sup>5</sup> Petro Matiaszek, 'A Closer Look at Ukraine's New Constitution', *The Ukrainian Review*, Vol. 43, No. 2, Summer 1996, p. 3.

<sup>6</sup> Ihor Derkach, 'New Constitution Adopted', *The National Tribune*, Vol. XV, No. 28, 14 July 1996, p. 4.

Though it is not as succinct as 'Congress shall make no law abridging freedom... of the press', Ukraine's Constitution begins with the all important recognition of the concepts of freedom of speech, thought and press, and the freedom to collect and disseminate opinions and information by any media.

The latter point, 'by any other means – based on his choosing', is a farsighted idea, what with today's ubiquitous information superhighway and the accompanying legal wrangling over the dissemination and ownership of opinions and information in cyberspace. The Constitution of Ukraine jumps ahead of contemporary society and states that regardless if you speak it, think it, collect it, print it, broadcast it or upload/download it, your right to so is protected by the Constitution.

However, the hidden danger with Article 34 comes in the immediately following explanatory paragraph, the one that defines when and under which conditions can that freedom be suspended or overturned.

Each government, democratic or totalitarian, likes to keep 'the interest of national security' idea as its ace in the hole, to use in order to stop news from being published or broadcast. The United States did so recently during the invasions of Grenada and Panama; White House and Pentagon spin-doctors control news by creating press pools for battlefield stories and stage 'media shows' for combat correspondents.

However, if suspending freedom of speech or press is an effective way to protect its armed forces from beachhead annihilation or its citizenry from a terrorist attack or to stem ethnic hatred, governments may find it acceptable to occasionally do so. In the wake of the devastation in Oklahoma City and the destruction of TWA Flight 800, many Americans inside and outside the government clamoured in favour of suspending basic freedoms, noting that it would be a reasonable price to pay in the battle against terrorists.

To be sure, if used carefully and not abused for political ends, the explanatory paragraph can be harmless. But it is difficult to ascertain what is in a bureaucrat's mind and heart. While America's freedom of the press tenet is short and to the point, this country's subsequent two-centuries of practical journalistic, legal and governmental development added many restrictions and procedural clarifications, both on the national and local levels.

The 'Congress shall make no law...' phrase originally may not have foreseen prior restraint, revealing sources, gag rules, sunshine laws, etc. in the legal tango between the courts, defendants, plaintiffs and the press. On the other hand, for better or worse, the Ukrainian article immediately sets up the opposing sides by stating that reporters can be gagged and information can be kept in the shadows.

The Ukrainian government has the authority to suspend freedom of the press in order to protect the reputation of an individual, stop a newspaper from printing an article based on reliable, unnamed sources, and bar the dissemination of information that can prejudice a trial.

Leonard Sussman, a senior scholar specialising in international communication with Freedom House, New York, finds the explanations worrisome. While the general statement prohibiting censorship in Chapter 1 follows the 'usual formula' in Ukraine, the former Soviet Union and Eastern Europe, Sussman pointed out during a recent telephone conversation that there are 'wide loopholes' and the "“howevers” are troublesome'. According to him, 'rights are restricted'.

'The problem is the manner in which they're used. They can distort prohibition of censorship', he said. 'There are many ways to restrict the press and this flows from the restrictions of Article 34'.

Though the stipulations look innocent and can be found in many covenants and constitutions, Sussman said the basic difference between the Ukrainian and American Constitutions is a 'case history of libel law on a civil basis'.

In Ukraine, the restrictions could look like a normal approach to freedom of the press because there is no applicable history, he added. The absence of a track record leaves room for broad interpretations which can undermine the freedoms, Sussman warned.

Judge Bohdan A. Futey of the US Court of Federal Claims, a Ukrainian American who commented extensively on the drafting of the Constitution, concurs, noting that what he calls 'claw backs' are dangerous. 'The Constitution gives with one hand, while taking back with the other', Futey observed during a recent conversation.

'The problem is that the Ukrainian Constitution wants to be democratic and provide all the guarantees that were not had under the Soviet Constitution or were listed in name only. Now it guarantees all the rights but controls still exist', he said.

In the Spring and Summer 1996 edition of *East European Constitutional Review*, Futey wrote: 'Many of the protections guaranteed by these rights (listed in the Constitution) have been curtailed with "claw back" provisions – where, on one hand, the Constitution purports to ensure a particular right but, on the other hand, certain qualifications nullify that protection'.

Futey expressed concern in his analysis that, while stating that constitutional rights and freedoms cannot be abolished, the Constitution actually created a mechanism for the Parliament to override the guarantees. 'A simple majority of the Verkhovna Rada could enact a statute that alters constitutional property rights. This would allow the Verkhovna Rada to circumvent the two-thirds majority needed to amend the Constitution, as well as the prohibition on limiting rights as expressed in Article 157', he pointed out in his treatise.

Article 34, he continued, is an example of 'claw back' provisions: 'With so many exceptions, especially when stated in general terms, the government would be able to limit any speech. Only time will tell as to the status of these rights'.

In the United States, the Constitution expresses the fact of press freedom, while the entire dynamic body of First Amendment-related laws in federal and state repositories provide interpretations, but only after a clear public discussion that has lasted for two centuries and shows no signs of receding.

In a country such as Ukraine, where recent history is brimming with examples of totalitarian behaviour of the Communist Party, while today men and women are straining to reach democracy, the rules of the road between the press and government/courts is not yet paved. This can leave the door open for someone in authority to abuse his rights and privileges.

The Constitution's Chapter 2 guarantees a variety of rights to its citizens and non-citizens, as well. Among them are articles that guarantee that

- all citizens are equal in their dignity and rights;
- the rights of citizens and non-citizens listed in the Constitution are not exclusive;
- citizens of Ukraine cannot be denied their citizenship or the right to change citizenship;

- foreigners or resident aliens are granted the same rights as citizens;
- every person has the inalienable right to life; the right to freedom and personal inviolability as well as inviolability of his living quarters; the right to secrecy of his/her correspondence; the freedom to profess a religion or not to profess a religion, to foster ethnic cultures and languages.
- every person has the right to free and peaceful assembly and to join any political party (so long as its existence does not threaten the existence of independent Ukraine), to petition the government;
- every person has the right to possess and disseminate intellectual property; the right to create artwork, literature and technology; the right to education (secondary education is mandatory); and the right to know his rights and obligations; etc.

Furthermore, catch-all freedom sections are the Constitution's Article 24, which states that privileges or restrictions cannot be granted on the 'basis of race, colour, political or religious beliefs, sex, ethnic or social origin, wealth, residence', and Article 64, which notes that 'Constitutional rights and freedoms of the person and citizen cannot be restricted, except in cases foreseen by the Constitution of Ukraine'. And then there are the more than one dozen 'claw back' provisions.

Controversial as the practice is in the United States, in Ukraine the Constitution explicitly rules out the desecration of national symbols or the performance of gay marriages. Article 65 states: 'Defending the native land, the independence and territorial integrity of Ukraine, respecting its state symbols are responsibilities of the citizens of Ukraine'. Consequently, tearing up the flag or dunking the Trident in a jar of urine may not be considered artworks, protected by Article 54 (artistic freedom), but submersing a crucifix in the same medium, despite its tastelessness, enjoys constitutional protection.

As for gay marriages, Article 51 stipulates: 'Marriage is based on the free union of woman and man'. Given the level of civic development in Ukraine, which, by the way, was the first post-Soviet country to decriminalise homosexuality, these restrictions should not cause problems in the foreseeable future.

The first step has been admirable – a generally democratic Constitution of Ukraine has been adopted. Now that document must be given life so that it can evolve into a true guardian of the common man's freedoms. Ukrainian society, government leaders, lawmakers and legal experts should not fear that a democratic, liberal constitution can subvert the state, government or society. Rather they should take their cue from US Justice Louis Brandeis who argued for a living constitution, whose meaning and application would evolve over time and circumstances and would be interpreted by judges knowledgeable of the contemporary social and economic impact of their decisions.

If people are given the opportunity to choose for themselves, why should they conspire to overthrow their leadership? □

## The Constitutions of Ukraine and Belarus: Increasing Cooperation *versus* Confrontation

James Dingley

It is only natural that comparisons should be made between the two non-Russian Slavonic states that declared their independence of the USSR in the Minsk agreements of 1991. Ukraine and Belarus have many points in common, but also – as recent history has shown – crucial differences which can only be understood by due regard of the historical circumstances of both countries. This article<sup>1</sup> offers a look at the Constitutions of Belarus (adopted on 15 March 1994)<sup>2</sup> and Ukraine (adopted on 28 June 1996),<sup>3</sup> together with the proposed Constitution put forward by President Łukašenka of Belarus for consideration by the electorate at a referendum to be held on 24 November 1996.<sup>4</sup> Łukašenka and the presidential team interpret the proposed text as a set of amendments to the existing Constitution (Art. 141 of the draft). This is to be seen as a way of complying with Art. 149 of the existing Constitution, which expressly specifies that ‘amendments or addenda to the Constitution may be passed by a referendum’, i.e. any attempt to submit a totally new Constitution to a referendum is itself unconstitutional. The majority of Members of Parliament take the view that the draft does, indeed, represent a new Constitution and have proposed an alternative Constitution abolishing the office of President. It will also be submitted to the electorate in November.<sup>5</sup> It is likewise relevant to note that the newspaper *Holas Radzimy*, an official newspaper for circulation among Belarusians abroad, refers to Łukašenka’s Constitution as a ‘prajekt novaj Kanstytučyj’. The Constitutional Court in Minsk ruled, on Monday, 4 November,<sup>6</sup> that both the President and Parliament may submit their draft Constitutions to the electorate on the appointed day of the referendum, but that the results would have only an ‘advisory character’. The Court, by eight votes to three, also ruled that Parliament was to decide what action to take after the referendum.

A study of President Łukašenka’s constitutional proposals is still of vital importance, however. The head of the judicial department of the presidential administration, Aleksandr Plaskovitskiy,<sup>7</sup> has declared that the Constitutional Court has

<sup>1</sup> This article was written in advance of the referendum on 24 November.

<sup>2</sup> The English text of the 1994 Belarusian Constitution is to be found in *Kanstitucija Respubliki Belarus*; Minsk, Belarus, 1994, pp. 66–94. This publication is described as an ‘aficyjnaje vydannie’ on the verso of the title-page; the English translation is therefore probably to be regarded as official.

<sup>3</sup> The official English text is given in *Constitution of Ukraine*, Kyiv, Ukrainian Legal Foundation, 1996, 134pp.

<sup>4</sup> The Belarusian text of the Constitution proposed by Łukašenka is given in *Holas Radzimy*, No. 38 (2492), 19 September 1996, pp. 3–7. The translations into English are mine. Some amendments and revisions are still to appear.

<sup>5</sup> I have not seen the text of this proposed Constitution.

<sup>6</sup> Ustina Markus, *OMRI Daily Digest*, 5 November 1996.

<sup>7</sup> Mr Plaskovitskiy recently suffered defeat at the hands of the Constitutional Court over the question of who has the right to appoint the editor of the parliamentary newspaper, *Narodnaja Hazieta*, and to decide its status as a limited company. Both President and Parliament appointed rival editors

no right to rule on the issue, adding that 'if the President decides the verdict contradicts the Constitution, he might ignore it'. The Justice Minister, Valentin Sukała, claimed that 'the court has disrupted the referendum and that the country's situation from a legal point of view is becoming uncontrollable'. Łukašenka is already reported as having said that he will ignore the court ruling.

The adoption of a Constitution is without doubt a momentous occasion in the life of a newly-independent state that aims to join the community of democratic nations. The legality and, indeed, the very existence of the state appears to be guaranteed by a document which establishes sovereignty, identifies the rights and duties of citizens and sets out the fundamental principles of the relationship between the legislative, executive and judicial branches of authority. In other words, the elements of a truly democratic system are enshrined in the separation of powers, the rule of law and the exercise of power through office. Above all there has to be provision for the citizen to take proceedings against acts which are *ultra vires*, and for this the Constitution has to provide for a Constitutional Court to adjudicate in matters of dispute between the branches of power. Obviously no Constitution can provide for every eventuality, but it has to stand as the benchmark against which later amendments and enabling legislation are made.

Two questions arise: 'where does the sovereignty come from?' and 'who is to enforce the Constitution?'. The answer to the second has already been partially provided; in essence the only assured way of enforcing a constitution is through a judiciary that can act independently of both the legislature and the executive. The answer to the first question poses a problem that can lead, as it now has in Belarus, to a potentially explosive confrontation.

The preambles to the Ukrainian Constitution and both the current Belarusian Constitution and Łukašenka's proposed text contain references to the 'centuries-old history... of state-building'; the Constitution is to be seen as the goal towards which that history was leading. The emphasis on the originator of the constitutional idea is a little different: 'The Verkhovna Rada of Ukraine, on behalf of the Ukrainian people', as compared to 'We, the People of the Republic of Belarus'.

The first section ('rozdil' in Ukrainian, translated as 'chapter'; 'razdzial' in Belarusian, translated as 'section') of both current Constitutions outline the fundamental principles of the constitutional system. Art. 5 of the Ukrainian Constitution ('The people are the bearers of sovereignty') can be compared to Art. 3 of the 1994 Belarusian Constitution ('The people shall be the single source of state power'). The Łukašenka Constitution adds the words 'and are the bearers of sovereignty'. There are some crucial differences in emphasis, however. The Ukrainian Constitution makes provision for the strengthening of the Ukrainian language (Art. 10 – where Ukrainian is described as the state language *tout court*, with a guarantee for the 'free development, use and protection of Russian, and other languages of national minorities') and the historical consciousness, traditions and culture of the Ukrainian people (Art. 11). Art. 12 states that 'Ukraine provides for the satisfaction of national and cultural, and linguistic needs of Ukrainians residing beyond the borders

who have since been fighting for the editorial chair. The Constitutional Court ruled in favour of Parliament, but the dispute continues. See the article by Andrei Makhovskii, 'Sueta vokrug trona. No gde sam tron?', *Belorusskaya Delovaya Gazeta*, No. 68 (326), 24 October 1996, p. 1.

of the State'. Art. 16, concerning ecological safety, makes specific mention of the Chernobyl catastrophe, and of the need to 'preserve the gene pool of the Ukrainian people'. The state symbols (State Flag, State Coat-of-Arms and State Anthem) are described in detail in Art. 20.

The 1994 Belarus Constitution in Art. 17 recognises the status of the 1990 Law on Languages:<sup>8</sup> Belarusian is the official language, but Russian shall be freely used as a language of inter-national (i.e. inter-ethnic [J.D.]) communication. The Łukašenka Constitution reads: 'The Belarusian language is the official language of the Republic of Belarus. The Russian language has equal status with Belarusian'.<sup>9</sup> No mention is made in either text of 'ensuring the comprehensive development and functioning of the [Belarusian] language in all spheres of social life'. To be fair to the drafters of the 1994 Constitution, the provisions of the Law on Languages were probably seen as adequate. The language issue is almost certainly viewed as irrelevant by the drafters of the Łukašenka Constitution. There is no provision in the Belarusian Constitutions for the development of the national self-consciousness of the Belarusian people or the preservation of 'gene pools'. Art. 19, both of the 1994 Constitution and the Łukašenka Constitution, simply states that the symbols of the republic will be its flag, emblem and anthem, without going into detail. This is probably just as well; the adoption of the white-red-white flag and Pahonia coat-of-arms in 1991 was sudden, and not a move calculated to unite the population of the new, suddenly-independent Belarus. Łukašenka's return to the Soviet-style flag and national emblem may please the older generation, but are now irreversibly associated with him and his policies. If (when) he leaves the political scene, there may have to be another change. There is still no national anthem.

The second section of both Constitutions is devoted to questions of 'human and citizens' rights, freedoms and duties' (Ukrainian), 'the individual, society and the state' (Belarusian). The length of the working week is specified as forty hours in the Belarusian Constitution (Art. 43), left open ('determined by law') in the Ukrainian (Art. 45). An interesting situation arises when comparing the relevant articles dealing with the right to housing. Art. 48 of the Belarusian Constitution states: 'Citizens of the Republic of Belarus shall have the right to housing. This right shall be secured by the development of state, communal and private housing, and by providing assistance in acquisition of dwellings. No one shall be arbitrarily deprived of a dwelling'.

This right is amplified in Art. 47 of the Ukrainian Constitution with a paragraph reading 'Citizens in need of social protection are provided with housing by the State and bodies of local self-government, free of charge or at a price affordable

<sup>8</sup> The Belarusian text of the Law on Languages (*Zakon ab movach*) can be found in: A.Ja. Michnevič, ed., *Bielaruskaja Mova. Encykłapedija*, Minsk, Bielaruskaja Encykłapedija imia Piatrusia Broŭki, 1994, pp. 647–54. The subsequent fate of two members of the working group responsible for drafting the law is worth noting: A.M. Abramovič went on to head the Central Electoral Commission and currently occupies a high position in the presidential administration. He is viewed by some as the real author of the Łukašenka Constitution. P.K. Kraučanka became the first Foreign Minister of independent Belarus, resigned when Łukašenka became President in 1994 and, as a member of the present Parliament, is bitterly opposed to him.

<sup>9</sup> This reflects the result of the referendum of May 1995, in which 52% of the electorate voted to give Russian equal status with Belarusian.

for them, in accordance with the law'. Translated into Belarusian, this is *exactly* what the second paragraph of Art. 48 of Łukašenka's text says. Something similar can be observed in the respective articles on the right to health care. One sentence from Art. 49 of the Ukrainian Constitution ('The State creates conditions for effective medical service accessible to all citizens') finds its way into Łukašenka's version of Art. 45 of the 1994 Belarus Constitution. Defence of the Motherland, ... and respect for its state symbols' are duties for the citizens of Ukraine (Art. 65), whereas for the citizens of Belarus (Art. 57) defence of the republic is a sacred duty as well (no mention is made of respect for state symbols).

Section III is concerned with the electoral system. The Ukrainian Constitution contains six articles, the 1994 Belarusian Constitution 15 articles divided into 'hlava' (lit. 'chapter') 1 (the electoral system) and 2 (referendum [plebiscite]). The Łukašenka Constitution contains the same number of articles but with significant changes. The Ukrainian Art. 72 requires the gathering of at least three million signatures for the holding of a referendum 'on popular initiative'; the signatures must have been obtained in at least two-thirds of the oblasts, with no less than 100,000 signatures from each oblast. Such a nation-wide provision is missing from Art. 74 of the 1994 Belarus Constitution, but is present in the Łukašenka Constitution (also Art. 74) in the following form: '...at the request of at least 450,000 citizens with the right to vote, at least 50,000 from each voblasts' and the city of Minsk'.

Other essential points emerge from Łukašenka's new Art. 74: a) the first mention is made of two new representative bodies, the 'Senat' (Senate) and 'Pałata pradžaŭnikoŭ' (House of Representatives). The proposed restructuring of the existing Parliament (Viarchoŭny Saviet, 'Supreme Soviet', 'Supreme Council') is one of the draft's central features; b) referendums are called by the President on his own initiative, at the request of the Senate or House of Representatives, or at the request of at least 450,000 citizens [continued as above]. Some divergences between the Ukrainian and Belarusian Constitutions in the presentation of articles can now be observed. Chapter 4 of the former deals with the Verkhovna Rada (this is the wording of the official English version, presumably in an attempt to avoid the overtones of the literal translation 'Supreme Soviet'). Razdzieł 4 of the 1994 Belarus Constitution is headed 'Legislative, Executive and Judicial Power'. This becomes 'President, Parliament, Government, Courts' in razdzieł 4 of the Łukašenka Constitution. The subdivision of the razdzieł into hlavy is also different:

#### *1994 Belarus Constitution*

hlava 3:<sup>10</sup> the Supreme Council of the Republic of Belarus

hlava 4: President of the Republic of Belarus

hlava 5: Court of Justice

#### *Łukašenka Constitution*

hlava 3: President of the Republic of Belarus

hlava 4: Parliament – National Assembly (in Belarusian: Parliament – Nacyjanalny schod. Art. 90 implies that the two terms are to be regarded as synonymous).

<sup>10</sup> The numbering of the hlavy is continuous across the razdziety.

hlava 5: Government – Cabinet of Ministers (in Belarusian: Urad – Kabinet ministraŭ. Art. 106 implies that the two terms are to be regarded as synonymous.)  
hlava 6: the Courts

Quite clearly the difference between the 1994 Constitution and Łukašenka's draft proposal is at the heart of the present confrontation between legislature and executive.<sup>11</sup> The nature of the proposed new relationship between President and Parliament is worth examining in some detail.

First, the difference in the ordering of the 'hlavy': inevitably the office of President assumes greater importance in Łukašenka's text. The Ukrainian Constitution (Chapter 5, Art. 102, para. 2) defines the role of the President. He is 'the guarantor of state sovereignty and territorial indivisibility of Ukraine, the observance of the Constitution of Ukraine and human and citizens' rights and freedoms'. By contrast Art. 95 of the 1994 Belarus Constitution reads quite simply: 'The President of the Republic of Belarus is Head of State and the Executive'. Here is Art. 79 of the Łukašenka Constitution in full:

The President of the Republic of Belarus is Head of State, the guarantor of the Constitution of the Republic of Belarus, of human and citizens' rights and freedoms.

The President embodies the unity of the nation, guarantees the implementation of the fundamental direction of internal and foreign policy, represents the Republic of Belarus in relations with other states and international organisations. The President undertakes measures to protect the sovereignty of the Republic of Belarus, its national security and territorial integrity, ensures political and economic stability, the continuity and mutual relations of the bodies of state power, acts as an intermediary between the bodies of state power, the state and society.

The President shall enjoy immunity from prosecution, his (her) honour and dignity are protected by law.

The provisions of the last paragraph are included in Art. 105 of the Ukrainian Constitution. Such provisions are absent from the 1994 Belarus Constitution. There is a strong temptation to see in the special mention in the Łukašenka Constitution of protection of the President's honour and dignity a warning to any political opponent with literary gifts not to circulate satirical poems like *Łuka Mudysbchev – prezident*.<sup>12</sup> However, since the Ukrainian Constitution contains a similar provision, such a temptation is of course misplaced.

The Oath of Office in the Łukašenka Constitution (Art. 83) is an expanded version of Art. 99 of the 1994 Constitution; the additions can be compared di-

<sup>11</sup> The Chairman of the Constitutional Court, Valery Tikhinia, has qualified these sections as the 'rotten core' ('gnilaia serdtsevina') of the President's constitutional draft. (The remark was made at a press conference on 22 October.) See the article by him, 'Nel'ha puskats' nasustrach dva tsiahniki pa adnoi linii' in the issue of *Holas Radzimy* that contains the text of the Łukašenka Constitution. On Tikhinia: Aleksandr Feduta, 'Valeryi Tikhinia kak zerkalo belorusskoi evoliutsii', *Belorusskaya Delovaya Gazeta*, No. 66 (324), 17 October 1996.

<sup>12</sup> Roughly translatable as 'Luke Long Prong, the President'. The poem, under the pseudonym 'Viaz'mak Lysahorski', and a riposte to it purporting to come from the President himself, circulated over a year ago. It poked fun in particular at Łukašenka's use of 'trasianka', a mixture of Belarusian and Russian. Much KGB time was spent in a hunt for the author. The title is a deliberate play on the President's surname, as well as being reminiscent of the title of the nearest equivalent in Russian literature to 'Eskimo Nell'.

rectly with the Ukrainian President's Oath of Office (Art. 104). All the Constitutions provide for a maximum of two terms of office, and for a residence qualification of at least ten continuous years in the country before becoming eligible for election as President. It is therefore not correct to view this latter provision (Art. 80 in Łukašenka's text, Art. 96 of the 1994 Constitution [although here the wording of the residence qualification is a little vague], Art. 103 of the Ukrainian Constitution) as directed against the leader of the Belarusian Popular Front, Zianon Pazniak, currently in political exile in the United States. Art. 103 of the Ukrainian Constitution also requires candidates for election to the presidency to speak the state language. No such encumbrance is placed on candidates by the 1994 Belarus Constitution, i.e. at a time when Belarusian was constitutionally the sole state language, let alone Łukašenka's variant version.

Art. 106 of the Ukrainian Constitution lists the tasks of the President (31 in all); some of the points listed are incorporated into the above-cited Art. 79 (relating to specifically 'head-of-state' functions at the international level) of the Łukašenka Constitution.

Art. 84 of the Łukašenka Constitution lists 28 tasks. The 1994 Belarus Constitution lists 26 in Art. 100. No attempt to mention them all will be made here. Those tasks which are to be found in both the current Belarus Constitution and the proposed new version will be marked with an asterisk (\*).

The first of the tasks listed in the Łukašenka Constitution is the calling of national referendums, the second the calling of elections to the two Houses of Parliament and the calling of the first session of the two Houses after an election. Point 3 gives him (her) the power to dissolve the Houses of Parliament in the situations described in Art. 94. The President appoints six members of the Central Electoral Commission of the Republic of Belarus (the other six are appointed by the Senate – Art. 98(4)). He (she) can establish, dissolve and reorganise the Presidential Administration, as well as various advisory and other bodies attached to the Presidency. With the agreement of the House of Representatives he (she) appoints the Prime Minister, and acting on proposals of the Prime Minister appoints and dismisses deputy prime ministers, ministers and other members of the government, takes decisions on the dismissal (or resignation) of the government or individual members of it\*. With the consent of the Senate he (she) appoints the Chairman and five members of the Supreme Court, the Prosecutor General, the Chairman and members of the Board of the National Bank, and can dismiss them (presumably on his (her) own initiative, because no reference is made in point 9 to the agreement of the Senate). (Art. 127 makes it clear that the Prosecutor General is subordinate to the President.) He (she) appoints the Chairman and five members of the Constitutional Court (the Senate appoints the other six members – Art. 116), and other judges.

By contrast Art. 100(5) of the 1994 Belarus Constitution requires the President to submit to Parliament (the Supreme Council) nominations for Chairman of the Constitutional Court, Chairman of the Supreme Court, Chairman of the Supreme Economic Court, Chairman of the Board of the National Bank; Art. 83(7) states that it is the task of the Supreme Council to elect these bodies. Art. 83(6) gives the Supreme Council authority to form the Central Commission on Elections and National Referenda.

Returning to the powers of the President in the Łukašenka Constitution: he (she) has power of appointment and dismissal of the Chairman of the Committee of State Control (something like a National Audit Commission). Para. 1 of Art. 130 states that the Committee is created ('utvarajecca') by the President – does this mean that he appoints all its members? If it does then it means that the President has complete control over a body that is intended (Art. 129) to oversee such important functions as the implementation of the state budget, the use of state property, and the fulfilment of presidential, parliamentary and government acts concerning economic, financial and fiscal questions. The President may address the nation on policy issues\*, he (she) may submit memoranda to Parliament which are to be heard without discussion, or may participate in the work of Parliament and its subordinate bodies or may address either House at any time\*. He (she) has the right to chair cabinet meetings. The President appoints directors of bodies that run the state ('kiraŭniki orhanaŭ dziaŭaŭnaha kiravaŭnia') and determines their status; he (she) appoints presidential representatives in Parliament. The activities of local government bodies are directly under the control of the President or the departments that he has set up. He (she) forms and heads the National Security Council (in Art. 100(23) of the current Constitution mention is made only of the President as head of the Council), and appoints and dismisses the State Secretary of the Council. He (she) has the right to order the postponement or complete cancellation of strike action (a stronger version of Art. 100(19) of the current Constitution). He (she) is the Commander-in-Chief of the armed forces\*.

And so on. Both the Ukrainian Constitution and the 1994 Belarus Constitution provide for a strong President as Head of the Executive in the US mould, but neither go as far as the Łukašenka Constitution. For example, the Ukrainian President does not appear to have the right to initiate legislation (as opposed to the issuing of decrees) (cf. Art. 99 of the Łukašenka Constitution, which does give the President this right). The Ukrainian President appoints one-third of the members of the Constitutional Court (one-third each are appointed by the Verkhovna Rada and the Congress of Judges of Ukraine), and one-half of the composition of the Council of the National Bank of Ukraine. The terms of reference of the National Security Council of Ukraine, together with the President's role in it, are set out in Art. 107. There is no analogous article in either the 1994 Belarus Constitution or the Łukašenka Constitution.

Art. 111 of the Ukrainian Constitution deals with the question of removing the President from office by the process of impeachment. The procedure is initiated by 'the majority of the constitutional composition of the Verkhovna Rada of Ukraine'. (I take this to mean a vote of at least 51% of all the members of the Verkhovna Rada.) After a special investigatory commission has reported, a vote of at least two-thirds of all members of the Rada is required for a formal accusation to be made. Once the case has been reviewed by the Constitutional Court, three-quarters of the full membership of the Rada must vote in favour for the removal of the President from office to take effect. A somewhat similar procedure is established by Art. 104 of the 1994 Belarus Constitution.

The bicameral Parliament proposed by Łukašenka complicates the impeachment procedure (Art. 88, para. 2 & 3). Proceedings can be initiated if at least one

third of the House of Representatives supports the proposal and two-thirds vote in favour. The Senate organises the investigation, and the votes of at least three-quarters of the senators are required for the President to be removed from office. Impeachment proceedings may not be started if the question of the revocation of Parliament's powers (by Art. 94) is under consideration. The powers of the House of Representatives can be revoked by the President if:

- it refuses to have confidence in the Government;
- it passes a vote of no confidence in the Government;
- it twice refuses to approve the President's choice of Prime Minister (Art. 84(6)).

The powers of the House of Representatives or of the Senate can be revoked if it is found guilty by the Constitutional Court of systematic or flagrant violation of the Constitution.

Art. 91 describes the composition of the two proposed Houses of Parliament. The House of Representatives consists of 110 deputies. The Senate is 'a House of territorial representation' ('palata terytaryjalnaha pradstaŭnitstva'); there are nine senators from each voblasts' and the City of Minsk. One-third of the senators are appointed by the President, the others are elected by secret ballot at sessions of local councils of each voblasts' and the City of Minsk. (Art. 84(24) gives the President the right to exercise close supervision over the work of these local councils.) The Senate seems primarily intended to act as a check on the legislative and possible oppositional activity of the House of Representatives.

The final sections of the Łukašenka Constitution deal with the status of the Constitution itself and the procedure for amending it, and matters arising in the transition from the 1994 Constitution to the new one. Art. 138 gives the President the right to introduce amendments or additions to the Constitution for discussion in both houses of Parliament. Citizens are also accorded that right, provided they can obtain 150,000 signatures. It is not clear whether members of either House of Parliament may introduce amendments or additions on their own initiative; the fact that the possibility is not mentioned probably means that they may not. Any law introducing amendments or additions to the Constitution must be debated and approved twice with at least three months between each debate. The vote of at least three-quarters of the members of both Houses of Parliament is required for amendments and additions to take effect (Art. 140). A straight majority of the electorate (i.e. not simply those voting) is required for amendments and additions to the Constitution to be adopted by a national referendum. Sections I (Principles of the constitutional system), II (the individual, state and society), IV (President, Parliament, Government, Courts) and VIII (Functioning of the Constitution of the Republic of Belarus and the procedure for amending it) may not be reviewed by Parliament if they have been approved by referendum. (In effect, this means that if the Constitution is adopted by the referendum on 24 November, these sections are infrangible tablets of stone.) According to Art. 143 the present members of the Parliament (Supreme Council) will be allocated either to the House of Representatives or to the Senate, with one-third of the membership of the Senate being appointed by the Senate. Their term as Members of Parliament will date from the moment that the Constitution comes into effect. Art. 144 automatically gives the President a full five-year term of office dating from the moment of the adoption of the new Constitution.

The current Constitution of Belarus does not give the President the right to dissolve Parliament (Supreme Council) before the termination of its powers. One of the questions put by Łukašenka to the electorate in the referendum of May 1995 concerned precisely this point. In general, the Belarus Constitution of 1994 can be described as providing for a strong executive presidency, but still apparently lending more authority to Parliament. The Ukrainian Constitution provides for a very strong executive presidency with more clarity about the relationship between the branches. Łukašenka's Constitution offers the final solution: executive power as the supreme source of all authority, i.e. legal and coercive power combined. Whether that in itself is dictatorship or not is somewhat beside the point; what his Constitution permits is the possibility of arbitrary misuse of that authority without an alternative source for remedial action.

Pure separation of powers is all very well in theory, but requires considerable refinement in the face of economic and political reality. Such refinement is likely to come about over time, as shown by the accretion of amendments to the US Constitution, and the willingness to find compromise solutions that nevertheless comply with the law. The situation in Belarus has now reached the point where the possibility of compromise seems to have been almost completely excluded.

Why has this situation arisen? Łukašenka, in his frequent televised appeals to the people, claims that his reforms are being blocked by a Parliament that is not reform-minded and that is, moreover, lazy – it has not produced the quantity of much-needed legislation that should have been produced. Such allegations ignore the length of time for which the present Parliament has existed (since November 1995), the fact that much energy has been expended in warding off attacks from the President and his administration and the fact that, in defiance of existing legislation, Parliament is denied air-time on television and radio to put its case to the electorate. Łukašenka presents himself as a populist leader with charisma who has the answer to Belarus' multifarious economic ills, if only he was not thwarted by self-seeking politicians in Parliament.

Among those opposed to the President there is a strong suspicion that the new Constitution is a way of avoiding prosecution for corruption on a grand scale. Where, for instance, does the money come from to pay the wages of the private army that the presidential administration has amassed? The sums involved are not included in the budgets approved by Parliament. Why has the President forbidden the Supervisory Authority (National Audit Commission, chapter 8 of the current Constitution, arts. 137–140) access to the books of whole sections of his *apparatus*, the KGB and other organisations?<sup>13</sup> Was money really paid to support Zyuganov in the Russian election campaign? The sum of US\$12 million has been mentioned. Are the millions of dollars now allegedly accruing in extra-budgetary funds intended to finance a bid by Łukašenka for the Russian presidency at the next election?<sup>14</sup>

<sup>13</sup> 'I segodnia možno kupit' tkan' po 55 kopeek za metr. V khoziaistve u Ivana' [i.e. Titenkov, the head of the 'Upravlenie delami prezidenta' (President's private affairs department?)], *Belorusskaja Delovaia Gazeta*, No. 67 (325), 21 October 1996, p. 6. There is an interview with Vasilii Sakovič, the Chairman of the National Audit Commission, under the heading 'Ushcherb, nanesennyi vedomstvom Titenkova, izmeriaetsia milliardami', on the same page.

<sup>14</sup> Aleksei Olegov, 'Łukashenko metit v prezidenty Rossii', *Ogonek*, No. 43, 1996, reproduced in *Svaboda*, No. 81, 25 October 1996.

The President's populist approach undoubtedly still finds a resonance in a sizeable section of the population. From here stems the problem of legitimacy and sovereignty. The All-Belarusian National Assembly, which took place in Minsk on 18–19 October, was held in order to lend Łukašenka's constitutional proposals the air of national support. Persons attending the Assembly were chosen (the procedure was never made clear) by 'the people' and went to Minsk with a mandate to approve the President's actions. Łukašenka reportedly addressed those present as 'delegaty s'ezda' (delegates of the Congress, as if he were talking to a Party Congress).<sup>15</sup> It is essential to draw a distinction between mandation and representation in this situation.

The logic of the President's populism is obvious: if the people approve, and if sovereignty really is vested in the people, then the President is right to ignore Parliament. There was in some quarters a fear that Łukašenka would use the All-Belarusian National Assembly to bring about a *coup d'état*. Not for nothing are the words National Assembly (*nacyjanalny schod*) used in the text of the draft as synonymous for Parliament. What would have happened if the All-Belarusian National Assembly had declared itself to be the Parliament?<sup>16</sup> Appeals to the Constitutional Court would have proved fruitless if the President, as must be assumed likely, was prepared to use force to push home his point. In any case, revolutions have a way of producing their own legitimacy, as we have seen in 1917, 1991 (just how legal, as distinct from desirable, was the break-up of the Soviet Union?) and our own 1688. What will happen if President Łukašenka gets even a 51% vote in favour of his Constitution on 24 November (unlikely, but conceivable<sup>17</sup>) and really does ignore the verdict of the Constitutional Court?<sup>18</sup>

The political crisis is not over for Belarus. On the other hand the Ukrainian Constitution holds the promise of cooperation between the President and the Verkhovna Rada. The adoption of the Constitution and the introduction of the hryvnya in the same year signify the growing confidence of independent Ukraine.

A highly personal comparison provides a good note on which to end. Oksana Korchynska, the wife of the leader of the Ukrainian National Self-Defence (UNSO), in an interview with a Belarusian journalist had this to say about the Presidents of the two countries:

Łukašenka is a big plus for the Belarusian people. He is a personality, albeit a negative one, who arouses definite emotions. He's not like our grey little Kuchma – politician and factory director at the same time. Łukašenka is a whole person who makes a real impression. He gives all sensible people and politicians the chance to create a real opposition capable of providing leadership.<sup>19</sup>

<sup>15</sup> Vadim Kaznacheev, '... I budet polnaia tishina', *Svaboda*, No. 81, 25 October 1996, p. 4.

<sup>16</sup> The circumstances were not wholly dissimilar from those which produced our Crown and Parliament Act in 1689. The Convention of Lords and Commons offered the crown to William of Orange and then declared itself to be the Parliament.

<sup>17</sup> See the results of a public opinion poll presented by Yuriy Drakokhrust, 'Referendum v zerkale sotsiologii', *Belorusskaya Delovaya Gazeta*, No. 65 (323), 14 October 1996, p. 5.

<sup>18</sup> Yuriy Drakokhrust offers some possible scenarios in his article 'Tretiy stseneriy', *Belorusskaya Delovaya Gazeta*, No. 68 (326), 24 October 1996, p. 5.

<sup>19</sup> Oleg Bebenin, 'Legendy i pravda ob UNA-UNSO', *Imia*, No. 34 (67), 20 September 1996.

## Postscript

Perhaps the most apt comparison of Łukašenka's Constitution is with the draft Ukrainian Constitution submitted by the Constitutional Commission on 11 March 1996.<sup>20</sup> Section 4 deals with the structure of Parliament ('Natsionalni zbory Ukrayiny'). There are to be two Houses: the House of Deputies ('Palata deputativ') and the Senate (Art. 72). The House of Deputies will have 370 members, elected by direct, secret ballot for a period of four years. The Senate comprises three members each from Crimea, each oblast and the City of Kyiv, and two members from Sevastopol. The intention appeared to be that the Senators would be elected by direct ballot ('Senatory obyraiutsia... shliakhom priamykh vyboriv u bahatomandatnykh okruhakh') (Art. 74) – this stands in contrast to the procedure proposed in the Łukašenka Constitution. The House of Deputies can be dissolved by the President if it twice rejects the programme put forward by the Council of Ministers within a 60-day period (Art. 90). The President has the right to initiate legislation and to insist that consideration of his proposals take precedence over discussion of other items (Art. 93). The President is the guarantor of civic concord (Art. 101). His honour and dignity are protected by Art. 104. The Constitutional Court (Section 12) consists of 14 judges, 7 of whom are appointed by the President, 7 by the Senate. The draft produced by Kuchma's constitutional team has no separate section dealing with the role of a National Audit Commission. A 'Rakhunkova palata' is referred to in Arts. 85 (election of the head and half the members by the House of Deputies) and 87 (election of the deputy and the other half of the membership by the Senate).

This is, of course, history. The Ukrainian Parliament succeeded in reaching a compromise solution with the President. We now (4 December) know that Łukašenka won his referendum. An analysis of the illegal means whereby he won it is beyond the scope of the present article. □

<sup>20</sup> The text is given in *Uriadovyi Kurier*, No. 53–54, 21 March 1996, pp. 5–9.

## *Quatercentenary of the Union of Brest*

### **The Brest Union and Calendar Reform**

*Vera Rich*

From the point of view of religion, the unity of Christians must always be a pressing problem, in accordance with Christ's prayer, at the Last Supper, 'that they may all be one, as Thou, Father, and I are one'.<sup>1</sup> But from the point of view of this world, there may be also mundane factors pressing towards unity – or, alternatively, counselling that the time is not ripe for such an initiative. At the time of the Union of Brest, the initiative towards unity came from Rus', and seems to have been finally triggered by the visit of Patriarch Jeremiah II of Constantinople to Rus' and Muscovy 1588–89. The creation during this visit of the Patriarchate of Moscow and the obvious inability of Jeremiah to give a lead to the reforms which the church in Rus' so urgently needed gave the final spur to many clerics and lay leaders to turn towards Rome.<sup>2</sup> This Union, of course, would encompass the Greek-rite church of Rus' only. The idea of a general union of the Roman and Greek churches, as envisaged at the Council of Florence in 1439, was no longer viable. The fall of Constantinople in 1453 had left the Ecumenical Patriarchate effectively under the control of the Sultan. Since that time successive popes had called for a new Crusade against the Infidel; accordingly, any Patriarch of Constantinople who began speaking of a possible Union with Rome would have swiftly found himself replaced! Yet, a few years before the Union of Brest, negotiations between the Pope and the Patriarch did take place, on a limited, but extremely practical issue, the reform of the calendar. And, ironically, although as far as Rome and Constantinople were concerned, these eventually abortive consultations did not involve and were not in any way intended to lead to a Union, in Rus' the issue of the calendar was viewed as part of the general issue of Union.

The calendar introduced by Julius Caesar – it must be said – had over the past 1500 years worked remarkably well. It was based on a calculation of the solar year – the time of the earth's revolution around the sun – which had an error of 11 minutes 14 seconds a year – less than one day in a century. But, in the course of time, that error was building up – and known to be doing so. As early as the eighth century, the Venerable Bede noted that the equinoxes were three days

<sup>1</sup> John xvii.22.

<sup>2</sup> In spite of centuries of Russian propaganda, which ascribes the Union to the machinations of Poles and Jesuits, unbiased historical analysis shows clearly that the initiative which created the Brest Union came, in the first instance, from Rus'. See, for example, the essay of the late Metropolitan Yosyf Slipyi, 'The Union of Brest', a translation of which appears in *The Ukrainian Review*, No. 2, 1996, pp. 32–44. The correspondence of the Apostolic Nuncio to the Polish Commonwealth, Alberto Bolognetti, dating from the early 1580s, indicates clearly that there was already a climate of opinion in Rus' favourable to the idea of Union. See Metropolitan Andrey Sheptytskyi (Ed.), *Monumenta Ucrainae historica*, Vol. 1, 1065–1623, Rome, 1964–78, and Edward Kuntze and Czeslaw Nanke (Eds.), *Monumenta Poloniae Vaticana*, Vols. 5 & 6, Krakow, 1923–33.

earlier than they had been at the time of the Council of Nicaea (325 AD). In the thirteenth century Roger Bacon sent the Pope a treatise *De reformatione calendarum*, suggesting how to remedy the error. In the early fourteenth century, Dante wrote of how January would, eventually, be 'unwintered by the hundredth part which is neglected'.<sup>3</sup> Accordingly, in the 1570s, Pope Gregory XIII<sup>4</sup> put the matter in the hands of two eminent astronomers and mathematicians – the Neapolitan Luigi Lilio Ghirraldi<sup>5</sup> and the German Christopher Klau.<sup>6</sup> They proposed an elegant solution: henceforth, years ending in a double zero would no longer be counted as leap-years, unless the first two figures of the date were also divisible by 4. So 1600 would be a leap-year, but 1700, 1800 and 1900 would not. 2000 would be a leap-year, 2100, 2200 and 2300 not... and so on until the end of time – or until a more sophisticated minute adjustment became necessary... So far, so good. However, to bring back the calendar into order – to get the equinoxes and solstices back where they should be, that is, where they had been at the time of the Council of Nicaea, the Pope and his astronomers decided that 10 days should be dropped from the calendar. In the year 1582, October 4 would be immediately followed by October 15.

Dropping days from the calendar is not easy. These particular 10 days seem to have been chosen so as to avoid any major feast days in the Western calendar. But even in the Catholic West, which accepted the papal reform, there were problems. In Poland, the omission of the specified 10 days meant that the feast of St Francis of Assisi (4 October) was followed immediately by that of St Jadwiga (15 October), a festival celebrated there with great solemnity. The juxtaposition of the two feasts, the Poles protested, meant that the feast of St Jadwiga would be downgraded.<sup>7</sup> In Protestant Britain, which resisted the change until 1752 (by which date the error had reached 11 days) there were riots: 'Give us back our eleven days!' chanted the protesters; the more naive fearing that the government had robbed them of eleven days of life, while the worldly-wise suspected a ploy to make them pay an extra 11 days of rents and taxes! Not surprisingly, therefore, the idea of dropping a slice out of the calendar raised similar fears in Rus'. As the Belarusian Barkalabaŭ Chronicle<sup>8</sup> records:

<sup>3</sup> Bede (672–735) wrote two treatises on the calendar and the calculation of church feasts: *De temporibus* (703) and *De temporibus ratione* (725). The treatise of Roger Bacon (1220–92) was never published. Dante's allusion to the error is in *Paradiso*, Vol. XXIV, pp. 142–43.

<sup>4</sup> Ugo Boncompagni (1502–85), elected Pope 1572.

<sup>5</sup> Also known as Aloysius Lilius. He died in 1576, before work on the reform was complete.

<sup>6</sup> A Jesuit, Klau is generally known under the Latinised form of his name, 'Clavius'. The lunar crater of that name is called after him.

<sup>7</sup> See Bolognetti's letter of 16 October 1582, in *Monumenta Poloniae Vaticana*, Vol. V, p. 513. 'Perhaps for that reason, standard Polish reference books disagree about when the change was made'. The *Wielka Encyklopedia Powszechna* (Krakow, 1965, Vol. 5, p. 379) states that Poland, with Italy, Spain and Portugal, made the change on the day appointed by the Pope – 15 October 1582. But the *Encyklopedia Powszechna Wydawnictwa Gutenberga*, published under the inter-war Second Republic states (Vol. 7, p. 132) that Poland changed in 1586.

<sup>8</sup> This Chronicle, which records events in Belarus and Ukraine from 1545–1608, is anonymous, bearing only the title 'Memoirs of an inhabitant of the settlement of Barkalabaŭ'. It was traditionally attributed to the priest Fiodar Filipovič, however, according to the Belarusian mediaevalist A.F. Koršunau, neither this nor other suggested attributions can be unequivocally substantiated by the available evidence. (See *Chrestamatija pastarazytnaj belaruskaj literatury*, Minsk, 1959, p. 202. The

In the year 1583,<sup>9</sup> the new calendar was introduced under King Stefan,<sup>10</sup> under Metropolitan Divochko,<sup>11</sup> under the Lord of Polacak, Terlecki the Pole,<sup>12</sup> who previously had been Muster Officer, and whose time was now over. At that time there was a great disturbance among the lords and among the clergy, likewise among the common people there was great weeping and mighty complaints, threats, quarrels, murders, pillaging, bewitchments, seeing how new feasts were established, [old] festivals cancelled, for the merchant the markets and fairs were cancelled, it was almost the beginning of the reign of the Antichrist in these great disturbances. At that time in Lviv, in the city of Vilnia and in Brest the schools began to print learning, to establish some Brotherhoods<sup>13</sup> whereby to confirm the law and faith, they say not to pray to God for the Patriarch and not to remember him [in the litany] but only for the Pope; and now they began to make councils<sup>14</sup> and to draw together round them.

The text with its repeated third-person-plural verbs (with no explicit subject in the original) is somewhat confusing; clearly, the 'they' who established (Orthodox) Brotherhoods were not the same as the 'they' who replaced the Patriarch by the Pope in the formal prayers of the Church. Furthermore, the Chronicle was written some years after the events it records, and, as Koršunaŭ (loc.cit) points out, sometimes misdates the events it records. Not only does this annal make the mistake of a year in the dating of the introduction of the calendar change; the current scholarly consensus suggests that the introduction of the name of the Pope instead of that of the Patriarch is also anachronistic here, and should be dated no earlier than 1589–90. Nevertheless, erroneous or not, it is highly significant that the Chronicler links in the same annal and paragraph, the outcry over the calendar reform, and the trend towards Union with Rome. Indeed, if the dating is wrong, it only underscores the fact of how closely the two issues, the Union and the calendar, were linked in popular consciousness.

text was first published by Panteleimon Kulish, in his *Materialy dlya istorii vossoyednieniya Rusi*, Moscow, 1877, Vol. 1, pp. 45–89.

<sup>9</sup> Apparently a mistake for 1582. However, the main drive by the King of Poland to impose the new calendar in Rus' began only in April 1583. See *Monumenta Poloniae Vaticana*, Vol. VI, p. 226.

<sup>10</sup> Stefan Batory (1533–86), Prince of Transylvania, 1571–76, and from 1576, ruler of the Polish-Lithuanian Commonwealth.

<sup>11</sup> Onesifor Divochko (date of birth unknown), a layman until his election, under unknown circumstances, as Metropolitan of Kyiv. He is named in the sources as Metropolitan-elect in July 1579, but was consecrated only on 27 February 1583. He had little respect for ecclesiastical law, and neglected his duties to such an extent that in 1585, the Ukrainian nobility in Halych wrote to him, exhorting him to mend his ways. Eventually, as a result of the nobles' complaints, and with the consent of King Sigismund III of Poland, he was removed from office by Patriarch Jeremiah II of Constantinople on 27 July 1589.

<sup>12</sup> The author has found it impossible to identify this particular Terlecki. The Polish *Slownik Biograficzny*, an invaluable source on personalities of Rus' at this period, is a work in progress, which, to date, has reached only 'Sei'.

<sup>13</sup> The Brotherhoods were associations of Orthodox laymen, which developed in the second half of the fifteenth century (the earliest, that attached to the church of the Dormition in Lviv, was founded in 1463). Originally, the Brotherhoods were concerned only with providing the material needs of the church (candles, altar-wine etc.), and in charitable assistance to widows, orphans and the sick. In the latter part of the sixteenth century, faced with the intellectual challenges of both the Reformation and Counter-Reformation, they turned to educational work, establishing schools and publishing houses.

<sup>14</sup> Not a reference to the various Church assemblies and synods which from 1589 onwards led up to the Union, but rather to the various gatherings of electors following the death of King Stefan Batory in 1586, and the factional disputes concerning the election of his successor.

Pope Gregory made considerable efforts to get the Orthodox churches to agree to the calendar reform. Before, and immediately after the event, he sent no less than three missions<sup>15</sup> to Patriarch Jeremiah. The latter, however, clearly resented the fact that he was being, in effect, presented with a *fait accompli*, temporised, asking for a further two years, in which to consult the churches of Wallachia, Moldavia, Poland and Rus'. Within a few months, however, on 20 November 1582, the Patriarch wrote to Prince Konstantyn Ostrozkyi,<sup>16</sup> saying that he had been in consultation with the Patriarch of Alexandria, and urging that the new calendar should be rejected.

Why did the Orthodox object to the reform? In part, simply because it came from the Pope, and because they had not been consulted in advance. But other, and more emotive issues were involved. The letter of a certain Bishop of Rus' ('Episcopus Ruthenus quidam')<sup>17</sup> to the Palatine (Voyevode) of Bratslav and forwarded to Rome via the Franciscans indulges in some bitter rhetoric. The Pope, he says, is transferring the celebration of Christmas from December 25, when 'the whole of Christianity' celebrates it, to December 15. And in doing so, the writer says, the Pope is acting in no way differently from Caiaphas, when he asked 'is it not expedient that one man should die for the people?'<sup>18</sup> for, as the Gospel says, he spoke this not of himself, but being the high priest of that year, prophesied. Likewise, the Pope is acting not of himself, but fulfilling the prophecy in the book of Daniel, where, 'under the figure of Antiochus Epiphanes',<sup>19</sup> who, the bishop says, 'typifies the present Pope' the Prophet wrote: 'he thought that he was able to change the times and laws'. Antiochus Epiphanes, the Bishop said, had set up an idol in the temple at Jerusalem on 15 December. And now the Pope, whom Antiochus prefigured, wanted to transfer Christmas to this date. And just as the birth, life, passion and death of Christ were predicted by the Hebrew prophets, so do the scriptures foretell this modern anti-Christ, the Pope. This highly-charged invective continues for several pages, before the Bishop draws his argument to a close with a plea that the noble prince to whom it is addressed should continue firm in the 'true and Orthodox faith of the Greeks' and not be led astray by false and pernicious ideas. Similar arguments (though with less invective) are also advanced in Jeremiah's letter to Ostrozkyi.

But the dropping of the ten days – to bring the equinoxes and solstices back to their traditional dates – was only part of the controversy. Even with Rome and Byzantium on the same calendar, there was a long-standing disagreement over when Easter should be celebrated. Such controversies date back to the earliest

<sup>15</sup> Before the last of these three missions, sent in March 1584, reached Jeremiah, the latter had been deposed by the Sultan and imprisoned on the island of Rhodes; significantly, one of the charges against him was that of intriguing with the Papacy.

<sup>16</sup> A contemporary Latin translation of this letter is published in *Monumenta Ucrainae historica*, Vol. 1, pp. 29–33. It reached Ostrozkyi on 9 July 1583.

<sup>17</sup> Published in *Monumenta Ucrainae historica*, pp. 33–37, where it is assigned a date of 'towards the end of 1582'.

<sup>18</sup> John xi.50.

<sup>19</sup> Daniel vii.24–25: 'And the ten horns of the same kingdom shall be ten kings, and another shall rise up after them, and he shall be mightier than the former and he shall bring down those kings.

And he shall speak words against the High One, and shall crush the saints of the most high, and he shall think himself able to change times and laws'.

days of the Christian church. Unlike Christmas (the date of which – in spite of our ‘Episcopus Ruthenus’ – has no scriptural basis), we do know, more or less, the date of Christ’s death. The Gospels make it clear that the crucifixion took place at Passover, and (if we assume, with the consensus of scholars throughout the centuries) that the Last Supper – with its institution of the sacrament of the Eucharist – was actually the Passover feast itself, then Christ was crucified on the 14th day of the Jewish month of Nisan. But the Jewish calendar is a lunisolar one, with the years determined by the sun, and the months by the moon – and Nisan formally begins with the new moon following the spring equinox. Christ’s passion therefore took place at the first full moon of spring – a fact of which many painters, in their rendering of the betrayal and arrest of Christ, have made dramatic use. The date of the resurrection must therefore have been 16 Nisan.

We do not, unfortunately, know the exact year of Christ’s death. The calculation which puts his birth in the year 753 *ab urbe condita* (‘from the foundation of the city’ [of Rome]) is undoubtedly incorrect, since, according to the New Testament, Herod the Great (who died in 749 *auc*) was still alive at the time of Christ’s birth. We know that Christ ‘suffered under Pontius Pilate’ – but Pilate was Procurator of Judea for almost ten years (26–36 AD). And, since the Jewish lunar months of 29 or 30 days do not add up to an exact solar year, one can only match a Jewish date to a solar calendar (such as the Julian) if one knows the exact year. In any case, during the first centuries of Christianity it was decided that it would be more appropriate to celebrate the resurrection on the day following the Jewish Sabbath – the first day of the week. Easter Day thus became the Sunday following the first full moon after the spring equinox. This meant it would normally come close to, but not coincide exactly with, the Jewish Passover. However, in the case when the two festivals coincided exactly – that is, when the Passover itself fell on a Friday, with the Passover supper eaten on the Thursday night (since the Jewish ‘day’ begins at sunset), the Eastern Church found it prudent to avoid the coincidence by postponing Easter for a week. Rome, however, ruled otherwise. Hence, for a thousand years or so Rome and Constantinople had celebrated Easter sometimes simultaneously, sometimes a week apart – according to which day of the week Passover began. But while urging Constantinople to adopt his new improved calendar, Pope Gregory also wanted to bring to an end this discrepancy over Easter. In other words, he wanted the whole Christian world to come over to the Roman usage. And this the Ecumenical patriarchate and the churches subordinate to it vehemently refused to do.

In his letter to Ostrozkyyi, Jeremiah sets out clearly the traditional, Greek, rules for how Easter should be observed:

The constitutions of the Synod of Nicaea, of the Holy Fathers and other learned men illuminated by the Holy Spirit, handed down to the pious are to be observed and never transgressed. If we follow these, we find concerning the celebration of Easter four rules which are to be observed and diligently examined, the first of which is:

1. Easter is to be celebrated at the vernal equinox.
2. It is not to be celebrated the same day that the Jews celebrate.
3. It is to be celebrated not at the equinox itself but at the next full moon.
4. It is to be celebrated on the first Sunday after the full moon.<sup>20</sup>

<sup>20</sup> Patriarch Jeremiah, *loc.cit.*, p. 31.

As a result, in spite of the efforts of King Stefan Batory to promote the new calendar in Rus', the Greek-rite Church refused to accept it.<sup>21</sup> And in 1596, even those prelates who decided in favour of Union were not prepared to change either their calendar or their method of calculating Easter. The first book published by the Vatican in the language of Rus', in the very year of the Union, was, significantly, an explanation of how Easter should be calculated according to the new rules; the *Key to Easter according to the new Roman calendar*.<sup>22</sup> But the Uniates of Rus', no less than their Orthodox brethren, stuck firmly to the Julian dating and the Eastern calculation of Easter.<sup>23</sup>

Indeed, in Muscovy and its successor the Russian empire, the Julian calendar remained the civil, as well as the Church calendar, until 1918. Even the westernising Peter I did not bring in the Gregorian calendar in Russia – possibly because, on his celebrated visit to Western Europe, he found the Julian usage still alive and flourishing in England and parts of the Netherlands!<sup>24</sup> There appears to have been some talk of calendar reform in the early 1840s; Shevchenko in his prologue to *Haydamaky* speaks of the sophisticates of St Petersburg:

All literate, with published works,  
The sun, too, they disparage.  
'It rises not in the right place,  
Nor shines as it should. Truly,  
*This is the way it ought to be*...  
Well, what are we to do, then?  
We have to heed. And, maybe, it  
Is true that the sun rises  
Not where the scholars read it should  
– For they, indeed, are wise men...<sup>25</sup>

but this clearly came to nothing. Even after the partition of the Polish Commonwealth, which brought the Ukrainian Uniates of Galicia under the rule of Catholic Austria (and hence the Gregorian civil calendar), they clung firmly to the Julian reckoning for church purposes.<sup>26</sup> Even today, (except for some parishes in North America) Ukrainian Uniates, no less than Orthodox, celebrate the feasts

<sup>21</sup> By December 1583, the King had *de facto* accepted that the Greek-rite citizens of Rus' would not accept the new calendar, and had decreed that no one should be compelled to work on a day that was a Church feast according to the old, Julian, reckoning. *Monumenta Poloniae Vaticana*, Vol. 6, p. 712.

<sup>22</sup> *Klyuch na paskhalniyu vodlub novoho kalendara Rymskoho*, prepared by Leonardo Arelia, titular Bishop of Sidon, Rome, 1596.

<sup>23</sup> The discrepancy between the Roman and Eastern calculations of Easter now, however, became more complicated. Previously, the two feasts either coincided or fell a week apart. Now, with the additional discrepancy of 10 days (increasing to 11 in the eighteenth century, 12 in the nineteenth and 13 in the twentieth), in some years the full moon following 21 March on the Gregorian calendar occurred before that date had been reached on the Julian reckoning. This (taken together with the Jewish practice of inserting an occasional intercalary month, giving, in the year following, a date for Passover four weeks after the Western Easter) meant that – today, the Ukrainian Churches, whether Greek Catholic or Orthodox, may celebrate Easter either at the same time as the Western Churches, or else one, four or five weeks later.

<sup>24</sup> Great Britain and Ireland made the change, as we have already noted, in 1752. The various provinces of the Netherlands changed at different times between 1584 and 1702. The province of Holland, where Peter spend most of his visit to the Netherlands, had, in fact, been one of the first to change.

<sup>25</sup> Taras Shevchenko, *Haydamaky*, Prologue, lines 55–64.

<sup>26</sup> Only at the very end of the Austro-Hungarian period, in 1916, was an attempt made by the Bishop

of the Church according to the Julian calendar, and calculate Easter according to the Constantinopolitan, not the Roman rules. The Belarusian Uniate Church, re-founded in 1990 after 151 years in the catacombs, however, uses the Gregorian calendar and the Roman calculation of Easter.

But to return to the sixteenth century. Eighteen months before the reform was to be introduced, Andrej Rymša<sup>27</sup> published his celebrated *Chronology*, and one may well postulate that one of the incentives behind its composition and publication was a heightened public awareness of matters of dating, as the news of what the Pope was planning began to circulate in Rus'. Although many scholars consider it anachronistic to speak of distinct Belarusian and Ukrainian languages at this date, preferring rather the terms 'Ukrainian (or Belarusian) variant of a common mediaeval Ruthenian language', Rymša's language (here and in other texts) is close to the Belarusian 'variant' which was, at that time, the official language of the Grand Duchy of Lithuania. However the *Chronology* was printed in Ukraine, at Ostrih, and, indeed, probably composed there.<sup>28</sup> Since, as we have seen, it was to Ostrozkyi that Patriarch Jeremiah turned to urge that Rus' reject the new calendar, the *Chronology* may surely be considered as a useful indicator of the ideas on matters calendrical prevailing in the prince's environment.<sup>29</sup>

Rymša's poem consists of twelve strophes: each beginning with the name of the month in three forms: Latin-derived, Hebrew<sup>30</sup> and the vernacular ('prostō') followed by a couplet indicating what happened in that month in 'ancient times' ('za starych viekov'), and drawing a brief moral lesson.

In translation it reads:

WHAT HAPPENED EACH MONTH IN OLDEN TIMES, A SHORT DESCRIPTION.

*In the month of September, in Hebrew Elul, in simple speech Heather:*

On the twenty-fourth day of September, they did end  
Rebuilding Jerusalem, a deed we do commend.

*In the month of October, in Hebrew Tishri, in simple speech Awns:*

The Ark with Noah on the peak on dry land did stay,  
There shall not be a second Flood, so Scripture doth say.

*October 17.*

of Stanislaviv to introduce the Gregorian calendar, in order to counteract Russian/Orthodox influence. The change was made with the knowledge of the Austro-Hungarian state authorities, but never received authorisation from the Vatican. See Wolfdieter Bihl. 'Einige Aspekte der österreichisch-ungarischen Ruthenenpolitik 1914–1918', *Jahrbücher für Geschichte Osteuropas*, Vol. XIV, 1966, p. 554.

<sup>27</sup> Very little is known of Rymša's biography. It appears, however, that from 1585 onwards, he lived in Vilnia, where he wrote honorific verses on the coats-of-arms of Leu Sapieha, Chancellor of the Grand Duchy of Lithuania, and other magnates, and a number of prose works, the latest of which – a translation into Polish of a Latin description of the Holy Land – was published in 1595. See Koršunaū, op.cit., pp. 326–27.

<sup>28</sup> Koršunaū, loc.cit.

<sup>29</sup> Koršunaū (loc.cit.) observes that such edifying musings on the calendar occur in other works from mediaeval Rus'. He cites in particular the fifteenth century collection No. 2515 in the (then) Lenin State Library in Moscow. Nevertheless, the contemporary polemics about calendar reform must have given the Rymša *Chronology* a special topicality.

<sup>30</sup> The transliteration of Hebrew into English is a much-disputed issue. The forms used here are those preferred by the *Encyclopedia Judaica*, London, 1971–.

Которого мѣца шото застарыхъ  
 вековъ дѣло естѣ описаніе  
 Мѣца сентебѣра погевренскѣ емяль  
 престо зрсеень •  
 Девятцать четвертого дня мѣца сентебѣра  
 брѣгленіе еркованіе стѣмъ рѣчь дѣла •  
 Мѣца октобѣра погевренскѣ тышири  
 престо паздерникъ •  
 Дѣхъ зноимъ нагери станѣла на хшнъ  
 брѣгленіе питопит нехъ стѣмъ на мѣннемо тѣшири  
 октобѣра 51  
 Мѣца ноябѣри погевренскѣ маргѣ  
 оуеамъ , престо грдень •  
 Жидомъ стѣ оуеаманат тѣмъ цѣр еркованіе  
 мы обек не дѣленіе , не вѣлмнжъ дѣло намъ •  
 ноябѣри 52  
 Мѣца декабѣра погевренскѣ хашлѣхъ  
 престо просниць •  
 Битомъ мѣци 15 хѣ на рѣднѣ намъ •  
 нехто арыи по нѣблен дѣлн нашн самъ  
 декабѣра 53  
 Мѣца генѣара , погевренскѣ тебѣ  
 престо етыченъ •  
 Жидомъ стѣ мѣдѣцы хѣ применіланъ  
 злато аладанъ имнѣхъ нехъ панѣ дѣлн •  
 генѣара 54  
 Мѣца февралѣ погевренскѣ себа •  
 престо лючын •  
 Свѣтлѣрн мѣст по рѣдѣса чинахъ елѣжнѣла •  
 мы оба не дѣленіе толивовѣ златѣ пахѣ дѣлн •  
 февралѣ 55  
 Мѣца марта , погевренскѣ адрѣвѣ  
 престо марецъ •  
 Битомъ мѣсѣци 14 жидѣ еркованнъ  
 еовѣ апу намъ дѣло стѣмъ паномъ зѣрѣннѣ  
 марта 56

Rymša's Chronology, Ostrih, May 1581, recto.



*In the month of November, in Hebrew Maheshvan, in simple speech Clods:*

King Jereboam proclaimed a feast-day for the Jews.  
We observe not our own feasts, not well do times us use.  
*November 15.*

*In the month of December, in Hebrew Kislev, in simple speech Shine-Through:*

In this month was born for our sakes Jesus Christ the Lord,  
It was He and 'twas no other that our souls restored.  
*December 25.*

*In the month of January, in Hebrew Tevet, in simple speech Joining:*

Sages from far lands came to Christ and did adore Him,  
Gold and frankincense and myrrh offered they before Him.  
*January 6.*

*In the month of February, in Hebrew Shevat, in simple speech Fierce:*

Behold ye how the dove did then serve Noah duly,  
We care not for God while His anger sleepeth, truly.  
*February 18.*

*In the month of March, in Hebrew Adar, in simple speech March:*

In this month the Jews did slay the Lord upon the Rood,  
For themselves they wrought great evil, but for us great good.  
*March 25.*

*In the month of April, in Hebrew Nisan, in simple speech Flowers:*

Dryshod through the Red Sea did pass the Jewish nation,  
God fed them in the desert, they knew no lamentation.  
*April 14.*

*In the month of May, in Hebrew Iyyar, in simple speech May:*

Noah prepared the Ark, the Lord's command he cherished,  
Else in the Flood he too with his kin would have perished.  
*May 10.*

*In the month of June, in Hebrew Sivan, in simple speech, Grubs:*

The waters covered all things, Noah the Ark entered.  
Know, he revered the Lord, therefore grace was sent him.  
*June 27.*

*In the month of July, in Hebrew Tammuz, in simple speech Lindens:*

Moses broke the tablets of the Lord's commandments,  
And we sin every hour, and yet no fear alarms us.  
*July 17.*

*In the month of August, in Hebrew Aov or Av, in simple speech Reaping:*

In this month Aaron died, a true of God on high,  
Keep him then as Thy example, Reverend priest, for aye.  
*August 1.*

Brief as it is, this document raises a number of interesting issues. Firstly, from the philological point of view, there is the matter of the 'simple speech' names.

They do not correspond, exactly, to the modern Belarusian names – nor, indeed, to modern Ukrainian or Polish, though they clearly have features in common with all three; while in one case the nearest modern equivalent is Czech.

The following table indicates the coincidences and divergences:

Month	Rymša		Modern forms and meanings: Belarusian (B), Ukrainian (U), Polish (P), Czech (Cz)
	Name	Meaning	
September	vriesien	heather	vierasień (B), veresen' (U), <b>wrzesień</b> (P) – heather
October	pazdiernik	awns	kastryčnik (B), <b>październik</b> (P) – awns, <sup>31</sup> zhovten' (U) – yellow
November	hrudien	[frozen] clods	listapad (B), lystopad (U), listopad (P) – leaf-fall
December	prosinec	shine-through	śnieżań (B) – snow <b>hruden</b> <sup>32</sup> (U), grudzień (P) – frozen clods, <b>prosinec</b> (Cz) – shine-through
January	styćień	joining <sup>33</sup>	studzień (B) – freezing, sichen' (U) – cutting, <b>styczeń</b> (P) – joining
February	lutyi	fierce	<b>luty</b> (B), <b>lyutyi</b> (U), <b>luty</b> (P) – fierce
March	marec	March <sup>34</sup>	sakavik (B) – sap-cutting, berezen' (U) – birch, <b>marzec</b> (P) – March
April	kvietien	flowers	krasavik (B) – beautiful, <b>kviten'</b> (U), <b>kwiecień</b> (P) – flowers
May	maj	May <sup>35</sup>	travień (B), traven' (U) – grass; <b>maj</b> (B, P) – May
June	čyrviec	grubs	červień (B), cherven' (U), <b>czierwiec</b> (P) – grubs

<sup>31</sup> In the sense of the flecks of hard vegetable matter which fly off flax during the spinning process.

<sup>32</sup> The nearest equivalent to Rymša's name for November, but with a shift of meaning.

<sup>33</sup> 'Styczeń' – with a perceived meaning of 'joining' – makes logical sense in Polish, referring to the 'joining' of the old and the new year according to the Roman calendar. But Rymša's new year is in September. The Ukrainian 'sichen' is perceived to mean 'cutting' – which again makes sense, but the philological derivation is uncertain.

<sup>34</sup> Rymša's 'marec' and modern Polish 'marzec' appear to be direct adaptations of the Latin 'martius', without any secondary vernacular meaning.

<sup>35</sup> 'Maj' – in Rymša and in modern Polish and Belarusian – derived from the Latin maius. Nevertheless, some Belarusian speakers maintain that 'maj' has the meaning of 'growth' – although no philological derivation can be demonstrated for this, and it appears to be an example of folk-etymological back-formation from the natural phenomena of the month in question.

July	lipec	lindens	lipień (B), lypen' (U), <b>lipiec</b> (P) – lindens
August	sierpień	reaping	źnivięń (B) – harvest, <b>serpen'</b> (U), sierpiec (P) – reaping

Thus, in eight cases, Rymša's version is closest to modern Polish usage, in four cases to Ukrainian (with for 'hruden', a change of meaning) and once to Czech. There is only one direct coincidence with modern Belarusian – and that is 'maj' – derived from Latin, via Polish. If, however, we ignore phonological differences, and look at cognate forms, derived from the same root, then we find that four of Rymša's names correspond to modern Polish, seven<sup>36</sup> to Ukrainian and four to Belarusian. In addition, in the case of October, Rymša's 'pazdiernik' and modern Belarusian 'kastryčnik', although not cognate, have the same meaning. We may also note that the correspondence of Rymša's forms to those of modern Slavonic languages are not always consistent. In the case of June, July and August, Rymša's forms are cognate with modern Ukrainian and Polish, but where the Polish names end in -ec and the Ukrainian in -en', Rymša has the -ec ending for July but -en' for August. These, however, are puzzles for the modern philologist. More relevant to the intellectual climate on the eve of the Union is the way in which Rymša's notable events are selected and identified.

Firstly, we may note that he ignores the mis-match between the Jewish and solar (Christian) calendars. Jewish months are equated exactly to solar months so that September = Elul, October = Tishri and so on.

Secondly, when Biblical events are said to have taken place in a month indicated by an ordinal, Rymša relates them to his own contemporary calendar in a somewhat inconsistent manner. The calendar in Rus' began in September, and we should therefore expect him to equate this to the Biblical 'first' month. If, however, we examine the 'Noah' cycle, we find:<sup>37</sup>

Genesis vii.11–13 'In the 600th year of the life of Noah, in the second month, in the seventeenth day of the month, all the fountains of the great deep were broken up, and the flood-gates of heaven were opened.

And the rain fell upon the earth forty days and forty nights.

In the self-same day, Noah and Shem and Ham and Japhet, his sons, his wife, and the three wives of his sons with them, went into the ark';

Rymša assigns this event to 27 June, which would imply that the 'first month' began on 10 or 11 May!

There is currently a difference of opinion in Belarus, as to whether the word for May should be 'travień', or 'maj'. concerning the 'politically correct' word for May. The Belarusian Language Society favours 'travień'. However, the regime of President Alaksandr Lukašenka considers 'maj' to be politically correct.

<sup>36</sup> Or eight, if we assume that, in spite of the difference in perceived meaning, stycien and sichen are, in fact, cognates.

<sup>37</sup> All quotations are taken from the Douai translations, which is textually closest to the versions (both Latin and Septuagint-derived Old Slavonic) with which Rymša would have been in contact, but with the substitution of the forms of proper names traditional to English.

Likewise, (Genesis viii.4) says that 'The Ark rested in the seventh month, the seven and twentieth day of the month, upon the mountains of Armenia'.

Rymša gives this date as 17 October – again assuming a New Year's Day of 10 or 11 May.

These are the only two of Rymša's dates with a specific reference in Genesis: the other two have been obtained by extrapolation. 'Noah prepared the ark' (10 May) is presumably deduced from Genesis vii.4. where God tells Noah, 'For yet a while, and after seven days, I will rain upon the earth forty days and forty nights, and I will destroy every substance that I have made, from the face of the earth', by subtracting these 47 days from the date of Noah and family entering the ark, though this would – by modern calculations – give 11 May rather than Rymša's 10 May, and in any case seems to assume that Noah, his family and all the animals entered the ark only after the 40 days of rain rather than before them!

Likewise, 'the dove did then serve Noah' (18 February) is derived from Genesis viii.5–11:

And the waters were going and decreasing until the tenth month, for in the tenth month, the first day of the month, the tops of the mountains appeared.

And, after that forty days were passed, Noah, opening the window of the ark which he had made, sent forth a raven.

Which went forth and did not return, till the waters were dried up upon the earth.

He sent forth also a dove after him to see if the waters had now ceased upon the face of the earth.

But she, not finding where her foot might rest, returned to him into the ark, for the waters were upon the earth, and he put forth his hand and caught her, and brought her into the ark.

And, having waited yet seven other days, he again sent forth the dove out of the ark.

And she came to him in the evening carrying a bough of an olive-tree with green leaves in her mouth. Noah therefore understood that the waters were ceased upon the earth.

In other words, Rymša's date of 17 February corresponds to the first day of the 10th month plus 47 days. This assigns the first of the tenth month to 1 January, as if the year began on 1 March! Which is in no way consistent with the other three Noah dates!

Let us now pass on to the events of the Exodus.

The date of the crossing of the Red Sea poses no problems. 14 Nisan (which Rymša identifies with April) is the date of the Passover, and Rymša simply telescopes time and geography, assuming that the Jews ate the Passover meal that night and crossed the Red Sea the following morning (which, by the Jewish reckoning from sunset to sunset, constitutes the same 'day').

Moses breaking the tablets of the law – which Rymša assigns to 17 July-Tammuz, is, once again, an extrapolation. According to Exodus xix.1: 'In the third month of the departure of Israel out of the land of Egypt, on this day they came into the wilderness of Sinai'. (This is presumably the first of the month). Then (Numbers xix.3) Moses 'went up to God: and was told (xix.10–11) to sanctify and purify the people, since 'on the third day, the Lord [ould] come down'. Following this manifestation, Moses went up the mountain and (Exodus xxiv.18) 'was there forty days

and forty nights'. He then came down, carrying the tablets of the law, which he smashed when he found the Israelites worshipping the Golden calf.<sup>38</sup>

Subtracting 43 days from Rymša's date of 17 July would suggest the Israelites arriving at Mount Sinai on 4 June. If we revert to the Jewish calendar, in which Sivan has 30 days, then 43 days before 17 Tammuz once again gives us 4 Sivan. Close, but not identical, to a date of arrival at Sinai of 1 June-Sivan.

But Rymša's identification may have been obtained in a different manner.

In the Jewish religious calendar, the giving of the law is commemorated at the Feast of Weeks – Pentecost – 50 days (or rather, 49 – since the Jewish reckoning, like ancient Rome, includes both the first and last days of a period in the count) after Passover, i.e., 7 Sivan. If 7 Sivan is 7 June, and 40 days added, one arrives exactly at Rymša's date: 17 July!

The death of Aaron comes from Numbers xxxiii.38:

And Aaron the priest went up into Mount Hor at the commandment of the Lord, and there he died in the fortieth year of the coming forth of the children of Israel out of Egypt, in the fifth month, the first day of the month.

Rymša interprets this as 1 August, making April the 'first month'. This, indeed, is justified by the Bible. A number of texts indicate that, at certain periods, the Jewish year began, not as, at present, in the autumn, but with the vernal equinoctial new moon – i.e. with the month of Nisan.<sup>39</sup>

(One should note here, perhaps, the irony of Rymša recommending Aaron as an example to [Orthodox] priests,<sup>40</sup> since other references to the death of Aaron, make it clear that, like Moses, he was not allowed to enter the Promised Land due to his disobedience at the waters of Meribah).<sup>41</sup>

King Jereboam's festival comes from III Kings, xii.28–33. Once again, the *Chronology* takes the Jewish year to begin with Nisan-April making November the eighth month, and once again, Rymša's comment on the event has unintended ironical overtones. For Rymša uses it to deplore that his contemporaries failed to honour their religious feast properly – but Jereboam's feast was one which, from the biblical point of view, would have been better left unobserved, since it honoured not the God of Abraham, but the idols which the King had made:

And finding out a device he made two golden calves and said to them [i.e. the people]: Go ye no more to Jerusalem: Behold thy gods, O Israel, who brought thee out of the land of Egypt.

And he set the one in Bethel, and the other in Dan.

And the thing became an occasion of sin: for the people went to adore the calf as far as Dan.

And he made temples in the high places, and priests of the lowest of the people, who were not of the sons of Levi.

<sup>38</sup> Exodus xxxii.18.

<sup>39</sup> See, for example, the note on Ezra vi.19–22, in *The New Biblical Commentary – Revised*, London, 1970, p. 492. 'Passover marked the beginning of the year in the Mosaic legislation (cf. Ex.12:2), but due to the influence of the Canaanite (autumn–autumn) calendar it was the Tabernacles feast-complex which commenced the year during the period of the monarchy. In the post-exilic period, Passover assumed its rightful place, doubtless influenced by the spring-spring calendar of Babylonia'.

<sup>40</sup> Rymša's word is 'pop' – Orthodox priest, not some form of the Polish 'Ksiądz' – Catholic priest.

<sup>41</sup> Numbers xx.12.

And he appointed a feast, in the eighth month, after the manner of the feast that was celebrated in Judah. And going up to the altar, he did in like manner in Bethel, to sacrifice to the calves, which he had made, and he placed in Bethel priests of the high places, which he had made.

And he went up to the altar, which he had built in Bethel, on the fifteenth day of the eighth month, which he had devised of his own heart, and he ordained a feast to the children of Israel, and went upon the altar to burn incense.

Finally, to complete the Old Testament dates, the completion of the rebuilding of Jerusalem, i.e. of the city wall, comes from Nehemiah vi.15 (in the Septuagint): 'But the wall was finished the five and twentieth day of the month of Elul, in two and fifty days'. Why Rymša subtracts a day is not clear: however, there is no difficulty in the identification.

Looking over the Old Testament cycle as a whole, it seems unlikely (to judge from the surely unintentional irony of the Jereboam and Aaron entries) that Rymša searched the Bible himself. He probably took the dates from some secondary sources, the identification of which remain a subject for future research – a task which could throw interesting light on what traditions of Biblical scholarship, Eastern or Western, prevailed in the area at this time – and hence on the intellectual atmosphere in Rus' on the eve of the Union.

Even more relevant to that atmosphere, however, are the remaining three dates, which refer to the life of Christ.

The birth of Christ is, naturally, given as the traditional 25 December. (As we have seen from the letters of Jeremiah and 'Episcopus Ruthenus quidam' quoted above, the Greek Church, no less than the Roman, takes this as the correct date of Christmas – and was particularly insistent that it should not be tampered with. It was only after the Western adoption of the Gregorian calendar that the two Churches disagreed on what day should be designated 25 December).

Now, in the *Chronology* Rymša seems to be working at the interface of Byzantine and Roman Biblical usage. Jereboam, for example, becomes 'Jerevoam', in the Byzantine-derived manner, but Noah's 'ark' is the Latin-derived 'archa', not the Orthodox 'kovčeh'. The same blending is evident in his treatment of Christmas – he ascribes the visit of the Magi not to Christmas itself, as does the Orthodox church, but – in the manner of Roman-rite Catholicism – to January 6, the Epiphany, a feast which, in Eastern Christianity, celebrates the Baptism of Christ.<sup>42</sup> This is particularly interesting if we recall that scholarly consensus ascribes the *Chronology* to the Ostrih printing house, founded by Prince Vasyl Konstantyn Ostrozkyi,

<sup>42</sup> The Epiphany ('Showing-forth') of Christ originally referred to the Baptism of Christ in the Western Church also. But, by the fifth century, it had become there the feast of the Magi (who gradually became viewed as three in number, representing the descendants of Noah's three sons, i.e., all humanity), while Christmas focused on the adoration of the shepherds. However, until the reform of the Roman liturgy, after the Second Vatican Council, the Baptism of Christ was commemorated on the Octave of the Epiphany (13 January), though without the solemnity accorded it by the Byzantine rite. The West now keeps it on the Sunday following Epiphany.

<sup>43</sup> In Julius Caesar's reform of the calendar, the vernal equinox was restored to what the Romans reckoned as the eighth day (counting inclusively) before the Calends of April, the traditional date of the founding of Rome by Romulus. This, according to the modern method of counting, is 25 March. Had Pope Gregory decided to restore the equinox not to the date on which it fell at the time of the First Council of Nicaea (325 AD) but to that assigned to it by Caesar, Western Christians would now celebrate the Annunciation and Christmas exactly at the vernal equinox and winter solstice.

who within a few years would emerge as one of the pre-eminent champions of Orthodoxy against the Union and *a fortiori*, Catholicism generally.

Even more interesting is the March 'event', the crucifixion of Christ, which Rymša assigns to 25 March.<sup>43</sup> This is the feast, in both Eastern and Roman usages, of the Annunciation – the conception of Christ, which naturally falls nine months before Christmas day. There is, as I have already noted, no scriptural indication of the date, or even the time of year, of Christ's birth, and the date of 25 December seems to have been adopted by the church partly to replace the various pagan midwinter festivals, and partly for symbolic reasons – the birth of Christ, the sun of justice, in the dead darkness of man's sin, as typified by the winter. But early on, a third strand of thought entered in, too, the idea that Christ, who in addition to his Godhead was also the perfection of humanity, would not have lived an 'imperfect' life-span, but would have spent, in His human incarnation, an exact number of years. Taking His human existence as beginning at conception, the crucifixion must therefore, according to this view, have taken place on exactly the same day of the year as the annunciation. Since the crucifixion can be definitely attributed to the spring, the choice of a winter date for Christmas is thus endorsed. Such pious symbolism has through the centuries had considerable appeal to many Christians, and it seems a pity to have to point out that, although we cannot say exactly on which day – according to the Roman solar calendar – Christ was crucified (since we do not know the exact year), in none of the possible years did 14 Nisan fall on 25 March. Nevertheless, although, granted the lunar method of calculating Easter, the identification of the (solar) date of Christ's death had no practical significance for the Church, the suggestion of 25 March dates back at least to the time of St Augustine, and thus was some 1200 years old when Rymša published his *Chronology*.

And in accepting this date Rymša in effect is supporting the Constantinopolitan tradition of decoupling Easter from the Passover. His event for April, as we have seen, is the crossing of the Red Sea – which he assigns to 14 April, or in his reckoning 14 Nisan, the Passover.

Whether Rymša deliberately intended in this way to support the Constantinopolitan decoupling of Easter from Passover, or whether it is simply the result of having drawn the two different dates 25 March and 14 April (i.e. Nisan) from two different sources, without attempting to coordinate the two, I am not prepared to speculate. (Jeremiah's letter to Ostrozkyi, emphasising this decoupling, reached Ostrih, we should note, more than two years after the *Chronology* appeared). I want only to suggest that this document – usually discussed by scholars with respect to its 'vernacular' month names and their divergence from contemporary Belarusian, Ukrainian and Polish usage – is also indicative of the interest which the calendar reform evoked in chronological matters during the years leading up to the Union.\* □

\* This is an expanded version of a paper written for the anniversary conference held in Brest on 8–9 October 1996.

## History

# Ukrainian Pilgrimage to the Holy Land 988–1914

Debra Coulter

By the grace of God I came to the holy city of Jerusalem and saw the holy places... where Christ our God walked with his own feet and where he performed great miracles.<sup>1</sup>

Abbot Daniel of Kyivan Rus', 1106–8.

Jerusalem – holy city for three faiths – has been the destination of Ukrainian pilgrims for a thousand years. While the sacred shrines of Ukraine and the halloved monasteries of Constantinople and Mount Athos have always attracted a steady stream of visitors, Jerusalem has remained *sui generis* – the ultimate experience of pilgrimage. To all Christians, Orthodox and Uniate alike, Palestine is the land where the Saviour walked, and Jerusalem is the city where the redemption of mankind was effected. Indeed, the 'life-giving tomb of Christ'<sup>2</sup> in the Church of the Resurrection at Jerusalem has been the focus and goal of pilgrims since St Helena, the mother of Emperor Constantine the Great, made her pilgrimage to Palestine and inaugurated the building of the first basilica in AD 326.

From the evidence of pilgrim accounts, journals, donor inscriptions and official records we can follow the evolution of Ukrainian pilgrimage from the eleventh century to 1914, when they were among over 12,000 citizens of the Russian Empire to visit Jerusalem. Who were these pilgrims, and why did they go to Palestine? How did they make the long journey, and what did they do there? These are the questions that will be addressed here, with particular reference to the Orthodox Ukrainians who found themselves under Russian rule from the late seventeenth century to 1914.

### Pilgrimage in Orthodox Spirituality

Following the Reformation and the general secularising trends that engulfed Europe from the mid-sixteenth century, fewer pilgrims made the journey to Palestine from the West.<sup>3</sup> In contrast, the volume of worshippers from the Eastern Orthodox Church steadily increased. Western observers were impressed not so much by their numbers as by the genuine piety of the East Slavs,

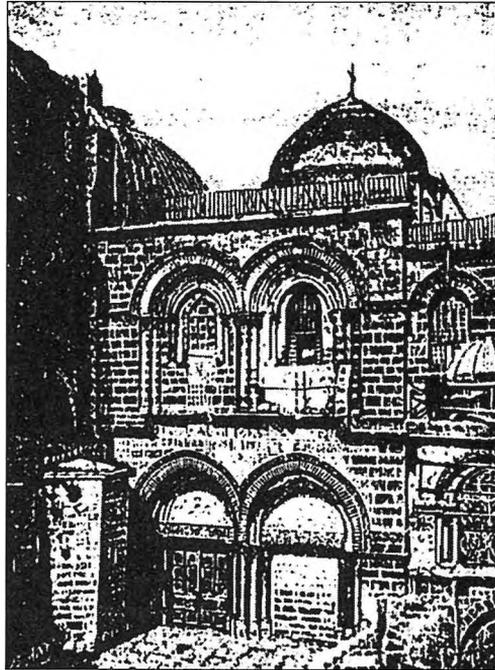
<sup>1</sup> 'Puteshestvie Igumena Daniila po Sviatym Mestam', ed. by I.P. Sakharov in *Puteshestvia Russkii liudi po Sviatoi Zemle*, St Petersburg, 1839. For an English translation see 'The Life and Journey of Daniel, Abbot of the Russian Land', trans. by J. Wilkinson in *Jerusalem Pilgrimage*, London, 1988.

<sup>2</sup> This is the usual term used by Orthodox pilgrims for the tomb of Christ in Jerusalem.

<sup>3</sup> According to western observers, only seven Catholics were in Jerusalem for Easter 1589, and only one at the end of the eighteenth century. F.E. Peters, *Jerusalem: the Holy City in the Eyes of Chroniclers, Visitors, Pilgrims and Prophets*, N.J., 1985, pp. 510, 553–55.

whom they usually referred to collectively as 'Russians'. 'There is no sight in Palestine more impressive than that of the devotion and enthusiasm and endurance of the Russian pilgrims', one English clergyman wrote in 1897.<sup>4</sup> 'In all the Holy Places they kiss the ground. Wherever they think the Saviour suffered or was sad, they weep', agreed another Englishman several years later.<sup>5</sup>

What was it that brought so many devout Ukrainians on the long trek to Jerusalem? The answer lies partly in the deep reverence towards pilgrimage which was an inherent part of Eastern Orthodox spirituality. Christ himself was seen as the Divine Pilgrim, who had (in His own words) 'no place to lay his head'.<sup>6</sup> In the East Slavonic lands there existed an age-old tradition that Christ wandered through villages and towns from Easter to Ascension day, dressed as a poor pilgrim. No-one knew when He might knock on their door – there-



Church of the Resurrection, Jerusalem. From the Orthodox Palestine Society 1887 Guidebook *Sputnik*.

fore wandering pilgrims were generally welcomed and honoured.<sup>7</sup> In Palestine, the places most revered by Slav pilgrims were those where Christ had suffered; the season they held most dear was Easter, when they could participate in Christ's passion. Veneration of suffering, so typical of the spirituality of old Rus', was transferred to pilgrims: the suffering and self-denial of pilgrimage made the pilgrim himself a quasi-holy person.

What did pilgrims hope to find in the Holy Land? Many of the local shrines to which pilgrims trekked within Ukraine were associated with miracles of physical healing, but this was not the case with Jerusalem. Jerusalem promised something far greater – salvation. Pilgrimage to the tomb of Christ was perceived as a passport to heaven.<sup>8</sup> Moreover, it was generally believed that by paying monks to write names in a prayer-register (*synodik*) in each Holy Land monastery, salvation could be purchased not only for the pilgrim himself, but for all his rela-

<sup>4</sup> A.C. Headlam, *The Teaching of the Russian Church*, London, 1897, p. 27.

<sup>5</sup> T.E. Dowling, *The Orthodox Greek Patriarchate of Jerusalem*, London, 1913, p. 164.

<sup>6</sup> Matthew 8:20.

<sup>7</sup> O. Nikoleyev, 'Christ, Pilgrim on Russian soil', *Religion, State and Society*, Vol. 23, December 1995, p. 373.

<sup>8</sup> E.S. Evseev, 'Palomnichestvo v Sviatuiu Zemliu: istoria i perspektivy', in *Pravoslavnyi Palestinskii Obschestvo Sbornik* (hereafter *PPSb*), Moscow, 1992, p. 35.

tives – living and dead. Whole villages would send a pilgrim to Jerusalem with subscriptions for prayers.<sup>9</sup>

Although the faithful streamed to Jerusalem in the hope of saving their souls, Orthodox theologians consistently argued that pilgrimage was not necessary for salvation. Seeing the Holy Places can be a valuable aid to devotion, the Byzantine Church father St John Chrysostom insisted in the fourth century, but pilgrimage is not essential, nor an alternative to inner faith.<sup>10</sup> Likewise, Gregory of Nyssa wrote: 'When the Lord invites the blest to their inheritance in the kingdom of heaven, He does not include a pilgrimage to Jerusalem among their good deeds'.<sup>11</sup> Nearly eight hundred years later Abbot Daniel of Kyiv echoed this message, criticising pilgrims who 'have become conceited as if they had done something good, and thus lose their reward'.<sup>12</sup>

If a journey to Jerusalem could not guarantee salvation, it could at least aid the process of sanctification. Most pilgrims were middle-aged or elderly, and viewed their pilgrimage as a preparation for death.<sup>13</sup> One of the most important rituals they participated in during their sojourn in the Holy Land was to bathe in the Jordan river in a symbolic 'second baptism', by which the bathers washed away their sins to emerge redeemed and ready for heaven. Connected with the idea of sanctification is penance. In the Latin West, pilgrimage was regularly prescribed by priests as a penance for sinners. This was not the case in the Orthodox East. Nonetheless, repentant Ukrainian sinners frequently imposed upon themselves a journey to Jerusalem, believing that forgiveness was more potent in the Holy City. This naive belief was encouraged by a series of indulgences issued from Jerusalem proclaiming the Patriarch's authority to forgive sins – for example, by Patriarchs Abraham in 1776 and Polikarp in 1815.<sup>14</sup> An eighteenth-century French traveller, Comte Volney, commented on the multitude of Orthodox pilgrims whom he saw crowding into Jerusalem in response to plenary indulgences which, he wrote, 'bring absolution not only from murder, incest and pederasty, but even from the violation of a fast or holy day, which they regard as far more serious'.<sup>15</sup>

Pilgrimage to Jerusalem was frequently undertaken in fulfilment of a vow. In time of great need, many a distressed believer has made a promise to God or the saints to go to Jerusalem in return for divine assistance. Some pilgrims – among them Meletiy Smotrytskyi in 1623 – travelled to the Holy Land to seek answers to life's problems and search for spiritual truth.<sup>16</sup> For a great many pilgrims who had grown up hearing the stories of the bible, a visit to Palestine was the culmination of a life-long aim. This was the case for Ippolit Vishenskyi of

<sup>9</sup> S. Graham, *With the Russian Pilgrims to Jerusalem*, London, 1913, p. 66.

<sup>10</sup> S. Coleman & J. Elsner, *Pilgrimage Past and Present*, London, 1995, p. 82.

<sup>11</sup> Gregory of Nyssa, Βιβλιοθηκη Ἑλληνων Πατερων: Μερος Β [Collected Works, epistle 2], Athens, 1987, p. 1009, para. B & C.

<sup>12</sup> Igumena Daniila, p. 19.

<sup>13</sup> J. Eade & M. Sallnow, *Contesting the Sacred: An Anthropology of Christian Pilgrimage*, London, 1991, p. 108; *Otchet Pravoslavnago Palestinskago Obschestva* (hereafter *Otchet PPO*), St Petersburg, 1886, p. 6.

<sup>14</sup> S. Giurova and N. Danova (eds.), *Kniga na bulgarskite hadjii*, Sofia, 1985, p. 331.

<sup>15</sup> Comte C. Volney, *Voyage en Syrie et Egypte*, 1787, quoted in Peters, p. 552.

<sup>16</sup> D. Frick, *Meletij Smotryc'kyi*, Cambridge, Mass. 1995, p. 98.

Chernihiv in 1707, Serapion of Kyiv in 1749, and numerous peasant pilgrims in the nineteenth century.<sup>17</sup>

A clue to the significance of pilgrimage to the East Slavs can be found in the etymology of words used for pilgrims. In contrast to the English word 'pilgrim', which comes from the Latin *peregrinus* and originally meant 'a traveller or stranger', Ukrainian pilgrims were called *bogomolets* – which means 'one who prays to God', or *poklonnik* and *palomnik* – meaning 'a worshipper; one who prostrates himself'. Indeed, the Orthodox pilgrims literally prostrated themselves on the ground before the Holy Places, to the amazement of Western Europeans.

'Why do they come?' Stephen Graham asked Ukrainian and Russian pilgrims in 1912. 'They promise on the bed of sickness; they promise in unhappiness; they go to save the dying or the wicked; they go to expiate their own and others' sins'.<sup>18</sup> Others came compelled by some deep force within them. Kissing the very stones of the Holy Land and venerating the icons in all the churches, the Orthodox pilgrims saw Jerusalem as a kind of icon, – a link with heaven. In this hallowed spot they sought the presence of God, believing, as one pilgrim was told: 'You should go to Jerusalem on pilgrimage. That place is more sacred than any other site on earth'.<sup>19</sup>

### Pilgrimage and Politics

The ebb and flow of Ukrainian pilgrims to Palestine was profoundly affected by political factors. During the Kyivan Rus' era, pilgrimage to Jerusalem apparently flourished after the acceptance of Christianity by Prince Volodymyr of Kyiv in 988, albeit that at times the Holy Places were temporarily inaccessible due to the hostility or political instability of Muslim regimes which ruled the Levant. The fortunes of Ukrainian pilgrimage changed with the arrival of the Mongols and Ottoman Turks, and later with the growing power of Muscovy. Although Jerusalem was never officially closed to Christian pilgrims even after its conquest by Ottoman armies in 1517, a succession of invasions, wars, treaties, power struggles and diplomatic manoeuvres alternately disrupted or facilitated the flow of pilgrims to the Holy Land.

The first known Ukrainian pilgrim to Palestine was Varlaam, abbot of the Dmitieskyi monastery in the Kyivan lands, who travelled to Jerusalem in 1062, although several years earlier St Feodosyi Pecherskyi had tried to join a group of pilgrims who were on their way to the Holy Land.<sup>20</sup> In 1106 Daniel, the abbot of a monastery near Kyiv, visited Palestine and returned to write a travel account that was to inspire Ukrainian pilgrims for centuries. It is noteworthy that Daniel

<sup>17</sup> Ippolit Vishenskii, 'Puteshestvie ieromonakha Ippolita Vishenskago v Ierusalim' in *Chtenie v Imperatorskom Obschestve istorii i drevnosti rossiiskikh* (hereafter *Chtenie O IDR*), Book 4, St Petersburg, 1876; Serapion, 'Putnik ili puteshestvie vo Sviatuiu Zemliu Matronniskago inoka Serapiona 1749 goda', in *Chtenia O IDR*, Book 3, St Petersburg, 1873, p. 78; P. Visensel, *PPSb*, Moscow, 1992, p. 39.

<sup>18</sup> Graham, p. 88.

<sup>19</sup> 'The Pilgrim Continues his Way'. Kazan, 1884, in *A Treasury of Russian Spirituality* ed. by G. Fedotov, London, 1954, p. 325.

<sup>20</sup> 'Life of Feodosyi', in *Hagiography of Kievan Rus'*, trans. by P. Hollingsworth, Harvard University Press, 1992, pp. 39, 59.

was not the only citizen of Kyivan Rus' in Jerusalem that Easter; with him were his own retinue, as well as other 'sons of Rus', Novgorodians and Kyivans who were there on that day'.<sup>21</sup> Another famous pilgrim from Rus' was the sainted princess Euphrosyne of Polock, who died in Palestine sometime after 1167.<sup>22</sup>

The devastating invasion of the Kyivan lands by the Mongols in 1237–40 brought the lively eastward pilgrim traffic to an abrupt halt. For well over a century no pilgrim accounts appear to have been written, and, given the severe economic and cultural dislocation suffered by Ukraine during this period, we can assume few (if any) pilgrims could travel far. Likewise, few travellers were able to visit the Holy City in the fifteenth and sixteenth centuries, for these were the centuries in which the Ottoman Turks were at the height of their power. Ottoman naval dominance in the Black Sea and Mediterranean made travel to the Levant dangerous in the extreme, while hostile Crimean Tatars blocked the coasts of southern Ukraine.

The route to Palestine became slightly more passable only by the seventeenth century, as Turkish power weakened. Among the few Ukrainians known to have visited Jerusalem at this time was Meletiy Smotrytskyi, the Orthodox archbishop of Polock who converted to the Uniate Church after his journey in 1623–25. However, the history of Ukrainian pilgrimage to Palestine entered a new phase after Ukraine came under Russian rule from the mid-seventeenth century. It was in the seventeenth century that pilgrimage first became a pawn in the repertoire of Russian diplomacy. The attention of the Tsars had already been turned to the East in the previous century by the alms-seeking visits to Moscow of Jerusalem Patriarchs and their delegates, who were under Turkish rule, and gradually the idea that Russia had a divine mission to defend Eastern Christianity began to take form. During the reign of Tsar Fedor Alekseevich the Russian government began to perceive Jerusalem's 'Holy Places' as useful bargaining chips in its dealings with the Ottoman Porte, and consequently, when the treaty of Bakhchisarai was signed between Russia and the Porte on 13 January 1681, a clause included the right to safe conduct for subjects of the Tsar to worship in the Holy Land without molestation.<sup>23</sup> Peter I likewise saw political value in including pilgrim rights in his agreement with Turkey on 3 July 1700,<sup>24</sup> and these articles were expanded by Catherine II in clause 8 of the treaty of Kiuchuk Kainardii in 1774:

Subjects of the Russian Empire – lay and clergy – shall have full liberty to visit the holy city Jerusalem and other Holy Places. No tax shall be exacted from those pilgrims by anyone, either at Jerusalem or elsewhere, or on the road; but they shall be provided with such passage and firmans as are given to other friendly powers. During their stay in the Ottoman Empire, they shall not suffer the least wrong or injury; but shall be under the strictest protection of the laws.<sup>25</sup>

<sup>21</sup> Igumena Daniila, p. 118.

<sup>22</sup> 'The Life of St. Euphrosyne of Polock', trans. and ed. by Father Alexander Nadson, *Journal of Byelorussian Studies*, Vol. II, no. 1, year V, p. 3.

<sup>23</sup> Treaty of Bakhchisarai, in *PSZRI*, 1830, II, p. 391.

<sup>24</sup> Peter the Great, *Pisma i Bumagi*, St Petersburg, 1887, Vol. 1, p. 376.

<sup>25</sup> Treaty of Kiuchuk-Kainardii, in E.I. Druzhinina, *Kuichuk-Kainarzbiskii mir 1774 goda*, Moscow, 1955, p. 352.

It is significant that pilgrimage rights were considered valuable enough to be included in the above treaties at a time when relatively few pilgrims appear to have journeyed to Jerusalem from Ukraine or Russia.<sup>26</sup> The rulers of eighteenth-century Russia showed very little personal interest in pilgrimage, but clearly it had political usage as a toe-hold of Imperial influence in Palestine, although the four Russo-Turkish wars fought between 1711 and 1792 discouraged all but the most resolute pilgrims. One Ukrainian who braved the journey at this time was a certain Ignaty Ivanov Ignatev, who found himself unable to return home for ten years after war broke out in 1768 during his Holy Land pilgrimage.<sup>27</sup>

Despite the treaties, it was not until the nineteenth century that the number of Ukrainian worshippers in Jerusalem began to rise significantly. The reasons for this are many, but chief among those relevant here are the improved security of the journey and the involvement of the Russian government. Imperial interest in Palestine was revived in the early 1830s by the influx of Catholic and Protestant missionaries into the Levant, who were viewed by Russia as agents of France, Britain and Prussia. In reaction, the Tsar took up the role of Defender of Orthodoxy once again in order to extend his own political influence. Consequently, the first Russian Ecclesiastical Mission was established in Jerusalem in 1847, ostensibly to promote the welfare of Orthodox pilgrims and natives, yet significantly it was under the control of the Ministry of Foreign Affairs and its aims were primarily political.<sup>28</sup>

As it was, the Russian missions failed to promote Imperial influence in Palestine in the manner the government had hoped, but they did provide a stimulus to pilgrimage. Large tracts of land were bought up to build places of worship in and around Jerusalem, including the grandiose Russian Compound (completed in 1864), which provided pilgrim hostels, Mission headquarters, a Cathedral, and a hospital for subjects of the Tsar. Pilgrimage was given new impetus in May 1882 when V.N. Khitrovo founded the Orthodox Palestine Society in St Petersburg in order to further the cause of Orthodoxy in the Holy Land. The Society was responsible for a dramatic improvement of facilities for pilgrims and established schools for Christian Arabs, at first as a private philanthropic organisation under the patronage of Grand Duke Sergei, brother of Tsar Aleksander III. However, the latter soon perceived in the Society a useful tool for his Grand Plan for the Orthodox East, and thus in March 1889 the Emperor extended his patronage – and control – over the Society and changed its title to Imperial Orthodox Palestine Society.<sup>29</sup> Not surprisingly, its agenda became increasingly political; its close supervision of pilgrims abroad became something akin to surveillance. Pilgrims were becoming the government's most effective spearhead of Russian influence in the East, and consequently – with Imperial promotion – over 12,000 Ukrainians and Russians visited Jerusalem in 1914 alone.<sup>30</sup>

<sup>26</sup> On volume of pilgrim traffic see next section.

<sup>27</sup> *PPSb*, Vol. 12, No. 3, St Petersburg, 1891, p. 12.

<sup>28</sup> Russian secret report in Wodehouse to Malmesbury, March 27, 1858, quoted in T.G. Stavrou, *Russian Interests in Palestine 1882–1914*, Thessaloniki, 1963, p. 42.

<sup>29</sup> V.N. Khitrovo, *Pravoslavie v Sviatoi Zemle*, St Petersburg 1881, p. 71–2.

<sup>30</sup> Estimates vary between 12,000 and 15,000. Stavrou, *Russian Interests*, p. 184.



Hundreds of 'Russian' pilgrims arriving in Jerusalem, 1912. From S. Graham, *With the Russian Pilgrims to Jerusalem*, London, 1913.

In Palestine itself, politico-economic wrangles surrounded pilgrims, who were perceived as a major source of revenue by the Turks. So valuable was the tourist trade that in 1805 Slav worshippers in Jerusalem were caught in an armed struggle between the Pasha of Jaffa and the Pasha of Damascus for control of pilgrim routes.<sup>31</sup> However, the fiercest battles in Palestine were fought between Christians, as the Greek clergy mustered the support of Orthodox pilgrims in their struggle against both Armenian and Latin clergy for control of the Holy Places. At stake for the clergy was a huge income from worshippers; for the governments who supported them, the prize was political prestige.<sup>32</sup> Consequently, pilgrims became pawns of the Great Powers when disputes over the control of the Holy Places led to the Crimean War in 1853–56,<sup>33</sup> and by the 1870s East Slav pilgrims were again caught in a political struggle, this time between Panhellenism and Panslavism.

<sup>31</sup> 'Putevye zapiski vo sv. grad Ierusalim i v okrestnosti onogo, Kaluzhskoi gubernii dvorian Veshniakovykh i Miadynskago kuptsa Novikova, v 1804 i 1805 god', Moscow, 1813.

<sup>32</sup> S. Vryonis, 'The History of the Greek Patriarchate in Jerusalem', in *Byzantine and Modern Greek Studies*, 1981, p. 34.

<sup>33</sup> M.S. Anderson, *The Eastern Question 1774–1923*, London, 1966, p. 114.

Patronage of pilgrimage by Russian emperors in the nineteenth and early twentieth centuries was, as one historian has aptly observed, 'simply another step in the traditional policy of the Tsars, who posed as champions of Orthodoxy in the Near East in order to promote political interests'.<sup>34</sup> Nevertheless, Imperial interest did accord potential pilgrims not only a certain assurance of legal protection, but also one of the very few reasons for travelling beyond the frontiers of the Russian Empire, that was acceptable to Tsarist officialdom.

### A Social Analysis: Who were the pilgrims?

'When we arrived', observed a Bulgarian pilgrim at Easter in the late 1860s, 'Jerusalem was almost a Slavonic city – thousands of Russians, hundreds of Bulgarians, hundreds of other Slavs, – on all sides one heard a Slavonic tongue'.<sup>35</sup> For many centuries the most numerous visitors to Jerusalem were Greeks and Armenians, according to contemporary records. Slavs were in the minority. After the mid-nineteenth century, this situation was reversed. Ukrainians and Russians began to exceed in number all other foreign visitors.<sup>36</sup> What socio-economic factors contributed to the growing popularity of pilgrimage among the East Slavs, and which social classes were represented among Ukrainian worshippers in the Holy Land?

During the seventeenth and eighteenth centuries pilgrims to Palestine were almost invariably monks or merchants, although the distance and dangers were such that few made the journey. Less than a dozen pilgrim accounts written by Ukrainians survive from this early period. We have only the evidence of travel accounts, donors' dedications and circumstantial evidence to inform us who went to Jerusalem before 1800, and although such evidence is probably not the full picture, it provides a valuable indication of trends. The rarity and novelty of Holy Land pilgrimage was such that returnees generally considered it worth recording for posterity, as well as for their own prestige, and their memoirs were usually treasured by later generations.

Not surprisingly, clergymen made up the highest proportion of early Ukrainian pilgrims to Palestine, but we have evidence only of 'black' monastic clergy. Free from family ties, it was easier for them to go than for their 'white' parish colleagues. At least two Ukrainian monks made use of their strategic position as military or diplomatic chaplains abroad to get Imperial permission to go to Jerusalem in the eighteenth century.<sup>37</sup> Many monastic pilgrims were poor, but poverty did not necessarily hinder the clergy from making the long journey, as it did other social classes, because monks were frequently the recipients of donations and could rely on monastic hospitality along the way. Alongside clergy,

<sup>34</sup> T.G. Stavrou, p. 127.

<sup>35</sup> Mikhail Madjarov, in *Kniga na Bulgarite badjii*, ed. by S. Giurova & N. Danova, Sofia, 1985, p. 88.

<sup>36</sup> Of the 3,000 pilgrims in Jerusalem for Easter 1821, most were Greek and Armenian, and less than 200 were from the Russian Empire. By 1910, 15,000 pilgrims were in Jerusalem, 9,000 of whom were subjects of the Tsar. See *Soobschchenie Imperatorskago Palestinskago Obschchestva* (hereafter *Soobschchenia IPPPO*), Vol. 22 (1911) pp. 305–7, and accounts by C. Volney (1784) and F. de Chateaubriand (1806) in Peters, *Jerusalem: the Holy City*, N.J., 1985, pp. 552 and 555; and V.V. Dashkov, *Russkie palomniki v Ierusalim v 1820 g.*, St Petersburg, 1881.

<sup>37</sup> Varlaam Lenitskyi (1712–14) and Leontyi Zelinskyi (1763–66).

merchants feature prominently among our pilgrims' records, chiefly because they were the social class most likely to have the financial resources and contacts necessary for the journey, they were used to the rigours of travel, and could often combine pilgrimage with business en route.

In comparison to former centuries, the nineteenth century witnessed a remarkable growth in the number and social composition of East Slavs who were willing and able to go to the Holy Land. The great landowners had shown very little interest in pilgrimage to the Christian East prior to the nineteenth century, but as travel became easier, safer and more comfortable, the volume of gentry-travellers increased.<sup>38</sup> In the 1830s, Palestine became the fashionable place to go for the gentry due to the Emperor's interest, while visits to the Holy Land by several members of the Imperial family and royal patronage of the Orthodox Palestine Society later in the century kept Palestine in vogue.

The lowest classes of Ukrainian society, like the upper classes, were rarely seen in Jerusalem before the 1800s. Whereas the nobility were unwilling to face the risks of travelling through Turkish territory, the peasants were simply unable to, due to the prohibitive cost of the journey and the legal ties which bound them to the land. This situation changed dramatically after mid-century, when peasants began to form the majority among pilgrims bound for Palestine.<sup>39</sup> According to official records, the number of East Slavs in Jerusalem grew from approximately 200 in 1820, to 1004 in 1867, and nearly 7000 pilgrims in 1900. Of this last figure, approximately 80% were peasants, 13% were traders or shopkeepers, 4% clergy, and 3% nobility. Moreover, 66% of the peasants were women, whereas among other social classes 46% were women.<sup>40</sup>

One of the most decisive factors behind these statistics was the emancipation of serfs throughout the Russian Empire in 1861. Peasants who could earn enough or beg enough to pay their way to Palestine were now free to go. The second most significant stimulus for peasant pilgrimage was the provision of facilities by the Russian government and the Orthodox Palestine Society. New hostels were built in Odesa, Jerusalem, Nazareth, Jaffa, and Haifa, where food and lodgings were subsidised by the Society, which itself was generously funded by donations from wealthy patrons and annual nation-wide collections throughout the Empire.<sup>41</sup> In 1901 alone, the Society spent 157,000 roubles on aid to pilgrims.<sup>42</sup> One of the most valuable achievements of the Society was to obtain reduced fares for pilgrims. After negotiations with the Russian Steam Navigation Company and railways, a special 'pilgrim ticket' was made available to peasants, by which the cost of travel to the Holy Land was reduced by 35%.<sup>43</sup> These 'package tours' enabled thousands of lower class pilgrims to go to Jerusalem.

The great majority of Ukrainian pilgrims were very devout, as we have seen previously, but not all. According to observers, some women went as pilgrims

<sup>38</sup> B.P. Mansurov, *Pravoslavnye pokloniki v Palestine*, St Petersburg, 1858, p. 3.

<sup>39</sup> *PPSb*, Moscow, 1992, p. 37.

<sup>40</sup> *Soobshchenia IPPO*, Vol. 11 (1901) pp. 138, 317; *Otchet PPO*, St Petersburg, 1911, pp. 99–109.

<sup>41</sup> *Otchet PPO*, St Petersburg, 1891, pp. 15–18, 23, 42, 54.

<sup>42</sup> T.G. Stavrou, p. 189.

<sup>43</sup> *Otchet PPO*, St Petersburg, 1884, p. 27; Visensel, p. 38.

to Jerusalem to beg alms or to sell cheap religious wares for their own profit, sometimes staying there for years in this manner.<sup>44</sup> They were not the first to see pilgrimage as a vehicle for commerce: traders, diplomats and officers frequently conducted business while in the Holy City. Others saw business as a vehicle for pilgrimage: Ukrainian and Russian sailors, for example, were regularly seen worshipping in Jerusalem's churches in the late nineteenth century.

Finally, pilgrimage was, for some, an opportunity to escape from the burdens of life and monotony of home. Indeed, the dissolute behaviour of Ukrainian and Russian pilgrims was commented on in the 1860s, and later in the century complaints were voiced against the improper conduct of Slav women in Jerusalem.<sup>45</sup> Female subjects of the Tsar did not need the approval of their male relatives to get a passport; the recommendation of a priest was legally sufficient. 'Free from the supervision of their relatives and elders, they conduct themselves as they please', wrote an official of the Palestine Society in 1912, 'for on pilgrimage they find freedom at last'.<sup>46</sup>

Whilst motives of pride, pleasure-seeking, or personal gain may have presented an attraction for some travellers, the common denominator that brought so many East Slavs to Palestine was their faith. Old and young, men and women, rich and poor were among the throng of pilgrims who came to worship in the late nineteenth century. In the growing volume and widening social composition of pilgrims from the Slavonic East we can see a reflection of the changing social and economic life of Ukrainian society over the three centuries that preceded the First World War, making pilgrimage a national institution. Freed from serfdom and helped by the Orthodox Palestine Society, thousands of Ukrainian peasants appeared in Jerusalem as a new phenomenon in history, taking their place alongside royalty as worshippers in the Holy Land.

## The Journey

Pilgrimage – even in its heyday – was never for the masses, as Abbot Daniel recognised when he wrote that those who long for the Holy Places shall receive the same reward as those who actually get there.<sup>47</sup> Worshippers who completed the long journey to Jerusalem were always far outnumbered by others who could not, and yet those very obstacles which hindered the majority made pilgrimage to Palestine seem even more salvific for those who made it. By what routes did the pilgrims travel, and what dangers and difficulties confronted them?

The main route from Ukraine to Palestine since earliest times lay via Black Sea ports, Constantinople, Patmos, Rhodes and Cyprus to Jaffa, the main port for Jerusalem. Alternate routes existed through present-day Romania and Bulgaria, or via the Caucasus and eastern Anatolia, but the latter overland route was always more perilous. According to Palestine Society records, pilgrims frequently made de-

<sup>44</sup> M.D. Volkonskii, *Zapiski palomnika*, St Petersburg, 1860.

<sup>45</sup> See accounts by merchant D.D. Smyshliaev of Perm, 1865, Hieromonk 'A', 1867, in T. Stavrou & P. Weisensel, *Russian Travellers to the Christian East*, Columbus, 1985, pp. 352, 357, & A. Korovitskii, *Dnevnik Palomnika*, Zhytomyr, 1891, p. 200.

<sup>46</sup> A.A. Dmitrievskii, *Tipy sovremennnykh russkikh palomnikov v Sviatuiu Zemliu*, St Petersburg, 1912, p. 32.

<sup>47</sup> Igumena Daniila, pp. 18–19.

tours to the holy sites of Constantinople, Mount Athos, Sinai, Egypt and even to Bari and Rome.<sup>48</sup> When Meletiy Smotrytskyi travelled from Kyiv to Jaffa in the seventeenth century the sea journey (including stop-overs in port) took two months, as compared to fifteen days by steamer in the 1850s and four days in 1900.

To get to the Black Sea ports, early travellers journeyed by horse, cart or on foot prior to the creation of a railway network in the late nineteenth century. Once on board ship, well-off pilgrims travelled in the relative comfort of first class; peasants travelled third class in squalid conditions. 'Our pilgrims often get a worse place than Muslims or even cattle on board the steamer, but they are never discouraged', wrote an official from the Palestine Society.<sup>49</sup> English contemporaries, such as Sir Harry Luke, were amazed at 'these stolid simple folk sitting blissfully in their terribly crowded quarters, singing hymns in harmony from morning to night'.<sup>50</sup> Having arrived in Jaffa, the two-day journey to Jerusalem could be traversed by mule, horse, camel, wagon, or – by the early twentieth century – by rail. Nonetheless, the majority of peasant pilgrims preferred to walk, for, as they told Stephen Graham in 1912, 'What good is it to come if we take no trouble over it?'<sup>51</sup>

On the journey to Jerusalem, pilgrims faced considerable dangers. Countless memoirs record violent storms on the Mediterranean, and several tell of pilgrim boats being shipwrecked. On land, too, the weather could imperil travellers: in 1893 freak storms in Palestine caused the death of twenty East Slav pilgrims.<sup>52</sup> Travellers to the Levant faced great danger from pirates prior to the nineteenth century, while brigands remained a threat until the twentieth century.<sup>53</sup> Pilgrims invariably travelled in groups for safety, and from the eighteenth century the Turks – ever watchful for revenue – were employed in guarding Slav travellers between Jaffa and Jerusalem at costly rates. Rapacious Turkish officials were feared as much as brigands, and not surprisingly. Over half the Ukrainian pilgrims of the seventeenth and eighteenth century who left memoirs were either imprisoned or threatened by Turkish authorities.

The official documentation required for travel to Palestine was in itself a considerable obstacle. During the three centuries before 1800, a permit was needed from the Russian government and a firman from the Ottoman Porte, for a large fee. Some Ukrainians and Russians tried to travel without a firman by pretending to be Bulgarians, but the result could be a year or more spent in a Turkish gaol, as Varlaam Lenitskyi of the Kyiv-Pecherska Lavra found out to his regret in 1713.<sup>54</sup> Pilgrims were constantly subject to the whims of the Turkish authorities, and no letters of credit could guarantee safe passage. Nonetheless, travel privileges gained by Russo-Turkish treaties appear to have eased the journey somewhat by exempting Ukrainians and other citizens of the Russian Empire from paying cer-

<sup>48</sup> *Soobshchenia IPPO*, Vol. 9, (1899) pp. 59–61.

<sup>49</sup> A.V. Eliseev, *Otchet PPO* (1885–86), St Petersburg, 1886, p. 13.

<sup>50</sup> H.C. Luke, *Ceremonies at the Holy Places*, London, 1932, p. 36.

<sup>51</sup> Graham, p. 10; Eliseev, p. 84.

<sup>52</sup> P. Visensel, *PPSb*, Moscow, 1992, p. 39.

<sup>53</sup> For example, see the account by Varlaam Lenitskyi of Kyiv, 1717.

<sup>54</sup> Hieromonk Varlaam (Lenitskiy), 'Peregrinatsia ili Putnik, v nem zhe opisuet'sia put' do sviatago grada Ierusalima i vsia sviataia mesta Palestinskia, ot Ieromonakha Varlaama, byvshago tamo v 1712 goda', in *Chtenie O IDR*, Vol. 3, St Petersburg, 1873, p. 75–76.

tain Turkish taxes that other pilgrims had to pay.<sup>55</sup> Official requirements became easier in the nineteenth century as the provisions of Kiuchuk Kainardii (1774) came into full effect, but a large fee still had to be paid for a special Turkish passport to travel within the Ottoman Empire.<sup>56</sup>

Indeed, the expense of the journey was the single greatest obstacle hindering would-be pilgrims to Jerusalem. The cost of firmans and permits, and the bribes needed to obtain them, probably outweighed transport fares in the earlier years of our period, and even in later years there were taxes, customs duties, and guards' fees to pay, on top of expenses for travel and accommodation, not to mention lost earnings during the pilgrim's long absence from home. The minimal cost of pilgrimage for Ukrainians and Russians was estimated in 1858 to be 130–152 roubles per person, excluding stopovers, excursions, donations or souvenirs.<sup>57</sup> Special fares and subsidies obtained by the Palestinian Society after 1882 reduced this cost to seventy-five roubles.<sup>58</sup> However, this was still higher than the average annual income of a farmhand, which has been estimated at approximately sixty-four roubles per annum.<sup>59</sup> Many peasant pilgrims were a good deal poorer and had to beg for alms, prayer commissions, and dried rusks for the journey, before they could set off.

After the costs and tribulations of the long journey, the ecstasy of pilgrims upon arrival in Jerusalem was immeasurable. 'Weeping copious tears of joy, we gazed upon this holy city where Christ our Saviour was born', wrote one eighteenth century Ukrainian monk.<sup>60</sup> 'All the men and women wept for joy', echoed another pilgrim, a century later.<sup>61</sup> For many Ukrainians, the journey had entailed privations and dangers, rain and mud, heat and thirst. The more they had endured, the greater their joy upon arrival, for, as one Slavonic sage has written, 'Without suffering there can be no salvation'.<sup>62</sup>

## Sights and Souvenirs

There was a widespread belief among pilgrims that the longer they stayed in Jerusalem, the greater their heavenly reward would be. For this reason many worshippers stayed a year or longer, and as travel became easier in the nineteenth century a considerable number came back three, four, or even more times. During their sojourn, the Orthodox Slavs followed a routine established in the earliest centuries of Christendom, and consequently a remarkable similarity exists in the itineraries described in the majority of pilgrim accounts. Differences lie mainly in details. The Patriarchate was the first destination for pilgrims arriving in Jerusalem, and there they were welcomed with the foot-washing ceremony, the customary inscribing of names in the *synodik*, and the blessing of the Patriarch. Where did the pilgrims stay after leaving the Patriarchate, what places did they visit, and what souvenirs did they take back?

<sup>55</sup> *Chtenie O IDR*, Vol. 3, St Petersburg 1873, p. 30; Stavrou and Weisensel, pp. 129–30.

<sup>56</sup> *Otchet PPO* (1883–84), St Petersburg, 1884, p. 14; Doc. 19, Cod.Pat. 428, in S. Vryonis, p. 52.

<sup>57</sup> B.P. Mansurov, *Pravoslavnye pokloniki v Palestine*, St Petersburg, 1858, p. 41.

<sup>58</sup> *Otchet PPO* (1883–84), St Petersburg, 1884, p. 27.

<sup>59</sup> Visensel, p. 38.

<sup>60</sup> Varlaam Lenitskyi, p. 59.

<sup>61</sup> Parfenii, *Skazanie o stranstvovanii po Rosii, Moldavii, Turtsii i Sviatoi Zemle*, Moscow, 1856, 4:4.

<sup>62</sup> St Seraphim of Sarov, quoted in Fr. Kallistos Ware, *The Orthodox Way*, London, 1979, p. 151.

For centuries, Ukrainian pilgrims stayed in the Greek monasteries of Jerusalem, along with other eastern pilgrims. After 1841 the Russian government secured exclusive use of the Archangel and St Theodore monasteries for citizens of the Empire. However, conditions were poor, according to contemporaries: 'Men and women, old and young are shut into a room without distinction or choice, five people to a small cell in which two would be crowded'. Furthermore, the rooms were 'badly ventilated, damp, and draughty'.<sup>63</sup> Although monastic accommodation was *gratis* in theory, in practice visitors were expected to pay liberally for prayers, and as a result, a considerable number of lower class pilgrims were reduced to destitution.<sup>64</sup> The situation improved after the Russian Compound had been built in 1864. Eight hundred pilgrims could be accommodated in its hostels, but within two decades these facilities were overcrowded, especially at Easter, and there was nowhere suitable to cook or wash.<sup>65</sup> Subsequently, a shop, bathhouse, refectory and dormitories were added, as well as two hospices for 'better-class paying guests'.<sup>66</sup> By 1900 there was room for three thousand pilgrims, but double that figure arrived that year!<sup>67</sup>

Literate pilgrims had at their disposal a number of travel accounts that served as guide books to the Holy Land, one of which was Abbot Daniel's twelfth century account. Daniel's description of his pilgrimage was Ukraine's first and most enduringly popular travel guide, and has been used by pilgrims for nearly eight hundred years. It was an *omnium gatherum* that combined the abbot's memoirs, bible verses, various anecdotes and topographical information, including the following:

The river Jordan flows rapidly; its bank is steep on the far side but gently sloping on the near side. Its water is very muddy but sweet to drink and one can never drink too much of this holy water nor will it make you ill or upset a man's stomach. In every way the river Jordan is like the river Snov [near Chernihiv]... Of this city of Capernaum the prophet says: 'Woe unto thee Capernaum. Thou shalt be exalted to heaven and thou shalt be brought down to the depths of hell' [Matthew 11:21–23]... I went to the Prince and bowed to him and said: I would like to go with you to the Sea of Tiberias so that I might visit all the holy places there. The Prince gladly permitted me to go with him. Then with great joy I hired horses.<sup>68</sup>

Only in 1887 did the Palestinian Society produce a guide book in a new style, aimed at peasant pilgrims and full of practical advice about entrance fees, exchange rates, local prices etc., but unfortunately its usefulness was limited by the fact that few peasants were literate, and they generally preferred to find their way by asking other pilgrims.<sup>69</sup> On the other hand, even the poorest peasants liked to buy souvenirs to take home, despite the fact that these 'holy objects' could increase the cost of the pilgrimage by as much as 25%.<sup>70</sup> Holy Land memorabilia allowed the pilgrim to take a little of the sacred aura of Jerusalem back home. Jordan water, holy oil, lamps lit in the holy fire and shrouds sanctified at

<sup>63</sup> B.P. Mansurov, *Pravoslavnye v Palestine*, St Petersburg, 1858, p. 12.

<sup>64</sup> *Ibid.* p. 42; T.G. Stavrou, p. 125.

<sup>65</sup> A.V. Eliseev, *Otchet PPO* (1885–6), St Petersburg, 1886, p. 20.

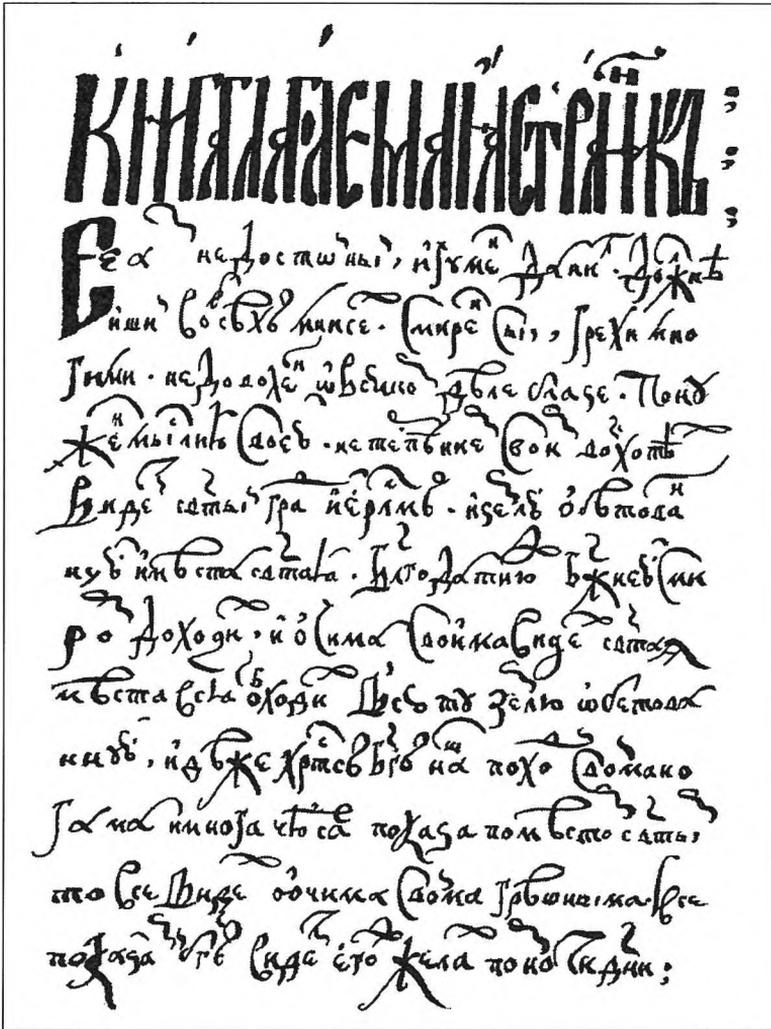
<sup>66</sup> T.E. Dowling, *The Orthodox Greek Patriarchate of Jerusalem*, London, 1913, p. 164.

<sup>67</sup> *Otchet PPO* (1888–90), St Petersburg, 1891, p. 33; *Soobsbchenia IPPO*, Vol. 11 (1901), pp. 131, 180.

<sup>68</sup> *Igumena Daniila*, pp. 50, 82, 85–86.

<sup>69</sup> *Sputnik pravoslavnago poklonika v Sviatuiu Zemliu*, St Petersburg, 1887; Graham, p. 16.

<sup>70</sup> *Soobsbchenia IPPO*, Vol. 7 (1897), p. 134.



17th century Khozhdenie Iugumena Daniila. From I.P. Sakharov ed., *Puteshestvia Russkii liudi po Sviatoi Zemle*, St Petersburg, 1839.

the tomb ranked as all-time favourites, followed by painted Easter eggs, soap, lemons, Bethlehem soil and Galilee pebbles, but nineteenth-century memoirs also reveal a treasure-trove of crosses, candles, icons, rosaries and rings that Slavs liked to buy for themselves, their local churches, friends and family.

Virtually all pilgrims attended church services in the monasteries and holy places of Jerusalem, and visited the tomb of the Virgin, Gethsemene, the Mount of Olives, Zion, Bethlehem, Ein Karem, Mamre, and St Sabba monastery, but excursions to Nazareth and Galilee were less frequent due to the cost and the



Tomb of Christ, Jerusalem. From Khristofor Zhefarovich's *Opisanie sviatago bozhia grada Erusalima*, Vienna, 1748. Published six times in Moscow in the 18–19th centuries.

perennial danger from hostile Muslims. Large caravans to the Jordan river generally set out at Epiphany and Lent escorted by well-armed Turkish guards, and in 1749 Serapion of the Matronnyskyi monastery near Kyiv was amongst them: 'Shouting for joy, pilgrims plunged into the river – some in their undershirts, others fully-dressed', he recorded.<sup>71</sup> By the mid-nineteenth century, the Jordan caravan had become a massive affair involving thousands of pilgrims accompanied by processions of chanting priests.

The most important visit of the pilgrimage was to the tomb of Christ in the Church of the Resurrection. During Holy Week, many pilgrims slept in the church while services continued the whole night, and all tried to be present for the Easter Saturday service. Just as Holy Week was the focus of Orthodox pilgrimage, so the miraculous descent of the holy fire was for many centuries considered to be the summit of that week. 'There can be no joy for man like the joy of the Christian who has seen the holy fire of God', wrote an early Ukrainian pilgrim.<sup>72</sup> Although educated critics of the late nineteenth century claimed that the fire which the Patriarch brought forth from the tomb was a Greek hoax, for peasant pilgrims it was still 'a heavenly manifestation on earth'.<sup>73</sup>

From the twelfth century to the twentieth century, Slav worshippers strove to light their lamps in that sacred fire in order to take the living flame back home. For the rest of his (or her) life, the pilgrim kept the memory of Jerusalem alive through souvenirs and stories, and when death closed his eyes, his body was anointed with the holy oil that had been brought back from the Sepulchre and wrapped in the shroud that had been dipped in the Jordan. Thus prepared, the pilgrim could continue his pilgrimage to paradise – to the New Jerusalem – sanctified by the Holy Land itself.

## Conclusion

By 1914, Jerusalem's streets had been traversed by many generations of Ukrainians, who had come to walk where Christ had walked before them. Each pilgrim brought his own personal hopes, sometimes combining business and leisure with devotion, but all embarking on 'a journey both outwards, to new, strange, dangerous places, and inwards, to spiritual improvement'.<sup>74</sup> Sacrificing time and money, facing difficulties and dangers, the pilgrim risked all to obtain salvation and social recognition. And, by leaving behind a record of his journey in memoirs and memorials, the returnee may have hoped to achieve a kind of immortality, a name that would be remembered on earth and in heaven.

They are drawn to Jerusalem, 'where there is no illness, neither sorrow, nor sighing, but life eternal'.<sup>75</sup>



<sup>71</sup> Serapion, 'Putnik ili puteshestvie vo Sviatuiu Zemliu Matronniskago monastyrja inoka Serapiona 1749 goda', in *Chtenie OjDR*, Vol. 3, St Petersburg, 1873, pp. 120.

<sup>72</sup> Igumena Daniila (J. Wilkinson's translation), p. 169.

<sup>73</sup> A peasant-pilgrim quoted in Graham, p. 286.

<sup>74</sup> R. Barber, *Pilgrimages*, Woodbridge, 1991, p. 1.

<sup>75</sup> V.N. Khitrovo, *Otchet PPO*, St Petersburg, 1886, p. 7, quoting from the Revelations 21 and Isaiah 35.

## The Arts

# Taras Shevchenko and the Belarusian Literary Process of the Early Twentieth Century

Viačaslaŭ Rahojša

(1996 marks the 90th anniversary of the Belarusian renaissance, associated with the newspapers *Naša Dola* and its successor *Naša Niva*, founded in that year. In the article which follows, an eminent Belarusian scholar, Professor Viačaslaŭ Rahojša, considers the influence on that renaissance of the works of Ukraine's national poet, Taras Shevchenko – Ed.).

At the beginning of the twentieth century, between the revolutions of 1905–7 and 1917, Belarusian literature experienced a vigorous period of accelerated development. Among the many influences of a political, socio-economic and socio-cultural nature which gave the young literature the necessary impetus was the work of the Ukrainian poet, Taras Shevchenko (1814–61).

Shevchenko, the greatness and nobility of whose heart fired the entire Slavonic world, constituted an entire epoch in the cultural connections of Belarusians and Ukrainians. For the Belarusians, as for the other subjugated nations of the tsarist empire, he became, in the words of the Belarusian poet Janka Kupała,<sup>1</sup> 'a dear father'. It is not surprising that during the Belarusian national renaissance which followed the 1905 revolution, Shevchenko's name became one of the most beloved and popular. Thus, first and foremost, in the newspaper *Naša Niva*, the flagship journal of that renaissance, but in other publications also, there appeared from time to time the poems of Janka Kupała: 'In memory of Shevchenko' and 'In memory of Taras Shevchenko, articles on Shevchenko by Alhierd Bulba,<sup>2</sup> Ramuald Žiamkievič,<sup>3</sup> Lavon Hmyrak<sup>4</sup> and other Belarusian critics,

<sup>1</sup> Janka Kupała (real name, Janka Lucevič), 1882–1942, one of the two national poets of Belarus. The Shevchenko poems mentioned here are 'Mynayut' dni, mynayut' nochi' (Taras Shevchenko, *Povne zibrannya tvoriv u 6-ty tomakh*, Kyiv, 1963, Vol. 1, p. 349; English translation: Vera Rich, *Song out of Darkness*, London, 1961, p. 84; Belarusian translation: Janka Kupała, *Zbor tvoraŭ u 6-ci tomach* 1961, Vol. 1, pp. 456–57), 'Nashcho meni chorni brovy' (Shevchenko, op.cit., Vol. 1, p. 17; Kupała, op.cit., Vol. 1, pp. 460–61) and 'Hoholyu' (Shevchenko, op.cit., Vol. 1, p. 57; Kupała, op.cit., Vol. 1, p. 462, partial translation). In addition, during the Stalinist repressions of the 1930s, when original creative writing became virtually impossible, Kupała translated a number of Shevchenko's major works into Belarusian, including the epic *The Haydamaky*, see Shevchenko, op.cit., Vol. 1, pp. 71–143; Kupała, op.cit., Vol. 6, pp. 298–376.

Kupała's two poems on Shevchenko from this period are 'Pamiaci T. Šeŭčenki', *Zbor tvoraŭ*, Vol. 2, pp. 83–84, and 'Pamiaci Šeŭčenki', *ibid.*, pp. 83–84.

<sup>2</sup> Alhierd Bulba (real name, Vitaŭt Čyž), dates of birth and death uncertain. In his youth, he lived for a time in Kyiv. In 1908–11, he was a member of the Editorial Board of *Naša Niva*. Later, he transferred his activities almost entirely to journalism for the Polish-language press. During the 1920s, he was for a time deputy mayor of Vilnia.

<sup>3</sup> Ramuald Žiamkievič, 1881–1943?, bibliographer, publicist and historian of Belarusian literature. He began publishing in *Naša Niva* in 1909. He later made a considerable collection of manuscripts of Belarusian writers and ethnographers, which unfortunately was destroyed during the war. His *Taras Šaučenka i Bielarusy* was published in 1964 in *Taras Šaučenka i Bielaruskaja literatura*.

<sup>4</sup> Lavon Hmyrak (real name Miečysłaŭ Babrovič), 1889–1915, active in *Naša Niva* 1913–1914. Of him,

and numerous news items about the publication of Shevchenko's works, the ban on celebrating the centenary of his birth, confiscation of the *Kobzar*, etc.

Likewise, during this inter-revolutionary period, there appeared the first translations from Shevchenko into Belarusian: 'Days are passing, nights are passing', 'What good are my dark brows to me?'. 'To Gogol' (translated by Janka Kupała), the 'Epistle' (translated by Aleś Hurlo<sup>5</sup>), 'The waters flow down to the sea' (translated by Chviodar Čarnuševič<sup>6</sup>) and 'Kateryna' (translated by Čarnuševič, translation edited by Janka Kupała). Naturally, these few translations could not convey the entire profundity of ideas, artistic originality and pathos of the Ukrainian poet. At the beginning of the twentieth century, Shevchenko's works spoke to Belarusians first and foremost in his own, Ukrainian, language, and they heard and understood his voice.

According to the writers themselves, Janka Kupała, Jakub Kołas,<sup>7</sup> Žmitrok Biadula<sup>8</sup> and many others first became acquainted with Shevchenko's work through the Ukrainian edition of the *Kobzar*. As the renowned Belarusian folklorist Ryhor Šyrma<sup>9</sup> recalled, in Western Belarus at the beginning of the twentieth century almost every village teacher had on his bookshelf Shevchenko's *Kobzar* in the original language.<sup>10</sup>

But what was it that fostered such a rapid and strong predilection of the Belarusian poetry of this era for Shevchenko's 'fire clad in words'? Why, in spite of the almost complete absence of Belarusian translations of his works, did Shevchenko's message become so widely known and loved among the Belarusian people? This question was addressed by Jakub Kołas in his article 'Shevchenko in Belarusian poetry', written in 1939 for the 125th anniversary of Shevchenko's birth.<sup>11</sup>

First of all, this young Belarusian poet was drawn to Shevchenko by the great pathos of his creative work, his burning love for the downtrodden, and his fierce hatred for the oppressors. 'Already in the very first publications of Janka Kupała and Jakub Kołas is heard the wrathful voice of Shevchenko, when they speak out against tsarist oppression, against the wealthy', Kołas says. Here, too, he notes that the theme of the poet's native country and people, the grief and melancholy at being separated from them, which Shevchenko conveys with 'ex-

the directory *Bielaruskija Pišmienniki – Biblijagrafičny sloŭnik*, Minsk, 1992– says (Vol. III, p. 226) 'Although his work in Belarusian literature lasted no more than two years, he made for himself an enduring literary name'. He died in 1915, as a result of military action, on the Kaunas front.

<sup>5</sup> Aleś Hurlo, 1892–1938, a revolutionary activist and poet, he began publishing in *Naša Niva* in 1907. An early victim of the purges, he was arrested in 1930, and sentenced to 5 years' exile in Samara. He died of tuberculosis in 1938 and was posthumously rehabilitated in 1957. For the text of the poem see Shevchenko, *Povne zibrannya*, Vol. 1, p. 332–458; Vera Rich, *Song out of Darkness*, p. 74–80.

<sup>6</sup> Chviodar Čarnuševič. Very little is known of his curriculum vitae. His original poems began to appear in print in 1908. The translations mentioned here were published in 1911. For the poems translated here see Shevchenko, *Povne zibrannya*, Vol. 1, p. 17; Rich, *Song out of Darkness*, p. 7; Shevchenko, *Povne zibrannya*, Vol. 1, pp. 41–46.

<sup>7</sup> Jakub Kołas (real name Kanstancin Mickievič), 1882–1956, one of the two national poets of Belarus, and author of the epic *The New Land*.

<sup>8</sup> Žmitrok Biadula (real name, Samuil Płaŭnik), 1886–1941, a member of the editorial board of *Naša Niva* from 1913, and later, in the 1920s, a founder of the *Uzvyšša* (Excelsior) literary movement.

<sup>9</sup> Ryhor Šyrma, ?–1978, folklorist and musician. People's Artist of Belarus (1949) and of the USSR (1955).

<sup>10</sup> See P. Achrymienka, *Letapis braterstava*, Minsk, 1973, p. 83.

<sup>11</sup> Jakub Kołas, *Zbor tvoraŭ u 12-ci tamach*, Vol. 11, 1964, p. 200.

ceptional artistic power and emotionality', echoes also in many of Kupała's poems ('I am far from you...',<sup>12</sup> 'My prayer',<sup>13</sup> 'Grievance'<sup>14</sup> and others). The connection between the works of Kupała and Kołas and the poetry of Shevchenko is revealed in a definite thematic convergence and use of common motifs (Shevchenko's poem 'The Dream – a Comedy'<sup>15</sup> and Kupała's 'Before the gallows'<sup>16</sup> and 'And here they do not smile';<sup>17</sup> Shevchenko's 'O my thoughts'<sup>18</sup> and Kupała's 'To my thoughts',<sup>19</sup> 'My songs are weeping',<sup>20</sup> etc. The irony and sarcasm directed against God and the clergy which resounds in Kołas's epic *The New Land*,<sup>21</sup> Kupała's poem 'To the King of Heaven and Earth',<sup>22</sup> and other works has its basis in the anti-tsarist and anti-clerical pathos of such works of Shevchenko as 'The Neophytes'<sup>23</sup> and 'Mary'.<sup>24</sup>

Shevchenko's works became for these young Belarusian writers an inexhaustible source of the poetic art. Clear evidence of this may be found in the verse forms of individual works of Kupała. The characteristic 'Kolomyika' rhythm of Shevchenko's poetry, the rich instrumentation of his verse, internal rhymes, parallelism, folk-song imagery and symbols – all this we find in abundance in the works of Kupała, the most talented pupil and follower of Shevchenko.

Following Kołas, the theme of 'Shevchenko and Belarus' was addressed by numerous Belarusian and Ukrainian scholars. In addition to numerous articles, only a small fraction of which were collected in the volume *Taras Šaučanka i bielaruskaja literatūra* (Taras Shevchenko and Belarusian Literature – Minsk, 1964), it was the subject of major studies by Paviel Achrymienka<sup>25</sup> (*Taras Šaučanka i Bielarus* – Taras Shevchenko and Belarus, Minsk, 1969) and Borys Chaykovskyy<sup>26</sup> (*Nezabutnyja storinka družbby* – An unforgotten page of friendship, Kyiv, 1st edition, 1964; 2nd edition, 1972). The ideas of Kołas on this theme were repeated, refined and developed further, and new, individual as-

<sup>12</sup> 'Ja ad vas daloka', Kupała, *Zbor tvoraŭ*, Vol. 2, pp. 196–97.

<sup>13</sup> 'Maja Malitva', *ibid.*, Vol. 1, pp. 66–67.

<sup>14</sup> 'Kryŭda', *ibid.*, Vol. 3, p. 274.

<sup>15</sup> 'Son – Komedija', Shevchenko, *Povne zibrannya*, Vol. 1, p. 236; *Song out of Darkness*, pp. 26–39.

<sup>16</sup> 'Pierad viselniaj', Kupała, *Zbor tvoraŭ*, Vol. 2, pp. 58–61.

<sup>17</sup> 'I jak tut nie śmiajacca', *ibid.*, Vol. 6, pp. 32–37.

<sup>18</sup> 'Dumy moyi', Shevchenko, *Povne zibrannya*, Vol. 1, pp. 52–54. This was translated by Kupała in the 1930s, see *Zbor tvoraŭ*, Vol. 6, pp. 202–9.

<sup>19</sup> 'Da svaich dumak', Kupała, *Zbor tvoraŭ*, Vol. 1, pp. 227–30.

<sup>20</sup> 'Płačuć maje pieśni', *ibid.*, Vol. 1, pp. 240–41.

<sup>21</sup> 'Novaja Ziamla', which may justly be termed the national epic of Belarus, was written over eleven years – the first eight books dating from 1911–13 and the last twenty-two from 1919–23. For text, see Jakub Kołas, *Zbor tvoraŭ*, Vol. 6, 1962, pp. 7–288. For extracts in English translation, see Vera Rich (translator), *Like Water Like Fire – an Anthology of Byelorussian Poetry from 1828 to the Present Day*, London, 1971, pp. 67–71; 100–6.

<sup>22</sup> 'Caru nieba i ziamli', Kupała, *Zbor tvoraŭ*, Vol. 3, pp. 125–27.

<sup>23</sup> 'Neofity', Shevchenko, *Povne zibrannya*, Vol. 2, pp. 279–94.

<sup>24</sup> 'Mariya', *ibid.*, Vol. 2, pp. 353–73.

<sup>25</sup> Paviel Achrymienka, 1919–, a graduate of the Philological Faculty of Kyiv University, he spent his working life teaching in pedagogic institutes in Homiel, and later in Sumy, Ukraine. His first literary publication, in 1939, was a report in a Ukrainian local newspaper *Chervona Lubenshchyna* on a commemorative meeting marking the 125th anniversary of Shevchenko's birth.

<sup>26</sup> Borys Chaykovskyy, born 1923, a graduate of Kyiv University, he is a major authority on Belarusian-Ukrainian literary relations and a translator from Russian, Belarusian and Polish into Ukrainian.

pects of the subject were raised. However, a number of problems have not yet been addressed by scholars, or else still await a full and profound treatment. In particular, it seems to me, contemporary literary criticism has not yet paid sufficient attention to the influence of Shevchenko's ideas about national liberation on the Belarusian literature and social thought of the early twentieth century.

Scholars assert that 'from Shevchenko, Belarusian literature acquired principally his accusatory pathos and angry protest against the oppressor'.<sup>27</sup> Of course, Shevchenko as a revolutionary democrat exerted an enormous influence on the development of the ideas of social liberation in Belarusian literature and in Belarusian society generally. Not idly did Kupala write:

To north and to south, the sun's rising and setting,  
On the strings of man's soul, thy 'Bard' makes music swell,  
In house and in cellar, in tavern, dark-fretted,  
Thou strik'st echoes from hearts, as the ringer from bells.<sup>28</sup>

Nevertheless, Shevchenko, at the beginning of the twentieth century, became for Belarusians, first and foremost, a proclaimer of national renaissance. In Belarusian literature true democratism and social acuteness has always been present. Life itself, the life which they knew and they lived, impelled Belarusian writers 'bone of the bone and flesh of the flesh of their people' (Maksim Bahdanovič<sup>29</sup>), to protest against social injustice. The works of leading Russian writers and revolutionary democrats such as Vissarion Belinskiy<sup>30</sup> and Aleksandr Herzen<sup>31</sup> also had an influence here. The words of the Ukrainian poet Ivan Franko, that the works of Russian literature, 'pained us, aroused our conscience, awoke in us humanity, awoke a love for the poor and wronged'<sup>32</sup> could rightly be applied, too, to the Belarusian literature of the early twentieth century. But the place of the poet-tribune, who could call the Belarusians simultaneously to an active national-liberation struggle, remained vacant. Such a poet, in the first, initial stage of the establishment of Belarusian national consciousness, was Taras Shevchenko.

In 1911, in his article 'In memory of Taras Shevchenko', Bulba wrote 'Shevchenko is dear to us, Belarusians, since already half a century ago he expressed the same thoughts with which we are living today. Not one of us, reading the 'Kobzar, could fall asleep. Shevchenko instructs us how to live'.<sup>33</sup> Why, however, did the Belarusians 'return' to the words of the Ukrainian poet? Why was he so especially relevant to the beginning of the twentieth century? The answer lies in the historical development of the Belarusian people, the enormous significance of the revolution of 1905–7 on the social emancipation and national renaissance of the Belarusians. But to reap a harvest, it is not enough to have

<sup>27</sup> V.S. Shubravskeyi, *Shevchenko i literaturny narodiv SRSR*, Kyiv, 1964, p. 162.

<sup>28</sup> Kupala, *Zbor tvorai*, pp. 81–82.

<sup>29</sup> Maksim Bahdanovič, 1891–1971, the greatest of Belarusian lyric poets. He died of tuberculosis in Yalta, Crimea, at the age of 26.

<sup>30</sup> Vissarion Belinskiy, 1811–48, Russian critic and 'father of the Russian radical intelligentsia'.

<sup>31</sup> Aleksandr Herzen, 1812–70, journalist and political thinker, who advocated a populist approach to socialism. From 1847 onwards, he lived in Western Europe, where he founded the first Russian newspapers free of state censorship.

<sup>32</sup> Ivan Franko, *Tvory*, Vol. 16, Kyiv, 1955, p. 139.

<sup>33</sup> *Naša Niva* (1911), 24 February.

good seed. The soil must be made ready too. And the Belarusian activity of the early twentieth century, on which fell the seed of Shevchenko's ideas, was just such a favourable soil. Just as he taught his Ukrainian contemporaries, so now Shevchenko began to teach the Belarusians to 'love freedom, the native land and language' (Janka Kupała). True, this teaching began somewhat later for the Belarusians. But it was no less active or fruitful.

It is natural that the literature of a people which experiences a spiritual and cultural renaissance should tend towards national self-determination, expressed in the form of the native speech, without which it cannot be considered as a national literature. Among the Belarusian writers, the desire to produce their works in their own native language was to a considerable extent predetermined by their acquaintance with the works of Shevchenko. 'National arousal' was effected both directly and through intermediaries. Thus Františak Bahuševič was shaped as a poet by Ukraine, and, first and foremost, by the work of Shevchenko. In his turn, Bahuševič<sup>34</sup> was a major influence on Janka Kupała. It is known that Kupała originally began to write in Polish, but when he came to know Bahuševič's works, as he himself wrote later, 'it became absolutely definite that I am a Belarusian and my only calling must be to serve my people with all my heart and with all my soul and with all my strength'.<sup>35</sup>

Likewise, Jakub Kołas was brought up in the traditions of Russian literature, and his first verses were written in Russian under the direct influence of Ivan Krylov<sup>36</sup> and Aleksandr Pushkin. It was Fiatot Kudryński,<sup>37</sup> a teacher of philology at the Niasviž seminary, who first turned him to writing in Belarusian. Kudryński was well acquainted with the development of the national Slavonic cultures, and had an excellent knowledge, not only of the works of Shevchenko, but of Ukrainian culture and literature generally, and published scholarly articles on its development. Thus in 1906, the year which saw the appearance of Kołas's first works in Belarusian, Kudryński published in the *Vilnia Calendar for 1907* (Vilnia, 1906), a long and extremely interesting work 'The Cossacks – a general survey of Cossackdom up to the seventeenth century'. In this work Kudryński makes use of many historical and cultural sources, both ancient and more modern: the Chronicles of Samovidets, Velychka and others, collected in Bilozerskyi's *South Russian Chronicles*,<sup>38</sup> the works of Mykhailo Maksymovych,<sup>39</sup> Mykola Kosto-

<sup>34</sup> Francišak Bahuševič, 1840–1900. He worked for many years as a Court Investigator in Ukraine, returning to his native area, near Vilnia, in 1878. He began writing poetry at the end of the 1880s. Owing to the strict censorship in the tsarist empire, his work could only be published abroad and pseudonymously.

<sup>35</sup> Kupała, *Zbor tvorai*, Vol. 6, p. 454.

<sup>36</sup> Ivan Krylov, 1769–1840, Russian writer of Aesopian-type fables, which satirised contemporary society under the guise of animals.

<sup>37</sup> Fiatot Kudryński, 1867–1933, lecturer, ethnographer and *litterateur*. He was a teacher at the Niasviž seminary, where Kołas was educated.

<sup>38</sup> Mykola Bilozerskyi, 1833–96, a Ukrainian folklorist and ethnographer. His compilation of ancient chronicles, *Yuzhmoruskie letopisi*, was published in Kyiv in 1856.

<sup>39</sup> Mykhailo Maksymovych, 1804–73, an eminent Ukrainian folklorist and ethnographer. His first collection *Malorossyiskie pesni* (1827) was a landmark in the field of Ukrainian folklore and had a significant influence on the British future translator and folklorist George Borrow, who during his time in St Petersburg in the late 1830s, working for the British and Foreign Bible Society, rendered two of the songs collected by Maksymovych into English.

marov,<sup>40</sup> Panteleimon Kulish,<sup>41</sup> Mykola Lysenko,<sup>42</sup> Amvroziy Metlynskyi,<sup>43</sup> Volodymyr Antonovych<sup>44</sup> and Mykhailo Drahomanov.<sup>45</sup> The 'example' of Shevchenko was well known to Kofas's teacher, and he obviously had him in mind when he began his talks with his pupil.

Shevchenko, as poet, thinker and revolutionary-democrat, had a considerable influence on the development and direction of the national-liberation ideas of Belarusian literature. It is well known how deeply Shevchenko loved Ukraine and its people, history and language. Only such a profound love could justify the poet's annihilating sarcasm in his address to his compatriots:

The German will say: 'You are Mongols'.  
 'Mongols! That is plain!  
 Yes, the naked grandchildren  
 Of golden Tamerlane!  
 The German will say: 'You are Slavs!'  
 'Slavs! Yes, Slavs indeed!  
 Of great and glorious ancestors  
 The unworthy seed.'<sup>46</sup>

Thus bitterly did Shevchenko mock the Ukrainian renegades, who had renounced their native language, avoiding it and feeling ashamed of it:

all the tongues  
 Of the Slavonic race  
 You know full well, but of your own  
 Nothing! 'There'll come a day  
 When we can parley in our own,  
 When the German teaches,  
 And, what is more, our history  
 Explains to us and preaches'...<sup>47</sup>

Kupała, who even before the Revolution was called the 'Belarusian Shevchenko', endeavouring to awaken the national consciousness of his people, likewise appealed to the somnolent conscience of his contemporaries. With caustic sarcasm he writes about these turncoats, 'Smoothie-Souls':

<sup>40</sup> Mykola Kostomarov, 1817–85, was the first Ukrainian scholar to publish learned works in various fields of ethnography on the basis of folklore, aimed at constructing a synthesis of the Ukrainian national character and reconstructing the original Slavonic pagan mythology.

<sup>41</sup> Panteleimon Kulish, 1819–97, writer, ethnographer and historian, the author of *Zapiski o Yuzhnoy Rusi* (1857), the first attempt to give a general historical and ethnographic characterisation of the Ukrainian people with particular emphasis on oral literature.

<sup>42</sup> Mykola Lysenko, 1842–1912, composer and collector of folk music, author of *Kharakteristika muzykalnykh osobennostey maloruskikh dum i pesen* (1874).

<sup>43</sup> Amvroziy Metlynskyi, 1814–70, poet, ethnographer and scholar of the 'Kharkiv circle'. His own poetry was in the tradition of Romanticism. He published in 1854 a collection *Narodnye yuzh-norusskie pesni*.

<sup>44</sup> Volodymyr Antonovych, 1834–1908, historian, archaeologist and ethnographer, the first Ukrainian scholar to put archaeology in Ukraine on a proper scientific basis.

<sup>45</sup> Mykhailo Drahomanov, 1841–95, an ethnographer who rejected the 'Romantic' view of folk material and insisted on proper scholarly analysis.

<sup>46</sup> Taras Shevchenko, 'The Epistle', *Povne zibrannya*, Vol. 2, p. 332.

<sup>47</sup> *Ibid.*

Belarusian or 'Little Pole'  
 By turns, but what is he within?  
 Listen then, Mr Smoothie-Soul,  
 Why so much business about skin?<sup>48</sup>

A few years later, Kupała would portray such a turncoat in his full glory – Nikita Snoška in the comedy *The Local Inhabitants*.<sup>49</sup> At approximately the same time, the 1920s, Kandrát Krapiva<sup>50</sup> likewise produced his *Cybulevič-Cybulski-Lukovitsyn*, a character who, according to circumstances, changed not only his political views, but also his nationality, and even his surname.

Both poets, Shevchenko and Kupała, associated a person's national spinelessness with his social background. The renegades and *deracines* in their works are primarily representatives of the ruling classes. In his 'Friendly Epistle...' Shevchenko gives a scathing description of the ruling élite, which has traded in the people, making common cause with the tsarist regime on the one hand and the Polish gentry on the other:

Toadies, slaves, the filth of Moscow,  
 Warsaw's garbage – are your lords,  
 Illustrious hetmans! Why so proud  
 And swaggering, then do you boast, you  
 Sons of Ukraine and her misfortune?  
 That well you know to wear the yoke,  
 More than your fathers did of yore?  
 They are flaying you, – cease your boasts –  
 From *them*, at times, the fat they'd thaw.<sup>51</sup>

This approach to the national question in terms of social inequality and injustice is one of the most characteristic features of the works of both Shevchenko and Kupała.

The similarity of the ideals of Shevchenko's works with those of the Belarusian poets is also to be seen in their appeal to the historical past of their nations, and their tendency to elevate and heroise that past, to give the people the sense of firm ground under their feet. Kupała wrote with distress about the fact that descendants were forgetting the glorious deeds of their forefathers and no longer continued their freedom-loving traditions:

Vanished beyond keeping,  
 What dwelt here of yore,  
 In the gravemound sleeping,  
 Grown with verdure o'er.<sup>52</sup>

<sup>48</sup> Kupała, *Zbor tvoraŭ*, Vol. 3, p. 234, the second of a collection of four 'epigrams'.

<sup>49</sup> *Tutejšyja*. This play, written in 1922, received only one performance in Kupała's lifetime, in 1926. It was published in the third edition of Kupała's works, in 1927, but not in later editions. Following independence in 1991, it became part of the repertoire of the Janka Kupała Theatre in Minsk.

<sup>50</sup> Kandrát Krapiva (real name Kandrát Atrachovič), 1896–1991, playwright, prose writer and poet. His particular forte was satirical fables in the Aesopian tradition. The character mentioned here comes from his short story *My Neighbour* (Moj susiad), Krapiva, *Zbor tvoraŭ u 5-ci tamach*, Minsk, 1974, Vol. 2, pp. 29–34.

<sup>51</sup> Shevchenko, 'The Epistle', *Povne zibrannya*, Vol. 1, p. 353; Vera Rich, *Song out of Darkness*, p. 78.

<sup>52</sup> *Naša Niva* (1909), No. 46.

However, it was not in order to idealise the past (as has sometimes been asserted, without foundation, by Belarusian critics) that Kupała turned to historical facts. Writing about the past, and focusing, first and foremost, on heroic episodes in the history of his people, stressing, defining and typifying them, Kupała, as in his time Shevchenko, was thinking of and expressing his concern for the life of his contemporary society. Sometimes they compare the present and the past, and even contrast them. But it can in no way be said that these poets are reactionary romantics, who have no wish to see social progress and would like to turn the wheel of history backwards. In all his poetry, in all his life, Kupała tried to create a better future and strove to accomplish this aim. Thus, when he says:

Cossack am I, not Cossack  
Who strikes with the knout,  
But he who, once, freedom  
Loved well, beyond doubt...  
Who of old crowns and thrones  
Did destroy with his pike,  
And with tyrants' blood  
His laws he did write.<sup>53</sup>

It would be naive to see here, or in other works, the idealisation of mediaeval Cossack freemen. It is only necessary to reread carefully the above quotations to see the absurdity of such a view. In Kupała's work there is a clear contrast between past and present. But this contrast is drawn not to idealise the past, even such a heroic past, but to decry the present in the name of a better future. The poem exposes the brigandage of the tsarist troops who drowned the insurgents in blood and stifled freedom during the first Russian revolution of 1905. Kupała accuses these 'Cossacks', who have nothing but the name in common with the bold, freedom-loving Zaporozhian Cossacks of former centuries.

In general, in the past, as in the present, Shevchenko and Kupała had a clear eye for social injustice. This is apparent both in Shevchenko's romantic works, and most of all in his 'revolutionary' narrative poem *The Haydamaky*. Likewise in Kupała's narrative 'The Cooper's Daughter', the subject of which is taken from a Ukrainian historical song, the impact of the freedom-loving peasant girl is sharply contrasted with that of the Polish nobleman, Potocki, who

'o'er poor people  
Held sway and dominion.  
  
Where he feasted, banqueted,  
Nor he nor his retainers,  
Spared they neither young nor old  
In their jests unrestrained.<sup>54</sup>

In the narrative 'The Gravemound',<sup>55</sup> the minstrel and the prince stand at opposite poles of human behaviour, and the poem focuses on the contrast between the 'nobility' of the prince in terms of rank, and the true nobility of

<sup>53</sup> Kupała, *Zbor tvoraŭ*, Vol. 3, p. 51, poem 'Ja Kazak', lines 1–4, 17–20.

<sup>54</sup> *Ibid.*, Vol. 3, pp. 329–342.

<sup>55</sup> 'Kurhan', *ibid.*, Vol. 2, pp. 356–64. An English translation is included in Vera Rich (translator) *Like Water Like Fire*.

character of the minstrel. Social issues also play a definitive role in Kupała's poems 'In winter',<sup>56</sup> 'To no one',<sup>57</sup> 'The wages of love'<sup>58</sup> and many others.

Certainly, it is impossible to see in this, as certain critics have done, simply that the Belarusian poets have learned from their great Ukrainian predecessor. What we have here is, first and foremost, a common approach to life and a similarity of thought and outlook. It is at this level that one has to understand the statement of Maksim Gorkiy that he did not know another poet, apart from Janka Kupała, so imbued with the creative principles of Taras Shevchenko.<sup>59</sup>

Regarding the popularity of Shevchenko's works in the early twentieth century not only among the Belarusian literary milieu, but among Belarusians generally, one must note one important fact. In the East Slavonic literatures it is difficult to find other artists of the word, who so mastered and developed the folk-song traditions of their peoples, as did Shevchenko and Kołas. There is much truth in the statement of the literary scholar and critic Elvira Martynava<sup>60</sup> that 'some similar features in the poetic style of Kupała and Shevchenko are to be explained not only by influence [or rather, not so much by influence – Ed.] as by the folk-song tradition common to Belarusians and Ukrainians'.<sup>61</sup> In this lies one of the reasons for the popularity of Shevchenko's works among Belarusian readers of the early twentieth century and the artistic success of the Belarusian translators of his work.

Thus Shevchenko's poetry was typologically close to the Belarusian literary process. This appeared most fully and directly in the artistic unity of Shevchenko and Kupała, in the common direction of their themes and ideals, and in the similarity of poetic style. This once again confirms the special kinship of these two giants of Slavonic literature, both of whom 'spoke in the name of his people and as the voice of his people, who understood profoundly and delicately the artistic worth of the treasures of oral poetry, and by his genius opened them up, so enriching mankind by examples of lofty and original poetry'.<sup>62</sup> □

<sup>56</sup> 'Zimoj', Kupała, *Zbor tvoraŭ*, Vol. 1, pp. 387–98.

<sup>57</sup> 'Nikomu', *ibid.*, Vol. 1, pp. 399–409.

<sup>58</sup> 'Adplata kachaŭnia', *ibid.*, Vol. 1, pp. 418–28.

<sup>59</sup> See I. Ajzenstok, 'Tradycyi vialikaha Kabzara', *Litaratura i Mastactva*, 3 April 1954.

<sup>60</sup> Elvira Martynava, 1923–, born in Zvenyhorodka, Kyiv oblast, she graduated from the philological faculty of Odesa University, where in 1970 she received the degree of 'Candidate of Sciences' (equivalent to PhD) for a thesis on poetic translation as a form of Belarusian-Ukrainian literary interaction.

<sup>61</sup> E.M. Martynava, *Niekatorija rysy blizkašci i svojeasabliwašci razvičcia bielaruskaj i ukrainuskaj litaratur pacatku XX st.*, p. 175.

<sup>62</sup> Ju. Psyrou, 'Svialo vialikich idej', in *Taras Šaučenka i belaruskaja litaratura*, p. 137.

## Reviews



**English-Ukrainian and Ukrainian-English Dictionary of Telecommunications.** By O. Kossak and R. Kravec (BaK Ltd., Lviv, 1996), 245 pp.

This is a relatively small (~4000 terms) but extremely useful dictionary relating to a sphere of particular importance for Ukraine's integration into the modern, commercially-oriented world. Like Dr Kossak's *English-Ukrainian Dictionary of Computer Science*, which appeared last year, this book was sponsored by the Ukrainian office of the Massachusetts-based Digital Equipment Corporation. Other organisations profiled in the introductory matter (and therefore presumably being in some way involved in its production) are Utel (Ukraine's main provider of long-distance and international communications), Ukrainian Mobile Communica-

tions (the joint venture cellular telephone operator for Ukraine), The School of Slavonic and East European Studies of the University of London, the 'Lviv Polytechnic' State University, and the British Council.

Providing a specialist dictionary in a rapidly expanding technical field is never easy. All the more so, when, as with Ukrainian, virtually no technical literature was published in the language for almost three decades. Normally, new terms appear first in primary-publication scientific journals, and are thereafter either accepted into common use, or in due course discarded by consensus in favour of a more precise or convenient term. But in the early 1960s, under the pressure of the 'Khrushchev thesis' of 16 November 1958, Ukrainian scientific journals in the main switched to the Russian language. In many state-of-the-art fields, Ukraine has no universally accepted technical terms, and today's writers of technical specifications or articles have to make an often arbitrary choice between 'Western' or 'Russian' terminology, Ukrainising the words in an often extremely clumsy manner. The Lviv Polytechnic State University has, indeed, hosted a number of terminological conferences to try and standardise the specialist vocabularies of the various scientific and technical disciplines, but the situation still remains very fluid. Under these circumstances, it is only natural that the compiler's task is not simply that of finding the most appropriate equivalent, but, on occasion, of launching a new word or concept into the Ukrainian language – or acting as an arbiter between two conflicting terms.

In a recent issue of *The Ukrainian Review* (No. 4, 1995) Dr Kossak himself discussed the principles on which he tackled the problems facing him in the compilation of this very dictionary. There seems little purpose in repeating or summarising them here; one need only observe that they have borne fruit in this on-the-whole excellent little work. There are, inevitably, a few ambiguities, which might cause problems for, say, a student attempting to read English-language specialist publications. Thus under the general heading 'switching peremykannya; komutatsiya' we find, *inter alia*

'space – komutatsiya z prostorovym rozpodilom kanaliv  
(z chastotnym ushchilnennyam); prostorova komutatsiya;

space division – prostorova komutatsiya'

i.e. 'space switching' is rendered firstly by what is, in effect, not so much a terminological equivalent of the English but an explanation – 'switching with the spatial division of channels (with frequency compression)', and only then provided with a reasonably compact Ukrainian equivalent 'prostorova komutatsiya'. But this term, we then see, is also used to render 'space division switching'. Are the two English phrases identical in meaning, a student may ask? If so, why are there two terms and not one in English? If not, why are they rendered by a single term in Ukrainian? Two terms further on, we have the analogous (in English) 'time switching' and 'time division switching' both rendered by 'komutatsiya z rozpodilom u chasi'. But the Ukrainian expression is *not* analogous to the previous ('space') term. Again, a puzzled student – for whom, one must remember, this dictionary will be a life-line to Western technical literature – may wonder why? But a few minor blemishes of this kind cannot detract from the overall high standard of achievement which this dictionary represents.

Lastly, one must observe that, while this book is first and foremost a dictionary – and must make its scientific mark on its merits as a dictionary – a 90-page 'Reference section' at the end contains a wide range of auxiliary information of relevance to the field, including the SI international system of units, with selected derived units and 'prefixes and multipliers' from exa ( $10^{18}$ ) to atto ( $10^{-18}$ ), 'other measurement units' including an explanation of the traditional British 'imperial' weights and measures, the electromagnetic spectrum from gamma-rays to myri-amic waves, frequency bands, frequency ranges of transmission media, digital transmission speeds, the hierarchies of digital service and fibre-optical carriers, various transmission alphabets – including the 5-bit coded International Telegraphic Alphabet No. 2 (Latin and Cyrillic characters), which is valid in Ukraine, fax resolution standards, and abbreviations used by telex operators.

This specialist cornucopia is followed by less technical, but still highly valuable, practical information (in English and Ukrainian) on how to make a long-distance telephone call in Ukraine, and interurban/international dialling codes for Ukraine and the CIS. Next come instructions on making an international call from or to Ukraine, followed by international dialling codes – countries and (presumably) significant towns – with time-differences (reckoned from Ukraine). (One cannot help wondering on what basis the selection was made: for 'Velykobrytaniya' – Great Britain – the selection is Belfast, Birmingham, Bournemouth, Bristol, Glasgow, Durham, Edinburgh, Cardiff, Cambridge, Coventry, Liverpool, Leeds, London (central), London (suburban), Manchester, Nottingham, Oxford, Plymouth, Southampton and Sheffield. Leaving aside the quibble that, if Belfast is to be included, the country should have been called the 'United Kingdom of Great Britain and Northern Ireland', one can only wonder at the inclusion of Bournemouth and Durham rather than, say, the UK's 'oil capital' – Aberdeen. Likewise, one may observe that the USA appears in this section under its Russian guise as SShA rather than the Ukrainian ZSA). Finally come instructions (in Ukrainian only!) on how to use a mobile phone and the Internet.

In short, this is an excellent little volume, which deserves to go into many editions, during the course of which the few minor flaws inevitable in a pioneering work of this kind can easily be amended.



**Black Sea – the Birthplace of Civilisation and Barbarism.** By Neal Ascherson (Vintage, London, 1996), paperback, 306pp., £7.99.

This is an off-beat but fascinating book – not a tourist guide, nor a historical, geographical or economic survey of the Black Sea, and/or the states which comprise its littoral – to use a word much in evidence in Mr. Ascherson's writing, a 'discourse' on the interface of 'civilisation' and 'barbarism', with sidelights on such fashionable topics as feminist 'her-story' and feminist linguistics.

The book begins in Crimea, where, Mr. Ascherson tells us, his father 'saw it begin', and he himself, 'seventy years on' (in fact 71) 'saw the beginning of its end'. That is to say, in March 1920, his father witnessed

the 'Russian Revolution's final victory over its enemies' when British battleships (with Ascherson senior aboard one as a midshipman) moved out of Novorossiysk carrying with them General Denikin's defeated White Army, while on the night of 18 August 1991, the author himself saw the 'confusion of lights' and waiting ambulance at the Foros turn-off, which constituted, in his words, 'the conspirators' candle, the spark carried through the night by men who supposed that they were reviving the Revolution and saving the Soviet Union', but who, instead, 'lit a fire which destroyed everything they honoured' – in other words, the capture and immobilisation of Mikhail Gorbachev in the abortive coup, the failure of which dealt the *coup-de-grâce* to the moribund Soviet Union.

The opening chapter deals at considerable length with these emotive Crimean experiences of father and son, the two narratives being intricately cross-cut in the style of a more than usually innovative film-maker, and concluding with an account of why the author happened to be in the Soviet Union at the time of the coup – the World Congress of Byzantinologists had met in Moscow two weeks before (the visit to Crimea was part of a post-Congress tour of Byzantine sites). This leads in, fairly naturally, to a discussion of Russian reluctance (both before and after the Revolution) to accept the idea of cultural influences, tribal migrations, or anything less than a parthenogenetic origin for the Russian nation, state and culture.

From here, in the next chapter, he proceeds to address the civilisation/barbarism dichotomy, which he perceives as the specific invention of the Greeks, and in particular the Athenians. The great dramatists of Athens, he said, 'devised this change in the way that Greeks perceived other peoples and then they sold it to the wider public'. Herodotus, whose *Histories* 'avoid the cultural supremacism which had become the fashion among Athenian dramatists... could not prevent his work being used as an ethnology-mine by nationalist writers deter-

mined to prove that barbarians were not just different but evil and degraded'. In pursuit of this aim, he cites the American, Edith Hall, who, he says, in her *Inventing the Barbarian* (Oxford, 1989), 'shows' that the dramatists deliberately rewrote the accepted myths, to relegate their more violent characters and deeds to the outer, barbarian world.

For example, Euripides presented Medea to his theatre audiences as the paradigm of barbarian womanhood: domineering, uncontrollably passionate, murderer of her own brother and then of her own children, a witch skilled in the magical preparation of herbs. But Edith Hall shows that Medea entered earlier mythology as a Greek, probably that Agamemnon in the *Iliad* who was a daughter of the sun and knew 'all the drugs... which the wide earth nourishes'. Euripides relocated her origins in Colchis, at the south-eastern corner of the Black Sea: 'her conversion into a barbarian was almost certainly an invention of tragedy, probably of Euripides himself'.

Likewise, Tereus of Megara (who raped his wife's sister, cut out her tongue and – inadvertently – ate his own son) was 'exported' by Sophocles (in a lost play) to Thrace. The central plot of *Iphigenia in Tauris* was devised by Euripides 'around the idea that only barbarians would make a cult of murdering shipwrecked strangers by hurling them over a precipice', the cult of Dionysius, which had 'frenzied, orgiastic mystery-festivals' is given a foreign – Thracian or Asiatic – origin by the tragedians, and so on.

Whatever one thinks of Hall's theories (and by no means all classical scholars would agree with her), it is difficult to accept Ascherson's statement that

The Trojans too were called in for ideological reprocessing. The war against Troy had to be re-cast as a first round in the cosmic struggle between 'European' virtue and 'Asian' vice... The Roman and Byzantine imperial cultures inherited this perception of the Trojan War and this reading of the *Iliad* as the earliest literature on the struggle between civilisation and barbarism. It was an interpretation which was to survive virtually unchallenged for a thousand years.

How, in that case, does Mr. Ascherson explain that the 'state epic' of the Roman Empire, Virgil's *Aeneid*, postulates for the Romans, and for the Julian house in particular, a Trojan ancestry – a *mythos* that persisted as part of the cultural heritage of Europe for the 'thousand years' mentioned by Mr. Ascherson, so that mediaeval writers such as Geoffrey of Monmouth postulated a Trojan origin for the British (via a founding father Brutus, brother to Aeneas) and Dante, describing Constantine's moving the imperial capital to Byzantium speaks of him 'reversing the flight of the eagle' (i.e. the westward trek which took Aeneas from the Dardanelles to Italy)?

The remainder of this chapter roves around such diverse subjects as the lack of information in classical authors about the Black Sea coast and its Greek-founded cities, the 'particularly maddening' behaviour of the exiled Ovid who, in his *Tristia* and *Ex Ponto* says nothing about his life in exile 'except to describe it as a hell of snow, wind and barbarians', and proceeds to a discussion of Soviet archaeology, with its aberrations of Marxism and 'autochthony', the purges, theories on nomadism and the Scythians, the Tsarist campaigns in the Caucasus and the related works of Pushkin, Tolstoy and Lermontov, with special reference to the latter's 'spiritual escape route' back to his ancestral Scotland and the 'Ossian' forgeries.

The next chapter gives us the Don delta, the ruins of Tanais, and more on Soviet and post-Soviet archaeology, the Silk Road, the Black Death, Russia's drive to the Black Sea and the long Russo-Turkish conflict, and Don Cossacks in history and revived today.

Chapter Four introduces us to the nomads of the Pontic steppe, with their 'powerful' women: '[t]hey ruled; they rode with armies into battle; they died of arrowwounds or spear-stabs; they were buried in female robes and jewellery with their lances, quiver and sword ready to hand', with, sometimes, a dead youth lying at their feet. This naturally leads in to a discussion of possible historical origins of the myth of the Amazons, matriarchy, Mother-Goddess cults, the feminist linguistics of Marija Gimbutas, what femininity – and masculinity – meant to the Indo-Aryan nomads, and the Mixoparthenos – woman from the buttocks upwards, and with two serpent tails instead of legs. Mr. Ascherson, who has a special interest in Poland (his list of publications includes *The Polish August*), and devotes Chapter VI of the present work to Poles and the Black Sea, fails to note that the symbol of Warsaw, the *Syrena*, although nowadays depicted as a conventional, albeit sword-wielding, mermaid, is, in the oldest representations, shown with *two* tails.

Chapter Five gives us prehistoric gravemounds – and the double attitude to them of later populations: 'the impulse to "desecrate" and "plunder" them, and the impulse to accept them as sacred places and re-use them for burials'. And here, at last, the Zaporozhian Cossacks make a fleeting appearance – albeit only in the context of the mythical hoard which Mr. Ascherson designates, Russian-style, the 'Treasure of the Sech'. Then on, in the next chapter, via Odesa, to the Poles, the Adampol Polish colony in Turkey and Mickiewicz's Crimean Sonnets (which do, properly speaking, belong within the compass of this book) and a whole slew of other facets of Mickiewicz's biography and of Polish history which are not, strictly speaking, relevant.

Chapters Seven to Nine give us the Pontic Greeks – their centuries-long history, their deportations under Stalin, and their post-1991 return, either to their or their fathers' Black Sea homes or else to Greece itself (where – though Mr. Ascherson fails to mention this – many of them have found but a cold welcome), and other ethnic minorities of the area – the Ubykhs and Lazi, and the long-vanished Sarmatians – who in the sixteenth and seventeenth centuries made a *post mortem* return to the scene in the 'Sarmatism' of the Polish nobility and gentry who claimed that they – though not the peasantry – were the lineal descendants of the Sarmatians, and yet who, via a regiment of Sarmatian lancers stationed in Britain for the last 200 years of Roman rule, may just possibly have left descendants in the Preston area!

Chapter Ten gives us the ongoing struggle for Abkhazian independence, Chapter Eleven the ravaged ecology of the Black Sea, and the Epilogue, the 'Great Chain' used to close the harbour of imperial Constantinople – and the escape, over that Chain, of the ships of Harald Hardrade, on his way home to Norway – marrying, *en route*, Elizaveta, daughter of Yaroslav the Wise of Kyiv. Ascherson concludes with a few musings on identities and national myths: 'A claim to national independence', he says,

does not fall simply because its legitimising version of national history is partly or wholly untrue – as it often is. The sense of belonging to a distinct cultural tradition,

of 'ethnic identity', can be subjectively real to the point at which it becomes an objective social-political fact. ... This is a book about identities, and about the use of mirrors to magnify or to distort identity – the disguises of nationalism.

In which case, one wonders, why he did not address the identity of Ukraine and the Ukrainians, who hold a major slice of the Black Sea coast, or of other littoral states, Bulgaria and Romania. These countries have, respectively, 3 and 4 entries in the index. Ukraine does a little better, with 16 entries, plus two for the Ukrainian language, and one for the Ukrainian Institute of Marine Ecology. But Poland – for whom the Black Sea, today, features significantly only in the mesothalassic dreams of certain far-right politicians – has 42 entries, plus a further 17 on the Polish national poet, Adam Mickiewicz. And, although nineteenth-century Russian poets are quoted on the Tsarist campaigns in the Caucasus, there is no mention of Shevchenko.

A few individual Ukrainians do feature, from time to time, in Ascherson's account: Anatol Kudrenko, director of the archaeological excavations at Olbia, who believes that Herodotus was not only a traveller and historian, but also an agent in the service of Pericles, and an unnamed ship's captain, 'stranded ashore for nine months' and encountered during a drinking spree in Odesa, whose comment on Ukraine's new independence was 'We have no history. Only Party history. Anyway, this place is lawless now and nobody is ruling it – not Ukrainians, not Soviets, nobody'. But, in general, Ascherson focuses on the non-Ukrainian inhabitants of Ukraine – Crimean Tatars, Russian incomers, and multi-ethnic Odesa.

In spite of its neglect of Ukraine – and, who knows, maybe in a future edition Mr. Ascherson will add a chapter on Ukrainian identity – the book is a fascinating storehouse of curious and little-known facts. But there is also a very curious error! Twice (once in the text and once in the 'Chronology' at the end) he attributes the baptism of 'Vladimir of Kiev' to the year 991. Moreover, he describes the traditional site of that ceremony in Kherson as follows: '[t]he place is dominated by a gigantic basilica, with trees growing through its smashed cupola, which was put up in 1891 to celebrate the millennium of Russian [sic] Christianity'.

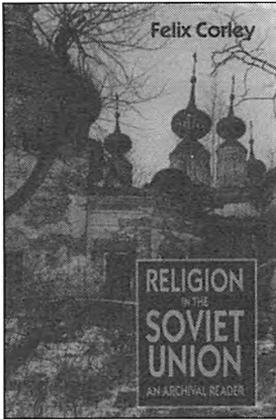
Possibly the Kherson basilica took several years to build, and was completed in 1891 – thus giving rise to Mr. Ascherson's misunderstanding. But even if he has forgotten (or failed to notice) the celebrations of 1988, surely either he or the copy-editor should have noticed that subtracting 991 from 1891 gives not 1000 but 900!

And in a book of this kind, which draws its main interest from the little-known facts which the author presents to us, so blatant a slip inevitably makes one a little wary of its accuracy overall.

**Religion in the Soviet Union – an Archival Reader.** By Felix Corley (Macmillan, Basingstoke, 1996), 402pp., illustr. £45.00

This book represents a major breakthrough in the study of religion in the USSR. Although a number of valuable works have appeared hitherto dealing directly or indirectly with the attempts of believers to preserve and practice their faith in the face of the official policy of 'dialectic materialism' and 'scientific atheism', those accounts had, inevitably, to be written either from a detached, outside

standpoint, or else from the point of view of the persecuted believers themselves. Such works, almost inevitably, focused on the personal and anecdotal. Mr Corley, however, takes us inside the Soviet bureaucracy, and in particular, the Council for Religious Affairs (CRA) and its predecessors, established to control and neutralise the influence of the Churches, until such time as the entire population saw the atheistic light. Mr Corley has carefully trawled the newly opened archives of the CRA and other bodies whose activities touched upon the practice of religion, including the security police in its various guises from Cheka to KGB. His choice was made in such a way, he says, that every document included 'illustrates in some way the complex web of relations during the Soviet era between religious groups and the state'.



The selection covers the entire seven decades of Soviet power, beginning with a local decree (Baikal region) on the 'separation of school and church' of 26 February 1918, and concluding with a series of KGB memos on what were clearly pathetically inadequate attempts to curb the burgeoning of church life under the Gorbachev reforms, the latest of which is dated July 1989. The translation reproduces the bureaucratise of the original, with its abbreviations, official clichés and frequent clumsiness of style and also its derogatory terminology (including the lack of capital letters) in all terms relating to religion. All the documents (including those originating from the non-Russian republics) were written in Russian. Hence personal and place names are transliterated from the Russian forms. However, in his notes and

commentaries which intersperse the documents, Mr Corley also gives, in the case of Ukraine, the Ukrainian forms of such names.

The documents cover the entire range of the Soviet hierarchy, from a vote by Lenin, Trotsky, Stalin and other top brass as to whether eight priests and three lay persons should be executed or only two priests (document 13) down to the lowest ranks of local officials. Unlike most previous works on religion in the USSR, which have tended to concentrate on mainstream Orthodoxy and those faiths which have strong ties with the West – Roman Catholicism, Baptists, Lutherans, the materials presented here include not only such indigenous Russian variants of Christianity as Innokentians, Molokans, Tolstoyans, Voronayevites and 'Jumpers', as well as non-Christian faiths including – in addition to Judaism and Islam – the Buddhists of Buryatia and Kalmykia, the Bahais of Ashkhabad, and the Hare Krishna movement, which made its first appearance in the Soviet Union in the 1970s. Considerable attention is given to 'national Churches' – the Georgian Orthodox and Armenian Apostolic Churches, as well as the Ukrainian Autocephalous Orthodox Church (UOAC) and Eastern-rite Catholic Churches.

Although, as the author makes clear in a note on 'Sources', the collection includes 'only a fraction of the millions of interesting documents which could have been selected', while much more material, particularly in Moscow archives, is still covered by a 30-year rule, he has, nevertheless, succeeded in producing an excellent and comprehensive selection which should prove invaluable both to

students of the post-Soviet area, and those concerned more generally with the politics, sociology and philosophy of Church-state relations.

For those concerned specifically with Ukraine the following are of particular importance:

- document 24: dated October 1924 and alleging that the clergy of the Ukrainian Autocephalous Orthodox Church (UAOC) were 'hidden propagators of Ukrainian separatism', and giving instructions for surveillance and interrogation operations against them;

- document 26: a collection of Protocols, dating from 1923–29, and including a decision on the struggle against 'clearly petlyurite and clearly counter-revolutionary elements' in the UAOC, and an instruction to the Politburo and OGPU to 'note' the 'incorrect line by Ukraine allowing the legal existence' of 'Catholic circles';

- documents 69–74: the file on 'citizen Mikhail Yemelyanovich Yedlinsky', who had been a priest at the church of Sts Borys and Hlib in Kyiv from 1893 until its closure in 1933, and who was shot in November 1937 for alleged involvement in an 'anti-Soviet fascist organisation of churchmen';

- document 89: the record of the meeting in September 1943 between Stalin and the three surviving active bishops of the Russian Orthodox Church in the USSR, including Nikolai, Exarch of Ukraine and Metropolitan of Kyiv and Galicia, which, in the face of the Nazi threat, inaugurated Stalin's new policy of tolerating the existence of the Church, and using it to support government policy;

- document 138: a 'secret' report on the Second Vatican Council (compiled from the accounts of Soviet and Communist-bloc participants, as well as Western newspaper accounts), including the efforts of '[a]ctivists of the so-called "Ukrainian church mission in Rome" (uniates)' to draw attention to the 'persecutions and executions which Ukrainian believers allegedly undergo for their religious convictions';

- document 160: from November 1973 relating to the on-going harassment of the Pochayiv Orthodox monastery in Western Ukraine (a campaign which lasted for more than two decades, and provoked concern and protests in Western countries);

- document 161: a report of the KGB to the Central Committee of the Communist Party of the USSR, on new developments in Vatican policy towards the Orthodox Church, including the refusal of Pope Paul VI to permit the creation of 'a so-called ukrainian patriarchate', coupled with a policy of 'illegally' giving 'moral and material support' to the Ukrainian Catholic Church and also alleged Vatican support for the 'creat[ion]' (i.e. revival) of the UAOC within Ukraine;

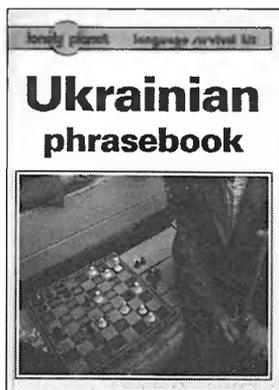
- document 173: the 1984 statistical report of the Council for Religious Affairs attached to the USSR Council of Ministers, which includes figures for 'religious associations' (parishes) – 171 in Ukraine, monasteries – including 9 in Ukraine as opposed to one each in the three Baltic republics, Belarus, Moldova and Armenia and two in Russia, numbers of clergy, registered and unregistered (Ukraine had 876 unregistered clerics which figure must have included almost all of the known 252 Eastern-rite Catholic priests), participation in religious rituals (baptisms, marriage ceremonies and burial services) and the demolition of church buildings (300 Union-wide in the period 1981–84, principally in Ukraine);

- document 181: a report from the Department of Propaganda 'On Certain Measures in Connection With the 40th Anniversary of the Lvov Church Council'

(which officially abolished the Eastern-rite Catholic Church in Ukraine), aimed at countering 'anti-social' and 'anti-Soviet' acts by 'the Vatican and anti-soviet uniate-nationalist centres of the West' during the official celebrations of that anniversary;

- document 199: a report on the work of KGB agents sent to the West as part of religious delegations and groups, during the period 1967–79; it includes a reference to one agent 'Grigorenko' of the KGB of the Ukrainian SSR.

However, in presenting this list for the convenience of our readers, we must add a sincere recommendation that they should not confine their attention to the specifically Ukrainian material. For the imposition of Soviet anti-religious policy in Ukraine, although it undoubtedly had its specific features and – as in the suppression of the Ukrainian Catholic and Autocephalous Orthodox Churches – its particular rigours, nevertheless, can only be fully understood as part of the general Soviet clamp-down on the whole range of faiths and beliefs. And on this clamp-down, over the seven decades of the existence of the USSR, Mr Corley's 'archival reader' gives what is almost certainly the fullest and most comprehensive 'inside' account to date.



**Ukrainian Phrasebook.** By Jim Dingley and Olena Bekh (Lonely Planet Publications, Hawthorn, Victoria, Australia), 224 pp, illustr. £3.99. US\$5.95. Australia \$7.95. Canada \$6.95.

This is an extremely well-thought-out phrasebook, which not only provides a wide range of useful phrases for the traveller to Ukraine, but also many useful – and even vital – tips, ranging from instructions on how to make a long-distance telephone call or propose a toast to warnings not to buy antique icons (possibly stolen, and in any case requiring an export license) or to change money with 'individuals in the street'.

The compilers, although specialists in Ukrainian philology, bring to this work a refreshing lack of academic pomposity: in the thumbnail sketch of the Ukrainian language with which the booklet opens, they gently mock some of the regularly-quoted (and to the philologist most 'obvious') correspondences between Ukrainian and other Indo-European languages: 'it takes a great leap of faith to believe that хліб ('bread') is the same in origin as the English 'loaf' or, even more fantastic, that верблюд ('camel') actually comes from the Greek word for 'elephant'. Likewise, they reject scholarly schemes of transliteration and the international phonetic alphabet in favour of a scheme reminiscent of the old 'Hugo's' language courses, in which Cyrillic 'y' is transliterated by 'oo', Cyrillic 'i' by 'ee' and Cyrillic 'и' by 'i' – a system which will doubtless raise shudders among many Ukrainian scholars, but does, in fact, evoke a more-or-less correct response from non-linguist Anglophones.

For this phrasebook, it must be remembered, is designed for the non-linguist. It assumes no knowledge of any other Slav language, cuts grammatical explanations to a minimum, and simply attempts to provide – as it says – a survival kit. It makes

no attempt to give the specialist vocabulary required by, for example, the visiting business-person, tacitly (and correctly) assuming that for all professional meetings interpreters will be present. It provides, however, ample coverage of most day-to-day situations in which the visitor is likely to come into contact with the Ukrainian citizen-in-the-street – travelling, in the hotel, banks and post offices, filling out forms, sightseeing, restaurants, shops, health-care, times, dates, festivals, cardinal and ordinal numbers, a 43-page English-Ukrainian vocabulary, and – easily locatable at the end – a section on emergencies covering everything from a lost credit card to beating-up and rape. (A sad comment, this, on today's post-Soviet Ukraine; but Dingley and Bekh clearly feel the necessity to provide for even the worst contingencies). Particularly useful features include, in each section, the relevant signs which the traveller will encounter in the airport, hotel, street, etc., in block capitals, i.e. in the form of Cyrillic lettering in which he/she is most likely to see them. Also useful is the repetition throughout the book of such useful 'tips' as 'Remember the word for "Thank you" is дякую (*dyakouyou*) and 'The word не (*ne*) in front of the verb makes the sentence negative'. The text is enlivened throughout by witty and informative cartoons – and the occasional incisive comment on the current Ukrainian scene. 'Taxis are metered, but in these days of galloping inflation they do not offer much indication as to what you will have to pay' and 'The ancient Greek city of Kherstones... is unfortunately within the boundaries of the modern(ish) port of Sevastopol, a place where even citizens of Ukraine require a special pass to go – presumably so that profane eyes may not gaze upon the rusting hulks of the former Soviet Black Sea fleet, but that is another story'.

Apart from a few minor details possibly related to the Australian provenance of the booklet (the use of 'movie' rather than 'film' for example), there is only one point to which even the most nit-picking critic can take exception – and this is the fault, not so much of Dingley and Bekh, as of the Ukrainian government. For Ukraine's currency is still given here as the *karbovanets*. However, since it is noted that 'There are plans to introduce a completely new currency unit called the *brivna*, гривна (*briv na*), when the economic climate permits', there should be no great difficulty for the user. And, the necessary updating can naturally be made before the book goes into the many future editions one can confidently predict for it. □

# The Ukrainian **Review**

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## *Current Events*

# **Constitution of Ukraine**

*Adopted at the Fifth Session of the Verkhovna  
Rada of Ukraine on 28 June 1996*

The Verkhovna Rada of Ukraine, on behalf of the Ukrainian people – citizens of Ukraine of all nationalities,

expressing the sovereign will of the people,

based on the centuries-old history of Ukrainian state-building and on the right to self-determination realised by the Ukrainian nation, all the Ukrainian people,

providing for the guarantee of human rights and freedoms and of the worthy conditions of human life,

caring for the strengthening of civil harmony on Ukrainian soil,

striving to develop and strengthen a democratic, social, law-based state,

aware of our responsibility before God, our own conscience, past, present and future generations,

guided by the Act of Declaration of the Independence of Ukraine of 24 August 1991, approved by the national vote of 1 December 1991,

adopts this Constitution – the Fundamental Law of Ukraine.

## **Chapter I**

### **General Principles**

#### *Article 1*

Ukraine is a sovereign and independent, democratic, social, law-based state.

#### *Article 2*

The sovereignty of Ukraine extends throughout its entire territory.

Ukraine is a unitary state.

The territory of Ukraine within its present border is indivisible and inviolable.

#### *Article 3*

The human being, his or her life and health, honour and dignity, inviolability and security are recognised in Ukraine as the highest social value.

Human rights and freedoms and their guarantees determine the essence and orientation of the activity of the State. The State is answerable to the individual for its activity. To affirm and ensure human rights and freedoms is the main duty of the State.

#### *Article 4*

There is single citizenship in Ukraine. The grounds for the acquisition and termination of Ukrainian citizenship are determined by law.

*Article 5*

Ukraine is a republic.

The people are the bearers of sovereignty and the only source of power in Ukraine. The people exercise power directly and through bodies of state power and bodies of local self-government.

The right to determine and change the constitutional order in Ukraine belongs exclusively to the people and shall not be usurped by the State, its bodies or officials.

No one shall usurp state power.

*Article 6*

State power in Ukraine is exercised on the principles of its division into legislative, executive and judicial power.

Bodies of legislative, executive and judicial power exercise their authority within the limits established by this Constitution and in accordance with the laws of Ukraine.

*Article 7*

In Ukraine, local self-government is recognised and guaranteed.

*Article 8*

In Ukraine, the principle of the rule of law is recognised and effective.

The Constitution of Ukraine has the highest legal force. Laws and other normative legal acts are adopted on the basis of the Constitution of Ukraine and shall conform to it.

The norms of the Constitution of Ukraine are norms of direct effect. Appeals to the court in defence of the constitutional rights and freedoms of the individual and citizen directly on the grounds of the Constitution of Ukraine are guaranteed.

*Article 9*

International treaties that are in force, agreed to be binding by the Verkhovna Rada of Ukraine, are part of the national legislation of Ukraine.

The conclusion of international treaties that contravene the Constitution of Ukraine is possible only after introducing relevant amendments to the Constitution of Ukraine.

*Article 10*

The state language of Ukraine is the Ukrainian language.

The State ensures the comprehensive development and functioning of the Ukrainian language in all spheres of social life throughout the entire territory of Ukraine.

In Ukraine, the free development, use and protection of Russian, and other languages of national minorities of Ukraine, is guaranteed.

The State promotes the learning of languages of international communication.

The use of languages in Ukraine is guaranteed by the Constitution of Ukraine and is determined by law.

#### *Article 11*

The State promotes the consolidation and development of the Ukrainian nation, of its historical consciousness, traditions and culture, and also the development of the ethnic, cultural, linguistic and religious identity of all indigenous peoples and national minorities of Ukraine.

#### *Article 12*

Ukraine provides for the satisfaction of national and cultural, and linguistic needs of Ukrainians residing beyond the borders of the State.

#### *Article 13*

The land, its mineral wealth, atmosphere, water and other natural resources within the territory of Ukraine, the natural resources of its continental shelf, and the exclusive (maritime) economic zone, are objects of the right of property of the Ukrainian people. Ownership rights on behalf of the Ukrainian people are exercised by bodies of state power and bodies of local self-government within the limits determined by this Constitution.

Every citizen has the right to utilise the natural objects of the people's right of property in accordance with the law.

Property entails responsibility. Property shall not be used to the detriment of the person and society.

The State ensures the protection of the rights of all subjects of the right of property and economic management, and the social orientation of the economy. All subjects of the right of property are equal before the law.

#### *Article 14*

Land is the fundamental national wealth that is under special state protection.

The right of property to land is guaranteed. This right is acquired and realised by citizens, legal persons and the State, exclusively in accordance with the law.

#### *Article 15*

Social life in Ukraine is based on the principles of political, economic and ideological diversity.

No ideology shall be recognised by the State as mandatory.

Censorship is prohibited.

The State guarantees freedom of political activity not prohibited by the Constitution and the laws of Ukraine.

#### *Article 16*

To ensure ecological safety and to maintain the ecological balance on the territory of Ukraine, to overcome the consequences of the Chornobyl catastrophe – a catastrophe of global scale, and to preserve the gene pool of the Ukrainian people, is the duty of the State.

*Article 17*

To protect the sovereignty and territorial indivisibility of Ukraine, and to ensure its economic and informational security are the most important functions of the State and a matter of concern for all the Ukrainian people.

The defence of Ukraine and the protection of its sovereignty, territorial indivisibility and inviolability, are entrusted to the Armed Forces of Ukraine.

Ensuring state security and protecting the state border of Ukraine are entrusted to the respective military formations and law enforcement bodies of the State, whose organisation and operational procedure are determined by law.

The Armed Forces of Ukraine and other military formations shall not be used by anyone to restrict the rights and freedoms of citizens or with the intent to overthrow the constitutional order, subvert the bodies of power or obstruct their activity.

The State ensures the social protection of citizens of Ukraine who serve in the Armed Forces of Ukraine and in other military formations as well as of members of their families.

The creation and operation of any armed formations not envisaged by law are prohibited on the territory of Ukraine.

The location of foreign military bases shall not be permitted on the territory of Ukraine.

*Article 18*

The foreign political activity of Ukraine is aimed at ensuring its national interests and security by maintaining peaceful and mutually beneficial co-operation with members of the international community, according to generally acknowledged principles and norms of international law.

*Article 19*

The legal order in Ukraine is based on the principles according to which no one shall be forced to do what is not envisaged by legislation.

Bodies of state power and bodies of local self-government and their officials are obliged to act only on the grounds, within the limits of authority, and in the manner envisaged by the Constitution and the laws of Ukraine.

*Article 20*

The state symbols of Ukraine are the State Flag of Ukraine, the State Coat of Arms of Ukraine and the State Anthem of Ukraine.

The State Flag of Ukraine is a banner of two equally-sized horizontal bands of blue and yellow.

The Great State Coat of Arms of Ukraine shall be established with the consideration of the Small State Coat of Arms of Ukraine and the Coat of Arms of the Zaporozhian Host, by the law adopted by no less than two-thirds of the constitutional composition of the Verkhovna Rada of Ukraine.

The main element of the Great State Coat of Arms of Ukraine is the Emblem of the Royal State of Volodymyr the Great (the Small State Coat of Arms of Ukraine).

The State Anthem of Ukraine is the national anthem set to the music of M. Verbytskyi, with words that are confirmed by the law adopted by no less than two-thirds of the constitutional composition of the Verkhovna Rada of Ukraine.

The description of the state symbols of Ukraine and the procedure for their use shall be established by the law adopted by no less than two-thirds of the constitutional composition of the Verkhovna Rada of Ukraine.

The capital of Ukraine is the City of Kyiv.

## **Chapter II**

### **Human and Citizens' Rights, Freedoms and Duties**

#### *Article 21*

All people are free and equal in their dignity and rights.

Human rights and freedoms are inalienable and inviolable.

#### *Article 22*

Human and citizens' rights and freedoms affirmed by this Constitution are not exhaustive.

Constitutional rights and freedoms are guaranteed and shall not be abolished.

The content and scope of existing rights and freedoms shall not be diminished in the adoption of new laws or in the amendment of laws that are in force.

#### *Article 23*

Every person has the right to free development of his or her personality if the rights and freedoms of other persons are not violated thereby, and has duties before the society in which the free and comprehensive development of his or her personality is ensured.

#### *Article 24*

Citizens have equal constitutional rights and freedoms and are equal before the law.

There shall be no privileges or restrictions based on race, colour of skin, political, religious and other beliefs, sex, ethnic and social origin, property status, place of residence, linguistic or other characteristics.

Equality of the rights of women and men is ensured: by providing women with opportunities equal to those of men, in public and political, and cultural activity, in obtaining education and in professional training, in work and its remuneration; by special measures for the protection of work and health of women; by establishing pension privileges, by creating conditions that allow women to combine work and motherhood; by legal protection, material and moral support of motherhood and childhood, including the provision of paid leaves and other privileges to pregnant women and mothers.

#### *Article 25*

A citizen of Ukraine shall not be deprived of citizenship and of the right to change citizenship.

A citizen of Ukraine shall not be expelled from Ukraine or surrendered to another state.

Ukraine guarantees care and protection to its citizens who are beyond its borders.

#### *Article 26*

Foreigners and stateless persons who are in Ukraine on legal grounds enjoy the same rights and freedoms and also bear the same duties as citizens of Ukraine, with the exceptions established by the Constitution, laws or international treaties of Ukraine.

Foreigners and stateless persons may be granted asylum by the procedure established by law.

#### *Article 27*

Every person has the inalienable right to life.

No one shall be arbitrarily deprived of life. The duty of the State is to protect human life.

Everyone has the right to protect his or her life and health, the lives and health of other persons against unlawful encroachments.

#### *Article 28*

Everyone has the right to respect of his or her dignity.

No one shall be subjected to torture, cruel, inhuman or degrading treatment or punishment that violates his or her dignity.

No person shall be subjected to medical, scientific or other experiments without his or her free consent.

#### *Article 29*

Every person has the right to freedom and personal inviolability.

No one shall be arrested or held in custody other than pursuant to a substantiated court decision and only on the grounds and in accordance with the procedure established by law.

In the event of an urgent necessity to prevent or stop a crime, bodies authorised by law may hold a person in custody as a temporary preventive measure, the reasonable grounds for which shall be verified by a court within seventy-two hours. The detained person shall be released immediately, if he or she has not been provided, within seventy-two hours from the moment of detention, with a substantiated court decision in regard to the holding in custody.

Everyone arrested or detained shall be informed without delay of the reasons for his or her arrest or detention, apprised of his or her rights, and from the moment of detention shall be given the opportunity to personally defend himself or herself, or to have the legal assistance of a defender.

Everyone detained has the right to challenge his or her detention in court at any time.

Relatives of an arrested or detained person shall be informed immediately of his or her arrest or detention.

*Article 30*

Everyone is guaranteed the inviolability of his or her dwelling place.

Entry into a dwelling place or other possessions of a person, and the examination or search thereof, shall not be permitted, other than pursuant to a substantiated court decision.

In urgent cases related to the preservation of human life and property or to the direct pursuit of persons suspected of committing a crime, another procedure established by law is possible for entry into a dwelling place or other possessions of a person, and for the examination and search thereof.

*Article 31*

Everyone is guaranteed privacy of mail, telephone conversations, telegraph and other correspondence. Exceptions shall be established only by a court in cases envisaged by law, with the purpose of preventing crime or ascertaining the truth in the course of the investigation of a criminal case, if it is not possible to obtain information by other means.

*Article 32*

No one shall be subject to interference in his or her personal and family life, except in cases envisaged by the Constitution of Ukraine.

The collection, storage, use and dissemination of confidential information about a person without his or her consent shall not be permitted, except in cases determined by law, and only in the interests of national security, economic welfare and human rights.

Every citizen has the right to examine information about himself or herself, that is not a state secret or other secret protected by law, at the bodies of state power, bodies of local self-government, institutions and organisations.

Everyone is guaranteed judicial protection of the right to rectify incorrect information about himself or herself and members of his or her family, and of the right to demand that any type of information be expunged, and also the right to compensation for material and moral damages inflicted by the collection, storage, use and dissemination of such incorrect information.

*Article 33*

Everyone who is legally present on the territory of Ukraine is guaranteed freedom of movement, free choice of place of residence, and the right to freely leave the territory of Ukraine, with the exception of restrictions established by law.

A citizen of Ukraine may not be deprived of the right to return to Ukraine at any time.

*Article 34*

Everyone is guaranteed the right to freedom of thought and speech, and to the free expression of his or her views and beliefs.

Everyone has the right to freely collect, store, use and disseminate information by oral, written or other means of his or her choice.

The exercise of these rights may be restricted by law in the interests of national security, territorial indivisibility or public order, with the purpose of preventing disturbances or crimes, protecting the health of the population, the reputation or rights of other persons, preventing the publication of information received confidentially, or supporting the authority and impartiality of justice.

#### *Article 35*

Everyone has the right to freedom of personal philosophy and religion. This right includes the freedom to profess or not to profess any religion, to perform alone or collectively and without constraint religious rites and ceremonial rituals, and to conduct religious activity.

The exercise of this right may be restricted by law only in the interests of protecting public order, the health and morality of the population, or protecting the rights and freedoms of other persons.

The Church and religious organisations in Ukraine are separated from the State, and the school – from the Church. No religion shall be recognised by the State as mandatory.

No one shall be relieved of his or her duties before the State or refuse to perform the laws for reasons of religious beliefs. In the event that the performance of military duty is contrary to the religious beliefs of a citizen, the performance of this duty shall be replaced by alternative (non-military) service.

#### *Article 36*

Citizens of Ukraine have the right to freedom of association in political parties and public organisations for the exercise and protection of their rights and freedoms and for the satisfaction of their political, economic, social, cultural and other interests, with the exception of restrictions established by law in the interests of national security and public order, the protection of the health of the population or the protection of rights and freedoms of other persons.

Political parties in Ukraine promote the formation and expression of the political will of citizens, and participate in elections. Only citizens of Ukraine may be members of political parties. Restrictions on membership in political parties are established exclusively by this Constitution and the laws of Ukraine.

Citizens have the right to take part in trade unions with the purpose of protecting their labour and socio-economic rights and interests. Trade unions are public organisations that unite citizens bound by common interests that accord with the nature of their professional activity. Trade unions are formed without prior permission on the basis of the free choice of their members. All trade unions have equal rights. Restrictions on membership in trade unions are established exclusively by this Constitution and the laws of Ukraine.

No one may be forced to join any association of citizens or be restricted in his or her rights for belonging or not belonging to political parties or public organisations.

All associations of citizens are equal before the law.

#### *Article 37*

The establishment and activity of political parties and public associations are prohibited if their programme goals or actions are aimed at the liquidation of the

independence of Ukraine, the change of the constitutional order by violent means, the violation of the sovereignty and territorial indivisibility of the State, the undermining of its security, the unlawful seizure of state power, the propaganda of war and of violence, the incitement of inter-ethnic, racial, or religious enmity, and the encroachments on human rights and freedoms and the health of the population.

Political parties and public associations shall not have paramilitary formations.

The creation and activity of organisational structures of political parties shall not be permitted within bodies of executive and judicial power and executive bodies of local self-government, in military formations, and also in state enterprises, educational establishments and other state institutions and organisations.

The prohibition of the activity of associations of citizens is exercised only through judicial procedure.

#### *Article 38*

Citizens have the right to participate in the administration of state affairs, in All-Ukrainian and local referendums, to freely elect and to be elected to bodies of state power and bodies of local self-government.

Citizens enjoy the equal right of access to the civil service and to service in bodies of local self-government.

#### *Article 39*

Citizens have the right to assemble peacefully without arms and to hold meetings, rallies, processions and demonstrations, upon notifying in advance the bodies of executive power or bodies of local self-government.

Restrictions on the exercise of this right may be established by a court in accordance with the law and only in the interests of national security and public order, with the purpose of preventing disturbances or crimes, protecting the health of the population, or protecting the rights and freedoms of other persons.

#### *Article 40*

Everyone has the right to file individual or collective petitions, or to personally appeal to bodies of state power, bodies of local self-government, and to the officials and officers of these bodies, that are obliged to consider the petitions and to provide a substantiated reply within the term established by law.

#### *Article 41*

Everyone has the right to own, use and dispose of his or her property, and the results of his or her intellectual and creative activity.

The right of private property is acquired by the procedure determined by law.

In order to satisfy their needs, citizens may use the objects of the right of state and communal property in accordance with the law.

No one shall be unlawfully deprived of the right of property. The right of private property is inviolable.

The expropriation of objects of the right of private property may be applied only as an exception for reasons of social necessity, on the grounds of and by the procedure established by law, and on the condition of advance and com-

plete compensation of their value. The expropriation of such objects with subsequent complete compensation of their value is permitted only under conditions of martial law or a state of emergency.

Confiscation of property may be applied only pursuant to a court decision, in the cases, in the extent and by the procedure established by law.

The use of property shall not cause harm to the rights, freedoms and dignity of citizens, the interests of society, aggravate the ecological situation and the natural qualities of land.

#### *Article 42*

Everyone has the right to entrepreneurial activity that is not prohibited by law.

The entrepreneurial activity of deputies, officials and officers of bodies of state power and of bodies of local self-government is restricted by law.

The State ensures the protection of competition in entrepreneurial activity. The abuse of a monopolistic position in the market, the unlawful restriction of competition, and unfair competition, shall not be permitted. The types and limits of monopolies are determined by law.

The State protects the rights of consumers, exercises control over the quality and safety of products and of all types of services and work, and promotes the activity of public consumer associations.

#### *Article 43*

Everyone has the right to labour, including the possibility to earn one's living by labour that he or she freely chooses or to which he or she freely agrees.

The State creates conditions for citizens to fully realise their right to labour, guarantees equal opportunities in the choice of profession and of types of labour activity, implements programmes of vocational education, training and retraining of personnel according to the needs of society.

The use of forced labour is prohibited. Military or alternative (non-military) service, and also work or service carried out by a person in compliance with a verdict or other court decision, or in accordance with the laws on martial law or on a state of emergency, are not considered to be forced labour.

Everyone has the right to proper, safe and healthy work conditions, and to remuneration no less than the minimum wage as determined by law.

The employment of women and minors for work that is hazardous to their health, is prohibited.

Citizens are guaranteed protection from unlawful dismissal.

The right to timely payment for labour is protected by law.

#### *Article 44*

Those who are employed have the right to strike for the protection of their economic and social interests.

The procedure for exercising the right to strike is established by law, taking into account the necessity to ensure national security, health protection, and rights and freedoms of other persons.

No one shall be forced to participate or not to participate in a strike.  
The prohibition of a strike is possible only on the basis of the law.

#### *Article 45*

Everyone who is employed has the right to rest.

This right is ensured by providing weekly rest days and also paid annual vacation, by establishing a shorter working day for certain professions and industries, and reduced working hours at night.

The maximum number of working hours, the minimum duration of rest and of paid annual vacation, days off and holidays as well as other conditions for exercising this right, are determined by law.

#### *Article 46*

Citizens have the right to social protection that includes the right to provision in cases of complete, partial or temporary disability, the loss of the principal wage-earner, unemployment due to circumstances beyond their control and also in old age, and in other cases established by law.

This right is guaranteed by general mandatory state social insurance on account of the insurance payments of citizens, enterprises, institutions and organisations, and also from budgetary and other sources of social security; by the establishment of a network of state, communal and private institutions to care for persons incapable of work.

Pensions and other types of social payments and assistance that are the principal sources of subsistence, shall ensure a standard of living not lower than the minimum living standard established by law.

#### *Article 47*

Everyone has the right to housing. The State creates conditions that enable every citizen to build, purchase as property, or to rent housing.

Citizens in need of social protection are provided with housing by the State and bodies of local self-government, free of charge or at a price affordable for them, in accordance with the law.

No one shall be forcibly deprived of housing other than on the basis of the law pursuant to a court decision.

#### *Article 48*

Everyone has the right to a standard of living sufficient for himself or herself and his or her family that includes adequate nutrition, clothing and housing.

#### *Article 49*

Everyone has the right to health protection, medical care and medical insurance.

Health protection is ensured through state funding of the relevant socio-economic, medical and sanitary, health improvement and prophylactic programmes.

The State creates conditions for effective medical service accessible to all citizens. State and communal health protection institutions provide medical care free

of charge; the existing network of such institutions shall not be reduced. The State promotes the development of medical institutions of all forms of ownership.

The State provides for the development of physical culture and sports, and ensures sanitary-epidemic welfare.

*Article 50*

Everyone has the right to an environment that is safe for life and health, and to compensation for damages inflicted through the violation of this right.

Everyone is guaranteed the right of free access to information about the environmental situation, the quality of food and consumer goods, and also the right to disseminate such information. No one shall make such information secret.

*Article 51*

Marriage is based on the free consent of a woman and a man. Each of the spouses has equal rights and duties in the marriage and family.

Parents are obliged to support their children until they attain the age of majority. Adult children are obliged to care for their parents who are incapable of work.

The family, childhood, motherhood and fatherhood are under the protection of the State.

*Article 52*

Children are equal in their rights regardless of their origin and whether they are born in or out of wedlock.

Any violence against a child, or his or her exploitation, shall be prosecuted by law.

The maintenance and upbringing of orphans and children deprived of parental care is entrusted to the State. The State encourages and supports charitable activity in regard to children.

*Article 53*

Everyone has the right to education.

Complete general secondary education is compulsory.

The State ensures accessible and free pre-school, complete general secondary, vocational and higher education in state and communal educational establishments; the development of pre-school, complete general secondary, extra-curricular, vocational, higher and post-graduate education, various forms of instruction; the provision of state scholarships and privileges to pupils and students.

Citizens have the right to obtain free higher education in state and communal educational establishments on a competitive basis.

Citizens who belong to national minorities are guaranteed in accordance with the law the right to receive instruction in their native language, or to study their native language in state and communal educational establishments and through national cultural societies.

*Article 54*

Citizens are guaranteed the freedom of literary, artistic, scientific and technical creativity, protection of intellectual property, their copyrights, moral and material interests that arise with regard to various types of intellectual activity.

Every citizen has the right to the results of his or her intellectual, creative activity; no one shall use or distribute them without his or her consent, with the exceptions established by law.

The State promotes the development of science and the establishment of scientific relations of Ukraine with the world community.

Cultural heritage is protected by law.

The State ensures the preservation of historical monuments and other objects of cultural value, and takes measures to return to Ukraine the cultural treasures of the nation, that are located beyond its borders.

*Article 55*

Human and citizens' rights and freedoms are protected by the court.

Everyone is guaranteed the right to challenge in court the decisions, actions or omission of bodies of state power, bodies of local self-government, officials and officers.

Everyone has the right to appeal for the protection of his or her rights to the Authorised Human Rights Representative of the Verkhovna Rada of Ukraine.

After exhausting all domestic legal remedies, everyone has the right to appeal for the protection of his or her rights and freedoms to the relevant international judicial institutions or to the relevant bodies of international organisations of which Ukraine is a member or participant.

Everyone has the right to protect his or her rights and freedoms from violations and illegal encroachments by any means not prohibited by law.

*Article 56*

Everyone has the right to compensation, at the expense of the State or bodies of local self-government, for material and moral damages inflicted by unlawful decisions, actions or omission of bodies of state power, bodies of local self-government, their officials and officers during the exercise of their authority.

*Article 57*

Everyone is guaranteed the right to know his or her rights and duties.

Laws and other normative legal acts that determine the rights and duties of citizens shall be brought to the notice of the population by the procedure established by law.

Laws and other normative legal acts that determine the rights and duties of citizens, but that are not brought to the notice of the population by the procedure established by law, are not in force.

*Article 58*

Laws and other normative legal acts have no retroactive force, except in cases where they mitigate or annul the responsibility of a person.

No one shall bear responsibility for acts that, at the time they were committed, were not deemed by law to be an offence.

*Article 59*

Everyone has the right to legal assistance. Such assistance is provided free of charge in cases envisaged by law. Everyone is free to choose the defender of his or her rights.

In Ukraine, the advocacy acts to ensure the right to a defence against accusation and to provide legal assistance in deciding cases in courts and other state bodies.

*Article 60*

No one is obliged to execute rulings or orders that are manifestly criminal.

For the issuance or execution of a manifestly criminal ruling or order, legal liability arises.

*Article 61*

For one and the same offence, no one shall be brought twice to legal liability of the same type.

The legal liability of a person is of an individual character.

*Article 62*

A person is presumed innocent of committing a crime and shall not be subjected to criminal punishment until his or her guilt is proved through legal procedure and established by a court verdict of guilty.

No one is obliged to prove his or her innocence of committing a crime.

An accusation shall not be based on illegally obtained evidence as well as on assumptions. All doubts in regard to the proof of guilt of a person are interpreted in his or her favour.

In the event that a court verdict is revoked as unjust, the State compensates the material and moral damages inflicted by the groundless conviction.

*Article 63*

A person shall not bear responsibility for refusing to testify or to explain anything about himself or herself, members of his or her family or close relatives in the degree determined by law.

A suspect, an accused, or a defendant has the right to a defence.

A convicted person enjoys all human and citizens' rights, with the exception of restrictions determined by law and established by a court verdict.

*Article 64*

Constitutional human and citizens' rights and freedoms shall not be restricted, except in cases envisaged by the Constitution of Ukraine.

Under conditions of martial law or a state of emergency, specific restrictions on rights and freedoms may be established with the indication of the period of effectiveness of these restrictions. The rights and freedoms envisaged in Articles 24, 25, 27, 28, 29, 40, 47, 51, 52, 55, 56, 57, 58, 59, 60, 61, 62 and 63 of this Constitution shall not be restricted.

*Article 65*

Defence of the Motherland, of the independence and territorial indivisibility of Ukraine, and respect for its state symbols, are the duties of citizens of Ukraine.

Citizens perform military service in accordance with the law.

*Article 66*

Everyone is obliged not to harm nature, cultural heritage and to compensate for any damage he or she inflicted.

*Article 67*

Everyone is obliged to pay taxes and levies in accordance with the procedure and in the extent established by law.

All citizens annually file declarations with the tax inspection at their place of residence, on their property status and income for the previous year, by the procedure established by law.

*Article 68*

Everyone is obliged to strictly abide by the Constitution of Ukraine and the laws of Ukraine, and not to encroach upon the rights and freedoms, honour and dignity of other persons.

Ignorance of the law shall not exempt from legal liability.

### **Chapter III**

#### **Elections. Referendum**

*Article 69*

The expression of the will of the people is exercised through elections, referendum and other forms of direct democracy.

*Article 70*

Citizens of Ukraine who have attained the age of eighteen on the day elections and referendums are held, have the right to vote at the elections and referendums.

Citizens deemed by a court to be incompetent do not have the right to vote.

*Article 71*

Elections to bodies of state power and bodies of local self-government are free and are held on the basis of universal, equal and direct suffrage, by secret ballot. Voters are guaranteed the free expression of their will.

*Article 72*

An All-Ukrainian referendum is designated by the Verkhovna Rada of Ukraine or by the President of Ukraine, in accordance with their authority established by this Constitution.

An All-Ukrainian referendum is called on popular initiative on the request of no less than three million citizens of Ukraine who have the right to vote, on the

condition that the signatures in favour of designating the referendum have been collected in no less than two-thirds of the oblasts, with no less than 100,000 signatures in each oblast.

*Article 73*

Issues of altering the territory of Ukraine are resolved exclusively by an All-Ukrainian referendum.

*Article 74*

A referendum shall not be permitted in regard to draft laws on issues of taxes, the budget and amnesty.

## **Chapter IV Verkhovna Rada of Ukraine**

*Article 75*

The sole body of legislative power in Ukraine is the Parliament – the Verkhovna Rada of Ukraine.

*Article 76*

The constitutional composition of the Verkhovna Rada of Ukraine consists of 450 National Deputies of Ukraine who are elected for a four-year term on the basis of universal, equal and direct suffrage, by secret ballot.

A citizen of Ukraine who has attained the age of twenty-one on the day of elections, has the right to vote, and has resided on the territory of Ukraine for the past five years, may be a National Deputy of Ukraine.

A citizen who has a criminal record for committing an intentional crime shall not be elected to the Verkhovna Rada of Ukraine if the record is not cancelled and erased by the procedure established by law.

The authority of National Deputies of Ukraine is determined by the Constitution and the laws of Ukraine.

*Article 77*

Regular elections to the Verkhovna Rada of Ukraine take place on the last Sunday of March of the fourth year of the term of authority of the Verkhovna Rada of Ukraine.

Special elections to the Verkhovna Rada of Ukraine are designated by the President of Ukraine and are held within sixty days from the day of the publication of the decision on the pre-term termination of authority of the Verkhovna Rada of Ukraine.

The procedure for conducting elections of National Deputies of Ukraine is established by law.

*Article 78*

National Deputies of Ukraine exercise their authority on a permanent basis.

National Deputies of Ukraine shall not have another representative mandate or be in the civil service.

Requirements concerning the incompatibility of the mandate of the deputy with other types of activity are established by law.

#### *Article 79*

Before assuming office, National Deputies of Ukraine take the following oath before the Verkhovna Rada of Ukraine:

'I swear allegiance to Ukraine. I commit myself with all my deeds to protect the sovereignty and independence of Ukraine, to provide for the good of the Motherland and for the welfare of the Ukrainian people.

I swear to abide by the Constitution of Ukraine and the laws of Ukraine, to carry out my duties in the interests of all compatriots'.

The oath is read by the eldest National Deputy of Ukraine before the opening of the first session of the newly-elected Verkhovna Rada of Ukraine, after which the deputies affirm the oath with their signatures below its text.

The refusal to take the oath results in the loss of the mandate of the deputy.

The authority of National Deputies of Ukraine commences from the moment of the taking of the oath.

#### *Article 80*

National Deputies of Ukraine are guaranteed parliamentary immunity.

National Deputies of Ukraine are not legally liable for the results of voting or for statements made in Parliament and in its bodies, with the exception of liability for insult or defamation.

National Deputies of Ukraine shall not be held criminally liable, detained or arrested without the consent of the Verkhovna Rada of Ukraine.

#### *Article 81*

The authority of National Deputies of Ukraine terminates simultaneously with the termination of authority of the Verkhovna Rada of Ukraine.

The authority of a National Deputy of Ukraine terminates prior to the expiration of the term in the event of:

- 1) his or her resignation through a personal statement;
- 2) a guilty verdict against him or her entering into legal force;
- 3) a court declaring him or her incompetent or missing;
- 4) termination of his or her citizenship or his or her departure from Ukraine for permanent residence abroad;
- 5) his or her death.

The decision about the pre-term termination of authority of a National Deputy of Ukraine is adopted by the majority of the constitutional composition of the Verkhovna Rada of Ukraine.

In the event a requirement concerning incompatibility of the mandate of the deputy with other types of activity is not fulfilled, the authority of the National Deputy of Ukraine terminates prior to the expiration of the term on the basis of the law pursuant to a court decision.

*Article 82*

The Verkhovna Rada of Ukraine works in sessions.

The Verkhovna Rada of Ukraine is competent on the condition that no less than two-thirds of its constitutional composition has been elected.

The Verkhovna Rada of Ukraine assembles for its first session no later than on the thirtieth day after the official announcement of the election results.

The first meeting of the Verkhovna Rada of Ukraine is opened by the eldest National Deputy of Ukraine.

The operational procedure of the Verkhovna Rada of Ukraine is established by the Constitution of Ukraine and the law on the Rules of Procedure of the Verkhovna Rada of Ukraine.

*Article 83*

Regular sessions of the Verkhovna Rada of Ukraine commence on the first Tuesday of February and on the first Tuesday of September each year.

Special sessions of the Verkhovna Rada of Ukraine, with the stipulation of their agenda, are convoked by the Chairman of the Verkhovna Rada of Ukraine, on the demand of no fewer National Deputies of Ukraine than one-third of the constitutional composition of the Verkhovna Rada of Ukraine, or on the demand of the President of Ukraine.

In the event of the introduction of martial law or of a state of emergency in Ukraine, the Verkhovna Rada of Ukraine assembles within a period of two days without convocation.

In the event that the term of authority of the Verkhovna Rada of Ukraine expires while martial law or a state of emergency is in effect, its authority is extended until the day of the first meeting of the first session of the Verkhovna Rada of Ukraine, elected after the cancellation of martial law or of the state of emergency.

*Article 84*

Meetings of the Verkhovna Rada of Ukraine are conducted openly. A closed meeting is conducted on the decision of the majority of the constitutional composition of the Verkhovna Rada of Ukraine.

Decisions of the Verkhovna Rada of Ukraine are adopted exclusively at its plenary meetings by voting.

Voting at the meetings of the Verkhovna Rada of Ukraine is performed by a National Deputy of Ukraine in person.

*Article 85*

The authority of the Verkhovna Rada of Ukraine comprises:

- 1) introducing amendments to the Constitution of Ukraine within the limits and by the procedure envisaged by Chapter XIII of this Constitution;
- 2) designating an All-Ukrainian referendum on issues determined by Article 73 of this Constitution;
- 3) adopting laws;

4) approving the State Budget of Ukraine and introducing amendments to it; controlling the implementation of the State Budget of Ukraine and adopting decisions in regard to the report on its implementation;

5) determining the principles of domestic and foreign policy;

6) approving national programmes of economic, scientific and technical, social, national and cultural development, and the protection of the environment;

7) designating elections of the President of Ukraine within the terms envisaged by this Constitution;

8) hearing annual and special messages of the President of Ukraine on the domestic and foreign situation of Ukraine;

9) declaring war upon the submission of the President of Ukraine and concluding peace, approving the decision of the President of Ukraine on the use of the Armed Forces of Ukraine and other military formations in the event of armed aggression against Ukraine;

10) removing the President of Ukraine from office in accordance with the special procedure (impeachment) established by Article 111 of this Constitution;

11) considering and adopting the decision in regard to the approval of the Programme of Activity of the Cabinet of Ministers of Ukraine;

12) giving consent to the appointment of the Prime Minister of Ukraine by the President of Ukraine;

13) exercising control over the activity of the Cabinet of Ministers of Ukraine in accordance with this Constitution;

14) confirming decisions on granting loans and economic aid by Ukraine to foreign states and international organisations and also decisions on Ukraine receiving loans not envisaged by the State Budget of Ukraine from foreign states, banks and international financial organisations, exercising control over their use;

15) appointing or electing to office, dismissing from office, granting consent to the appointment to and the dismissal from office of persons in cases envisaged by this Constitution;

16) appointing to office and dismissing from office the Chairman and other members of the Chamber of Accounting;

17) appointing to office and dismissing from office the Authorised Human Rights Representative of the Verkhovna Rada of Ukraine; hearing his or her annual reports on the situation of the observance and protection of human rights and freedoms in Ukraine;

18) appointing to office and dismissing from office the Chairman of the National Bank of Ukraine on the submission of the President of Ukraine;

19) appointing and dismissing one-half of the composition of the Council of the National Bank of Ukraine;

20) appointing one-half of the composition of the National Council of Ukraine on Television and Radio Broadcasting;

21) appointing to office and terminating the authority of the members of the Central Electoral Commission on the submission of the President of Ukraine;

22) confirming the general structure and numerical strength, and defining the functions of the Armed Forces of Ukraine, the Security Service of Ukraine and other military formations created in accordance with the laws of Ukraine, and also the Ministry of Internal Affairs of Ukraine;

23) approving decisions on providing military assistance to other states, on sending units of the Armed Forces of Ukraine to another state, or on admitting units of armed forces of other states on to the territory of Ukraine;

24) granting consent for the appointment to office and the dismissal from office by the President of Ukraine of the Chairman of the Antimonopoly Committee of Ukraine, the Chairman of the State Property Fund of Ukraine and the Chairman of the State Committee on Television and Radio Broadcasting of Ukraine;

25) granting consent for the appointment to office by the President of Ukraine of the Procurator General of Ukraine; declaring no confidence in the Procurator General of Ukraine that has the result of his or her resignation from office;

26) appointing one-third of the composition of the Constitutional Court of Ukraine;

27) electing judges for permanent terms;

28) terminating prior to the expiration of the term of authority of the Verkhovna Rada of the Autonomous Republic of Crimea, based on the opinion of the Constitutional Court of Ukraine that the Constitution of Ukraine or the laws of Ukraine have been violated by the Verkhovna Rada of the Autonomous Republic of Crimea; designating special elections to the Verkhovna Rada of the Autonomous Republic of Crimea;

29) establishing and abolishing districts, establishing and altering the boundaries of districts and cities, assigning inhabited localities to the category of cities, naming and renaming inhabited localities and districts;

30) designating regular and special elections to bodies of local self-government;

31) confirming, within two days from the moment of the address by the President of Ukraine, decrees on the introduction of martial law or of a state of emergency in Ukraine or in its particular areas, on total or partial mobilisation, and on the announcement of particular areas as zones of an ecological emergency situation;

32) granting consent to the binding character of international treaties of Ukraine within the term established by law, and denouncing international treaties of Ukraine;

33) exercising parliamentary control within the limits determined by this Constitution;

34) adopting decisions on forwarding an inquiry to the President of Ukraine on the demand of a National Deputy of Ukraine, a group of National Deputies or a Committee of the Verkhovna Rada of Ukraine, previously supported by no less than one-third of the constitutional composition of the Verkhovna Rada of Ukraine;

35) appointing to office and dismissing from office the Head of Staff of the Verkhovna Rada of Ukraine; approving the budget of the Verkhovna Rada of Ukraine and the structure of its staff;

36) confirming the list of objects of the right of state property that are not subject to privatisation; determining the legal principles for the expropriation of objects of the right of private property.

The Verkhovna Rada of Ukraine exercises other powers ascribed to its competence in accordance with the Constitution of Ukraine.

#### *Article 86*

At a session of the Verkhovna Rada of Ukraine, a National Deputy of Ukraine has the right to present an inquiry to the bodies of the Verkhovna Rada of Ukraine, the Cabinet of Ministers of Ukraine, chief officers of other bodies of state power and bodies of local self-government, and also to the chief executives of enterprises, institutions and organisations located on the territory of Ukraine, irrespective of their subordination and forms of ownership.

Chief officers of bodies of state power and bodies of local self-government, chief executives of enterprises, institutions and organisations are obliged to notify a National Deputy of Ukraine of the results of the consideration of his or her inquiry.

#### *Article 87*

The Verkhovna Rada of Ukraine, on the proposal of no fewer National Deputies of Ukraine than one-third of its constitutional composition, may consider the issue of responsibility of the Cabinet of Ministers of Ukraine and adopt a resolution of no confidence in the Cabinet of Ministers of Ukraine by the majority of the constitutional composition of the Verkhovna Rada of Ukraine.

The issue of responsibility of the Cabinet of Ministers of Ukraine shall not be considered by the Verkhovna Rada of Ukraine more than once during one regular session, and also within one year after the approval of the Programme of Activity of the Cabinet of Ministers of Ukraine.

#### *Article 88*

The Verkhovna Rada of Ukraine elects from among its members the Chairman of the Verkhovna Rada of Ukraine, the First Deputy Chairman and the Deputy Chairman of the Verkhovna Rada of Ukraine, and recalls them.

The Chairman of the Verkhovna Rada of Ukraine:

- 1) presides at meetings of the Verkhovna Rada of Ukraine;
- 2) organises the preparation of issues for consideration at the meetings of the Verkhovna Rada of Ukraine;
- 3) signs acts adopted by the Verkhovna Rada of Ukraine;
- 4) represents the Verkhovna Rada of Ukraine in relations with other bodies of state power of Ukraine and with the bodies of power of other states;
- 5) organises the work of the staff of the Verkhovna Rada of Ukraine.

The Chairman of the Verkhovna Rada of Ukraine exercises authority envisaged by this Constitution, by the procedure established by law on the Rules of Procedure of the Verkhovna Rada of Ukraine.

*Article 89*

The Verkhovna Rada of Ukraine confirms the list of Committees of the Verkhovna Rada of Ukraine, and elects Chairmen to these Committees.

The Committees of the Verkhovna Rada of Ukraine perform the work of legislative drafting, prepare and conduct the preliminary consideration of issues ascribed to the authority of the Verkhovna Rada of Ukraine.

The Verkhovna Rada of Ukraine, within the limits of its authority, may establish temporary special commissions for the preparation and the preliminary consideration of issues.

To investigate issues of public interest, the Verkhovna Rada of Ukraine establishes temporary investigatory commissions, if no less than one-third of the constitutional composition of the Verkhovna Rada of Ukraine has voted in favour thereof.

The conclusions and proposals of temporary investigatory commissions are not decisive for investigation and court.

The organisation and operational procedure of Committees of the Verkhovna Rada of Ukraine, and also its temporary special and temporary investigatory commissions, are established by law.

*Article 90*

The authority of the Verkhovna Rada of Ukraine is terminated on the day of the opening of the first meeting of the Verkhovna Rada of Ukraine of a new convocation.

The President of Ukraine may terminate the authority of the Verkhovna Rada of Ukraine prior to the expiration of term, if within thirty days of a single regular session the plenary meetings fail to commence.

The authority of the Verkhovna Rada of Ukraine, that is elected at special elections conducted after the pre-term termination by the President of Ukraine of authority of the Verkhovna Rada of Ukraine of the previous convocation, shall not be terminated within one year from the day of its election.

The authority of the Verkhovna Rada of Ukraine shall not be terminated prior to the expiration of term within the last six months of the term of authority of the President of Ukraine.

*Article 91*

The Verkhovna Rada of Ukraine adopts laws, resolutions and other acts by the majority of its constitutional composition, except in cases envisaged by this Constitution.

*Article 92*

The following are determined exclusively by the laws of Ukraine:

- 1) human and citizens' rights and freedoms, the guarantees of these rights and freedoms; the main duties of the citizen;
- 2) citizenship, the legal personality of citizens, the status of foreigners and stateless persons;
- 3) the rights of indigenous peoples and national minorities;

- 4) the procedure for the use of languages;
- 5) the principles of the use of natural resources, the exclusive (maritime) economic zone and the continental shelf, the exploration of outer space, the organisation and operation of power supply systems, transportation and communications;
- 6) the fundamentals of social protection, the forms and types of pension provision; the principles of the regulation of labour and employment, marriage, family, the protection of childhood, motherhood and fatherhood; upbringing, education, culture and health care; ecological safety;
- 7) the legal regime of property;
- 8) the legal principles and guarantees of entrepreneurship; the rules of competition and the norms of antimonopoly regulation;
- 9) the principles of foreign relations, foreign economic activity and customs;
- 10) the principles of the regulation of demographic and migration processes;
- 11) the principles of the establishment and activity of political parties, other associations of citizens, and the mass media;
- 12) the organisation and activity of bodies of executive power, the fundamentals of civil service, the organisation of state statistics and informatics;
- 13) the territorial structure of Ukraine;
- 14) the judicial system, judicial proceedings, the status of judges, the principles of judicial expertise, the organisation and operation of the procuracy, the bodies of inquiry and investigation, the notary, the bodies and institutions for the execution of punishments; the fundamentals of the organisation and activity of the advocacy;
- 15) the principles of local self-government;
- 16) the status of the capital of Ukraine; the special status of other cities;
- 17) the fundamentals of national security, the organisation of the Armed Forces of Ukraine and ensuring public order;
- 18) the legal regime of the state border;
- 19) the legal regime of martial law and a state of emergency, zones of an ecological emergency situation;
- 20) the organisation and procedure for conducting elections and referendums;
- 21) the organisation and operational procedure of the Verkhovna Rada of Ukraine, the status of National Deputies of Ukraine;
- 22) the principles of civil legal liability; acts that are crimes, administrative or disciplinary offences, and liability for them.

The following are established exclusively by the laws of Ukraine:

- 1) the State Budget of Ukraine and the budgetary system of Ukraine; the system of taxation, taxes and levies; the principles of the formation and operation of financial, monetary, credit and investment markets; the status of the national currency and also the status of foreign currencies on the territory of Ukraine; the procedure for the formation and payment of state domestic and foreign debt; the procedure for the issuance and circulation of state securities, their types and forms;

2) the procedure for deploying units of the Armed Forces of Ukraine to other states; the procedure for admitting and the terms for stationing units of armed forces of other states on the territory of Ukraine;

3) units of weight, measure and time; the procedure for establishing state standards;

4) the procedure for the use and protection of state symbols;

5) state awards;

6) military ranks, diplomatic and other special ranks;

7) state holidays;

8) the procedure for the establishment and functioning of free and other special zones that have an economic and migration regime different from the general regime.

Amnesty is declared by the law of Ukraine.

#### *Article 93*

The right of legislative initiative in the Verkhovna Rada of Ukraine belongs to the President of Ukraine, the National Deputies of Ukraine, the Cabinet of Ministers of Ukraine and the National Bank of Ukraine.

Draft laws defined by the President of Ukraine as not postponable, are considered out of turn by the Verkhovna Rada of Ukraine.

#### *Article 94*

The Chairman of the Verkhovna Rada of Ukraine signs a law and forwards it without delay to the President of Ukraine.

Within fifteen days of the receipt of a law, the President of Ukraine signs it, accepting it for execution, and officially promulgates it, or returns it to the Verkhovna Rada of Ukraine with substantiated and formulated proposals for repeat consideration.

In the event that the President of Ukraine has not returned a law for repeat consideration within the established term, the law is deemed to be approved by the President of Ukraine and shall be signed and officially promulgated.

If a law, during its repeat consideration, is again adopted by the Verkhovna Rada of Ukraine by no less than two-thirds of its constitutional composition, the President of Ukraine is obliged to sign and to officially promulgate it within ten days.

A law enters into force in ten days from the day of its official promulgation, unless otherwise envisaged by the law itself, but not prior to the day of its publication.

#### *Article 95*

The budgetary system of Ukraine is built on the principles of just and impartial distribution of social wealth among citizens and territorial communities.

Any state expenditures for the needs of the entire society, the extent and purposes of these expenditures, are determined exclusively by the law on the State Budget of Ukraine.

The State aspires to a balanced budget of Ukraine.

Regular reports on revenues and expenditures of the State Budget of Ukraine shall be made public.

*Article 96*

The State Budget of Ukraine is annually approved by the Verkhovna Rada of Ukraine for the period from 1 January to 31 December, and under special circumstances for a different period.

The Cabinet of Ministers of Ukraine submits the draft law on the State Budget of Ukraine for the following year to the Verkhovna Rada of Ukraine no later than on 15 September of each year. The report on the course of the implementation of the State Budget of Ukraine in the current year is submitted together with the draft law.

*Article 97*

The Cabinet of Ministers of Ukraine submits the report on the implementation of the State Budget of Ukraine to the Verkhovna Rada of Ukraine in accordance with the law.

The submitted report shall be made public.

*Article 98*

The Chamber of Accounting exercises control over the use of finances of the State Budget of Ukraine on behalf of the Verkhovna Rada of Ukraine.

*Article 99*

The monetary unit of Ukraine is the hryvnia.

To ensure the stability of the monetary unit is the major function of the central bank of the State – the National Bank of Ukraine.

*Article 100*

The Council of the National Bank of Ukraine elaborates the basic principles of monetary and credit policy and exercises control over its execution.

The legal status of the Council of the National Bank of Ukraine is determined by law.

*Article 101*

The Authorised Human Rights Representative of the Verkhovna Rada of Ukraine exercises parliamentary control over the observance of constitutional human and citizens' rights and freedoms.

## **Chapter V**

### **President of Ukraine**

*Article 102*

The President of Ukraine is the Head of State and acts in its name.

The President of Ukraine is the guarantor of state sovereignty and territorial indivisibility of Ukraine, the observance of the Constitution of Ukraine and human and citizens' rights and freedoms.

*Article 103*

The President of Ukraine is elected by the citizens of Ukraine for a five-year term, on the basis of universal, equal and direct suffrage, by secret ballot.

A citizen of Ukraine who has attained the age of thirty-five, has the right to vote, has resided in Ukraine for the past ten years prior to the day of elections, and has command of the state language, may be elected as the President of Ukraine.

One and the same person shall not be the President of Ukraine for more than two consecutive terms.

The President of Ukraine shall not have another representative mandate, hold office in bodies of state power or in associations of citizens, and also perform any other paid or entrepreneurial activity, or be a member of an administrative body or board of supervisors of an enterprise that is aimed at making profit.

Regular elections of the President of Ukraine are held on the last Sunday of October of the fifth year of the term of authority of the President of Ukraine. In the event of pre-term termination of authority of the President of Ukraine, elections of the President of Ukraine are held within ninety days from the day of termination of the authority.

The procedure for conducting elections of the President of Ukraine is established by law.

*Article 104*

The newly-elected President of Ukraine assumes office no later than in thirty days after the official announcement of the election results, from the moment of taking the oath to the people at a ceremonial meeting of the Verkhovna Rada of Ukraine.

The Chairman of the Constitutional Court of Ukraine administers the oath to the President of Ukraine.

The President of Ukraine takes the following oath:

'I, (name and surname), elected by the will of the people as the President of Ukraine, assuming this high office, do solemnly swear allegiance to Ukraine. I pledge with all my undertakings to protect the sovereignty and independence of Ukraine, to provide for the good of the Motherland and the welfare of the Ukrainian people, to protect the rights and freedoms of citizens, to abide by the Constitution of Ukraine and the laws of Ukraine, to exercise my duties in the interests of all compatriots, and to enhance the prestige of Ukraine in the world'.

The President of Ukraine, elected by special elections, takes the oath within five days after the official announcement of the election results.

*Article 105*

The President of Ukraine enjoys the right of immunity during the term of authority.

Persons guilty of offending the honour and dignity of the President of Ukraine are brought to responsibility on the basis of the law.

The title of President of Ukraine is protected by law and is reserved for the President for life, unless the President of Ukraine has been removed from office by the procedure of impeachment.

*Article 106*

The President of Ukraine:

- 1) ensures state independence, national security and the legal succession of the state;
- 2) addresses the people with messages and the Verkhovna Rada of Ukraine with annual and special messages on the domestic and foreign situation of Ukraine;
- 3) represents the state in international relations, administers the foreign political activity of the State, conducts negotiations and concludes international treaties of Ukraine;
- 4) adopts decisions on the recognition of foreign states;
- 5) appoints and dismisses heads of diplomatic missions of Ukraine to other states and to international organisations; accepts credentials and letters of recall of diplomatic representatives of foreign states;
- 6) designates an All-Ukrainian referendum regarding amendments to the Constitution of Ukraine in accordance with Article 156 of this Constitution, proclaims an All-Ukrainian referendum on popular initiative;
- 7) designates special elections to the Verkhovna Rada of Ukraine within the terms established by this Constitution;
- 8) terminates the authority of the Verkhovna Rada of Ukraine, if the plenary meetings fail to commence within thirty days of one regular session;
- 9) appoints the Prime Minister of Ukraine with the consent of the Verkhovna Rada of Ukraine; terminates the authority of the Prime Minister of Ukraine and adopts a decision on his or her resignation;
- 10) appoints, on the submission of the Prime Minister of Ukraine, members of the Cabinet of Ministers of Ukraine, chief officers of other central bodies of executive power, and also the heads of local state administrations, and terminates their authority in these positions;
- 11) appoints the Procurator General of Ukraine to office with the consent of the Verkhovna Rada of Ukraine, and dismisses him or her from office;
- 12) appoints one-half of the composition of the Council of the National Bank of Ukraine;
- 13) appoints one-half of the composition of the National Council of Ukraine on Television and Radio Broadcasting;
- 14) appoints to office and dismisses from office, with the consent of the Verkhovna Rada of Ukraine, the Chairman of the Antimonopoly Committee of Ukraine, the Chairman of the State Property Fund of Ukraine and the Chairman of the State Committee on Television and Radio Broadcasting of Ukraine;
- 15) establishes, reorganises and liquidates, on the submission of the Prime Minister of Ukraine, ministries and other central bodies of executive power, acting within the limits of funding envisaged for the maintenance of bodies of executive power;
- 16) revokes acts of the Cabinet of Ministers of Ukraine and acts of the Council of Ministers of the Autonomous Republic of Crimea;

17) is the Commander-in-Chief of the Armed Forces of Ukraine; appoints to office and dismisses from office the high command of the Armed Forces of Ukraine and other military formations; administers in the spheres of national security and defence of the State;

18) heads the Council of National Security and Defence of Ukraine;

19) forwards the submission to the Verkhovna Rada of Ukraine on the declaration of a state of war, and adopts the decision on the use of the Armed Forces in the event of armed aggression against Ukraine;

20) adopts a decision in accordance with the law on the general or partial mobilisation and the introduction of martial law in Ukraine or in its particular areas, in the event of a threat of aggression, danger to the state independence of Ukraine;

21) adopts a decision, in the event of necessity, on the introduction of a state of emergency in Ukraine or in its particular areas, and also in the event of necessity, declares certain areas of Ukraine as zones of an ecological emergency situation – with subsequent confirmation of these decisions by the Verkhovna Rada of Ukraine;

22) appoints one-third of the composition to the Constitutional Court of Ukraine;

23) establishes courts by the procedure determined by law;

24) confers high military ranks, high diplomatic and other high special ranks and class orders;

25) confers state awards; establishes presidential distinctions and confers them;

26) adopts decisions on the acceptance for citizenship of Ukraine and the termination of citizenship of Ukraine, and on the granting of asylum in Ukraine;

27) grants pardons;

28) creates, within the limits of the funds envisaged in the State Budget of Ukraine, consultative, advisory and other subsidiary bodies and services for the exercise of his or her authority;

29) signs laws adopted by the Verkhovna Rada of Ukraine;

30) has the right to veto laws adopted by the Verkhovna Rada of Ukraine with their subsequent return for repeat consideration by the Verkhovna Rada of Ukraine;

31) exercises other powers determined by the Constitution of Ukraine.

The President of Ukraine shall not transfer his or her powers to other persons or bodies.

The President of Ukraine, on the basis and for the execution of the Constitution and the laws of Ukraine, issues decrees and directives that are mandatory for execution on the territory of Ukraine.

Acts of the President of Ukraine, issued within the limits of authority as envisaged in subparagraphs 3, 4, 5, 8, 10, 14, 15, 17, 18, 21, 22, 23 and 24 of this Article, are co-signed by the Prime Minister of Ukraine and the Minister responsible for the act and its execution.

### *Article 107*

The Council of National Security and Defence of Ukraine is the co-ordinating body to the President of Ukraine on issues of national security and defence.

The Council of National Security and Defence of Ukraine co-ordinates and controls the activity of bodies of executive power in the sphere of national security and defence.

The President of Ukraine is the Chairman of the Council of National Security and Defence of Ukraine.

The President of Ukraine forms the personal composition of the Council of National Security and Defence of Ukraine.

The Prime Minister of Ukraine, the Minister of Defence of Ukraine, the Head of the Security Service of Ukraine, the Minister of Internal Affairs of Ukraine and the Minister of Foreign Affairs of Ukraine, are *ex officio* members of the Council of National Security and Defence of Ukraine.

The Chairman of the Verkhovna Rada of Ukraine may take part in the meetings of the Council of National Security and Defence of Ukraine.

Decisions of the Council of National Security and Defence of Ukraine are put into effect by decrees of the President of Ukraine.

The competence and functions of the Council of National Security and Defence of Ukraine are determined by law.

#### *Article 108*

The President of Ukraine exercises his or her powers until the assumption of office by the newly-elected President of Ukraine.

The powers of the President of Ukraine terminate prior to the expiration of term in cases of:

- 1) resignation;
- 2) inability to exercise his or her powers for reasons of health;
- 3) removal from office by the procedure of impeachment;
- 4) death.

#### *Article 109*

The resignation of the President of Ukraine enters into force from the moment he or she personally announces the statement of resignation at a meeting of the Verkhovna Rada of Ukraine.

#### *Article 110*

The inability of the President of Ukraine to exercise his or her powers for reasons of health shall be determined at a meeting of the Verkhovna Rada of Ukraine and confirmed by a decision adopted by the majority of its constitutional composition on the basis of a petition of the Supreme Court of Ukraine – on the appeal of the Verkhovna Rada of Ukraine, and a medical opinion.

#### *Article 111*

The President of Ukraine may be removed from office by the Verkhovna Rada of Ukraine by the procedure of impeachment, in the event that he or she commits state treason or other crime.

The issue of the removal of the President of Ukraine from office by the procedure of impeachment is initiated by the majority of the constitutional composition of the Verkhovna Rada of Ukraine.

To conduct the investigation, the Verkhovna Rada of Ukraine establishes a special temporary investigatory commission whose composition includes a special procurator and special investigators.

The conclusions and proposals of the temporary investigatory commission are considered at a meeting of the Verkhovna Rada of Ukraine.

For cause, the Verkhovna Rada of Ukraine, by no less than two-thirds of its constitutional composition, adopts a decision on the accusation of the President of Ukraine.

The decision on the removal of the President of Ukraine from office by the procedure of impeachment is adopted by the Verkhovna Rada of Ukraine by no less than three-quarters of its constitutional composition, after the review of the case by the Constitutional Court of Ukraine and the receipt of its opinion on the observance of the constitutional procedure of investigation and consideration of the case of impeachment, and the receipt of the opinion of the Supreme Court of Ukraine to the effect that the acts, of which the President of Ukraine is accused, contain elements of state treason or other crime.

#### *Article 112*

In the event of the pre-term termination of authority of the President of Ukraine in accordance with Articles 108, 109, 110 and 111 of this Constitution, the execution of duties of the President of Ukraine, for the period pending the elections and the assumption of office of the new President of Ukraine, is vested in the Prime Minister of Ukraine. The Prime Minister of Ukraine, for the period of executing the duties of the President of Ukraine, shall not exercise the powers envisaged by subparagraphs 2, 6, 8, 10, 11, 12, 14, 15, 16, 22, 25 and 27 of Article 106 of the Constitution of Ukraine.

## **Chapter VI**

### **Cabinet of Ministers of Ukraine. Other Bodies of Executive Power**

#### *Article 113*

The Cabinet of Ministers of Ukraine is the highest body in the system of bodies of executive power.

The Cabinet of Ministers of Ukraine is responsible to the President of Ukraine and is under the control of and accountable to the Verkhovna Rada of Ukraine within the limits envisaged in Articles 85 and 87 of the Constitution of Ukraine.

The Cabinet of Ministers of Ukraine is guided in its activity by the Constitution and the laws of Ukraine and by the acts of the President of Ukraine.

#### *Article 114*

The Cabinet of Ministers of Ukraine is composed of the Prime Minister of Ukraine, the First Vice Prime Minister, three Vice Prime Ministers and the Ministers.

The Prime Minister of Ukraine is appointed by the President of Ukraine with the consent of more than one-half of the constitutional composition of the Verkhovna Rada of Ukraine.

The personal composition of the Cabinet of Ministers of Ukraine is appointed by the President of Ukraine on the submission of the Prime Minister of Ukraine.

The Prime Minister of Ukraine manages the work of the Cabinet of Ministers of Ukraine and directs it for the implementation of the Programme of Activity of the Cabinet of Ministers of Ukraine adopted by the Verkhovna Rada of Ukraine.

The Prime Minister of Ukraine forwards a submission to the President of Ukraine on the establishment, reorganisation and liquidation of ministries and other central bodies of executive power, within the funds envisaged by the State Budget of Ukraine for the maintenance of these bodies.

#### *Article 115*

The Cabinet of Ministers of Ukraine tenders its resignation to the newly-elected President of Ukraine.

The Prime Minister of Ukraine, other members of the Cabinet of Ministers of Ukraine, have the right to announce their resignation to the President of Ukraine.

The resignation of the Prime Minister of Ukraine results in the resignation of the entire Cabinet of Ministers of Ukraine.

The adoption of a resolution of no confidence in the Cabinet of Ministers of Ukraine by the Verkhovna Rada of Ukraine results in the resignation of the Cabinet of Ministers of Ukraine.

The Cabinet of Ministers, whose resignation is accepted by the President of Ukraine, continues to exercise its powers by commission of the President, until a newly-formed Cabinet of Ministers of Ukraine commences its operation, but no longer than for sixty days.

The Prime Minister of Ukraine is obliged to submit a statement of resignation of the Cabinet of Ministers of Ukraine to the President of Ukraine following a decision by the President of Ukraine or in connection with the adoption of the resolution of no confidence by the Verkhovna Rada of Ukraine.

#### *Article 116*

The Cabinet of Ministers of Ukraine:

1) ensures the state sovereignty and economic independence of Ukraine, the implementation of domestic and foreign policy of the State, the execution of the Constitution and the laws of Ukraine, and the acts of the President of Ukraine;

2) takes measures to ensure human and citizens' rights and freedoms;

3) ensures the implementation of financial, pricing, investment and taxation policy; the policy in the spheres of labour and employment of the population, social security, education, science and culture, environmental protection, ecological safety and the utilisation of nature;

4) elaborates and implements national programmes of economic, scientific and technical, and social and cultural development of Ukraine;

5) ensures equal conditions of development of all forms of ownership; administers the management of objects of state property in accordance with the law;

6) elaborates the draft law on the State Budget of Ukraine and ensures the implementation of the State Budget of Ukraine approved by the Verkhovna Rada of Ukraine, and submits a report on its implementation to the Verkhovna Rada of Ukraine;

7) takes measures to ensure the defence capability and national security of Ukraine, public order and to combat crime;

8) organises and ensures the implementation of the foreign economic activity of Ukraine, and the operation of customs;

9) directs and co-ordinates the operation of ministries and other bodies of executive power;

10) performs other functions determined by the Constitution and the laws of Ukraine, and the acts of the President of Ukraine.

#### *Article 117*

The Cabinet of Ministers of Ukraine, within the limits of its competence, issues resolutions and orders that are mandatory for execution.

Acts of the Cabinet of Ministers of Ukraine are signed by the Prime Minister of Ukraine.

Normative legal acts of the Cabinet of Ministers of Ukraine, ministries and other central bodies of executive power, are subject to registration through the procedure established by law.

#### *Article 118*

The executive power in oblasts, districts, and in the Cities of Kyiv and Sevastopol is exercised by local state administrations.

Particular aspects of the exercise of executive power in the Cities of Kyiv and Sevastopol are determined by special laws of Ukraine.

The composition of local state administrations is formed by heads of local state administrations.

Heads of local state administrations are appointed to office and dismissed from office by the President of Ukraine upon the submission of the Cabinet of Ministers of Ukraine.

In the exercise of their duties, the heads of local state administrations are responsible to the President of Ukraine and to the Cabinet of Ministers of Ukraine, and are accountable to and under the control of bodies of executive power of a higher level.

Local state administrations are accountable to and under the control of councils in the part of the authority delegated to them by the respective district or oblast councils.

Local state administrations are accountable to and under the control of the bodies of executive power of a higher level.

Decisions of the heads of local state administrations that contravene the Constitution and the laws of Ukraine, other acts of legislation of Ukraine, may be

revoked by the President of Ukraine or by the head of the local state administration of a higher level, in accordance with the law.

An oblast or district council may express no confidence in the head of the respective local state administration, on which grounds the President of Ukraine adopts a decision and provides a substantiated reply.

If two-thirds of the deputies of the composition of the respective council express no confidence in the head of a district or oblast state administration, the President of Ukraine adopts a decision on the resignation of the head of the local state administration.

#### *Article 119*

Local state administrations on their respective territory ensure:

1) the execution of the Constitution and the laws of Ukraine, acts of the President of Ukraine, acts of the Cabinet of Ministers of Ukraine and other bodies of executive power;

2) legality and legal order; the observance of laws and freedoms of citizens;

3) the implementation of national and regional programmes for socio-economic and cultural development, programmes for environmental protection, and also – in places of compact residence of indigenous peoples and national minorities – programmes for their national and cultural development;

4) the preparation and implementation of respective oblast and district budgets;

5) the report on the implementation of respective budgets and programmes;

6) interaction with bodies of local self-government;

7) the realisation of other powers vested by the state and also delegated by the respective councils.

#### *Article 120*

Members of the Cabinet of Ministers of Ukraine and chief officers of central and local bodies of executive power do not have the right to combine their official activity with other work, except teaching, scholarly and creative activity outside of working hours, or to be members of an administrative body or board of supervisors of an enterprise that is aimed at making profit.

The organisation, authority and operational procedure of the Cabinet of Ministers of Ukraine, and other central and local bodies of executive power, are determined by the Constitution and the laws of Ukraine.

## **Chapter VII**

### **Procuracy**

#### *Article 121*

The Procuracy of Ukraine constitutes a unified system that is entrusted with:

1) prosecution in court on behalf of the State;

2) representation of the interests of a citizen or of the State in court in cases determined by law;

3) supervision of the observance of laws by bodies that conduct detective and search activity, inquiry and pre-trial investigation;

4) supervision of the observance of laws in the execution of judicial decisions in criminal cases, and also in the application of other measures of coercion related to the restraint of personal liberty of citizens.

#### *Article 122*

The Procuracy of Ukraine is headed by the Procurator General of Ukraine, who is appointed to office with the consent of the Verkhovna Rada of Ukraine, and dismissed from office by the President of Ukraine. The Verkhovna Rada of Ukraine may express no confidence in the Procurator General of Ukraine that results in his or her resignation from office.

The term of authority of the Procurator General of Ukraine is five years.

#### *Article 123*

The organisation and operational procedure for the bodies of the Procuracy of Ukraine are determined by law.

## **Chapter VIII**

### **Justice**

#### *Article 124*

Justice in Ukraine is administered exclusively by the courts. The delegation of the functions of the courts, and also the appropriation of these functions by other bodies or officials, shall not be permitted.

The jurisdiction of the courts extends to all legal relations that arise in the State.

Judicial proceedings are performed by the Constitutional Court of Ukraine and courts of general jurisdiction.

The people directly participate in the administration of justice through people's assessors and jurors.

Judicial decisions are adopted by the courts in the name of Ukraine and are mandatory for execution throughout the entire territory of Ukraine.

#### *Article 125*

In Ukraine, the system of courts of general jurisdiction is formed in accordance with the territorial principle and the principle of specialisation.

The Supreme Court of Ukraine is the highest judicial body in the system of courts of general jurisdiction.

The respective high courts are the highest judicial bodies of specialised courts.

Courts of appeal and local courts operate in accordance with the law.

The creation of extraordinary and special courts shall not be permitted.

#### *Article 126*

The independence and immunity of judges are guaranteed by the Constitution and the laws of Ukraine.

Influencing judges in any manner is prohibited.

A judge shall not be detained or arrested without the consent of the Verkhovna Rada of Ukraine, until a verdict of guilty is rendered by a court.

Judges hold office for permanent terms, except judges of the Constitutional Court of Ukraine, and judges appointed to the office of judge for the first time.

A judge is dismissed from office by the body that elected or appointed him or her in the event of:

- 1) the expiration of the term for which he or she was elected or appointed;
- 2) the judge's attainment of the age of sixty-five;
- 3) the impossibility to exercise his or her authority for reasons of health;
- 4) the violation by the judge of requirements concerning incompatibility;
- 5) the breach of oath by the judge;
- 6) the entry into legal force of a verdict of guilty against him or her;
- 7) the termination of his or her citizenship;
- 8) the declaration that he or she is missing, or the pronouncement that he or she is dead;
- 9) the submission by the judge of a statement of resignation or of voluntary dismissal from office.

The authority of the judge terminates in the event of his or her death.

The State ensures the personal security of judges and their families.

#### *Article 127*

Justice is administered by professional judges and, in cases determined by law, people's assessors and jurors.

Professional judges shall not belong to political parties and trade unions, take part in any political activity, hold a representative mandate, occupy any other paid positions, perform other remunerated work except scholarly, teaching and creative activity.

A citizen of Ukraine, not younger than the age of twenty-five, who has a higher legal education and has work experience in the sphere of law for no less than three years, has resided in Ukraine for no less than ten years and has command of the state language, may be recommended for the office of judge by the Qualification Commission of Judges.

Persons with professional training in issues of jurisdiction of specialised courts may be judges of these courts. These judges administer justice only as members of a collegium of judges.

Additional requirements for certain categories of judges in terms of experience, age and their professional level are established by law.

Protection of the professional interests of judges is exercised by the procedure established by law.

#### *Article 128*

The first appointment of a professional judge to office for a five-year term is made by the President of Ukraine. All other judges, except the judges of the

Constitutional Court of Ukraine, are elected by the Verkhovna Rada of Ukraine for permanent terms by the procedure established by law.

The Chairman of the Supreme Court of Ukraine is elected to office and dismissed from office by the Plenary Assembly of the Supreme Court of Ukraine by secret ballot, by the procedure established by law.

#### *Article 129*

In the administration of justice, judges are independent and subject only to the law.

Judicial proceedings are conducted by a single judge, by a panel of judges, or by a court of the jury.

The main principles of judicial proceedings are:

- 1) legality;
- 2) equality before the law and the court of all participants in a trial;
- 3) ensuring that the guilt is proved;
- 4) adversarial procedure and freedom of the parties to present their evidence to the court and to prove the weight of evidence before the court;
- 5) prosecution by the procurator in court on behalf of the State;
- 6) ensuring the right of an accused person to a defence;
- 7) openness of a trial and its complete recording by technical means;
- 8) ensuring complaint of a court decision by appeal and cassation, except in cases established by law;
- 9) the mandatory nature of court decisions.

The law may also determine other principles of judicial proceedings in courts of specific judicial jurisdiction.

Persons guilty of contempt of court or of showing disrespect toward the judge are brought to legal liability.

#### *Article 130*

The State ensures funding and proper conditions for the operation of courts and the activity of judges. Expenditures for the maintenance of courts are allocated separately in the State Budget of Ukraine.

Judges' self-management operates to resolve issues of the internal affairs of courts.

#### *Article 131*

The High Council of Justice operates in Ukraine, whose competence comprises:

- 1) forwarding submissions on the appointment of judges to office or on their dismissal from office;
- 2) adopting decisions in regard to the violation by judges and procurators of the requirements concerning incompatibility;
- 3) exercising disciplinary procedure in regard to judges of the Supreme Court of Ukraine and judges of high specialised courts, and the consideration of com-

plaints regarding decisions on bringing to disciplinary liability judges of courts of appeal and local courts, and also procurators.

The High Council of Justice consists of twenty members. The Verkhovna Rada of Ukraine, the President of Ukraine, the Congress of Judges of Ukraine, the Congress of Advocates of Ukraine, and the Congress of Representatives of Higher Legal Educational Establishments and Scientific Institutions, each appoint three members to the High Council of Justice, and the All-Ukrainian Conference of Employees of the Procuracy – two members of the High Council of Justice.

The Chairman of the Supreme Court of Ukraine, the Minister of Justice of Ukraine and the Procurator General of Ukraine are ex officio members of the High Council of Justice.

## **Chapter IX**

### **Territorial Structure of Ukraine**

#### *Article 132*

The territorial structure of Ukraine is based on the principles of unity and indivisibility of the state territory, the combination of centralisation and decentralisation in the exercise of state power, and the balanced socio-economic development of regions that takes into account their historical, economic, ecological, geographical and demographic characteristics, and ethnic and cultural traditions.

#### *Article 133*

The system of the administrative and territorial structure of Ukraine is composed of the Autonomous Republic of Crimea, oblasts, districts, cities, city districts, settlements and villages.

Ukraine is composed of the Autonomous Republic of Crimea, Vinnytsia Oblast, Volyn Oblast, Dnipropetrovsk Oblast, Donetsk Oblast, Zhytomyr Oblast, Zakarpattia Oblast, Zaporizhia Oblast, Ivano-Frankivsk Oblast, Kyiv Oblast, Kirovohrad Oblast, Luhansk Oblast, Lviv Oblast, Mykolaiv Oblast, Odessa Oblast, Poltava Oblast, Rivne Oblast, Sumy Oblast, Ternopil Oblast, Kharkiv Oblast, Kherson Oblast, Khmelnytskyi Oblast, Cherkasy Oblast, Chernivtsi Oblast and Chernihiv Oblast, and the Cities of Kyiv and Sevastopol.

The Cities of Kyiv and Sevastopol have special status that is determined by the laws of Ukraine.

## **Chapter X**

### **Autonomous Republic of Crimea**

#### *Article 134*

The Autonomous Republic of Crimea is an inseparable constituent part of Ukraine and decides on the issues ascribed to its competence within the limits of authority determined by the Constitution of Ukraine.

*Article 135*

The Autonomous Republic of Crimea has the Constitution of the Autonomous Republic of Crimea that is adopted by the Verkhovna Rada of the Autonomous Republic of Crimea and approved by the Verkhovna Rada of Ukraine by no less than one-half of the constitutional composition of the Verkhovna Rada of Ukraine.

Normative legal acts of the Verkhovna Rada of the Autonomous Republic of Crimea and decisions of the Council of Ministers of the Autonomous Republic of Crimea shall not contradict the Constitution and the laws of Ukraine and are adopted in accordance with the Constitution of Ukraine, the laws of Ukraine, acts of the President of Ukraine and the Cabinet of Ministers of Ukraine, and for their execution.

*Article 136*

The Verkhovna Rada of the Autonomous Republic of Crimea, within the limits of its authority, is the representative body of the Autonomous Republic of Crimea.

The Verkhovna Rada of the Autonomous Republic of Crimea adopts decisions and resolutions that are mandatory for execution in the Autonomous Republic of Crimea.

The Council of Ministers of the Autonomous Republic of Crimea is the government of the Autonomous Republic of Crimea. The Head of the Council of Ministers of the Autonomous Republic of Crimea is appointed to office and dismissed from office by the Verkhovna Rada of the Autonomous Republic of Crimea with the consent of the President of Ukraine.

The authority, the procedure for the formation and operation of the Verkhovna Rada of the Autonomous Republic of Crimea and of the Council of Ministers of the Autonomous Republic of Crimea, are determined by the Constitution of Ukraine and the laws of Ukraine, and by normative legal acts of the Verkhovna Rada of the Autonomous Republic of Crimea on issues ascribed to its competence.

In the Autonomous Republic of Crimea, justice is administered by courts that belong to the unified system of courts of Ukraine.

*Article 137*

The Autonomous Republic of Crimea exercises normative regulation on the following issues:

- 1) agriculture and forestry;
- 2) land reclamation and mining;
- 3) public works, crafts and trades; charity;
- 4) city construction and housing management;
- 5) tourism, hotel business, fairs;
- 6) museums, libraries, theatres, other cultural establishments, historical and cultural preserves;
- 7) public transportation, roadways, water supply;
- 8) hunting and fishing;
- 9) sanitary and hospital services.

For reasons of nonconformity of normative legal acts of the Verkhovna Rada of the Autonomous Republic of Crimea with the Constitution of Ukraine and the laws of Ukraine, the President of Ukraine may suspend these normative legal acts of the Verkhovna Rada of the Autonomous Republic of Crimea with a simultaneous appeal to the Constitutional Court of Ukraine in regard to their constitutionality.

#### *Article 138*

The competence of the Autonomous Republic of Crimea comprises:

1) designating elections of deputies to the Verkhovna Rada of the Autonomous Republic of Crimea, approving the composition of the electoral commission of the Autonomous Republic of Crimea;

2) organising and conducting local referendums;

3) managing property that belongs to the Autonomous Republic of Crimea;

4) elaborating, approving and implementing the budget of the Autonomous Republic of Crimea on the basis of the uniform tax and budget policy of Ukraine;

5) elaborating, approving and realising programmes of the Autonomous Republic of Crimea for socio-economic and cultural development, the rational utilisation of nature, and environmental protection in accordance with national programmes;

6) recognising the status of localities as resorts; establishing zones for the sanitary protection of resorts;

7) participating in ensuring the rights and freedoms of citizens, national harmony, the promotion of the protection of legal order and public security;

8) ensuring the operation and development of the state language and national languages and cultures in the Autonomous Republic of Crimea; protection and use of historical monuments;

9) participating in the development and realisation of state programmes for the return of deported peoples;

10) initiating the introduction of a state of emergency and the establishment of zones of an ecological emergency situation in the Autonomous Republic of Crimea or in its particular areas.

Other powers may also be delegated to the Autonomous Republic of Crimea by the laws of Ukraine.

#### *Article 139*

The Representative Office of the President of Ukraine, whose status is determined by the law of Ukraine, operates in the Autonomous Republic of Crimea.

## **Chapter XI**

### **Local Self-Government**

#### *Article 140*

Local self-government is the right of a territorial community – residents of a village or a voluntary association of residents of several villages into one village com-

munity, residents of a settlement, and of a city – to independently resolve issues of local character within the limits of the Constitution and the laws of Ukraine.

Particular aspects of the exercise of local self-government in the Cities of Kyiv and Sevastopol are determined by special laws of Ukraine.

Local self-government is exercised by a territorial community by the procedure established by law, both directly and through bodies of local self-government: village, settlement and city councils, and their executive bodies.

District and oblast councils are bodies of local self-government that represent the common interests of territorial communities of villages, settlements and cities.

The issue of organisation of the administration of city districts lies within the competence of city councils.

Village, settlement and city councils may permit, upon the initiative of residents, the creation of house, street, block and other bodies of popular self-organisation, and to assign them part of their own competence, finances and property.

#### *Article 141*

A village, settlement and city council is composed of deputies elected for a four-year term by residents of a village, settlement and city on the basis of universal, equal and direct suffrage, by secret ballot.

Territorial communities elect for a four-year-term on the basis of universal, equal and direct suffrage, by secret ballot, the head of the village, settlement and city, respectively, who leads the executive body of the council and presides at its meetings.

The status of heads, deputies and executive bodies of a council and their authority, the procedure for their establishment, reorganisation and liquidation, are determined by law.

The chairman of a district council and the chairman of an oblast council are elected by the respective council and lead the executive staff of the council.

#### *Article 142*

The material and financial basis for local self-government is movable and immovable property, revenues of local budgets, other funds, land, natural resources owned by territorial communities of villages, settlements, cities, city districts, and also objects of their common property that are managed by district and oblast councils.

On the basis of agreement, territorial communities of villages, settlements and cities may join objects of communal property as well as budget funds, to implement joint projects or to jointly finance (maintain) communal enterprises, organisations and establishments, and create appropriate bodies and services for this purpose.

The State participates in the formation of revenues of the budget of local self-government and financially supports local self-government. Expenditures of bodies of local self-government, that arise from the decisions of bodies of state power, are compensated by the state.

#### *Article 143*

Territorial communities of a village, settlement and city, directly or through the bodies of local self-government established by them, manage the property

that is in communal ownership; approve programmes of socio-economic and cultural development, and control their implementation; approve budgets of the respective administrative and territorial units, and control their implementation; establish local taxes and levies in accordance with the law; ensure the holding of local referendums and the implementation of their results; establish, reorganise and liquidate communal enterprises, organisations and institutions, and also exercise control over their activity; resolve other issues of local importance ascribed to their competence by law.

Oblast and district councils approve programmes for socio-economic and cultural development of the respective oblasts and districts, and control their implementation; approve district and oblast budgets that are formed from the funds of the state budget for their appropriate distribution among territorial communities or for the implementation of joint projects, and from the funds drawn on the basis of agreement from local budgets for the realisation of joint socio-economic and cultural programmes, and control their implementation; resolve other issues ascribed to their competence by law.

Certain powers of bodies of executive power may be assigned by law to bodies of local self-government. The State finances the exercise of these powers from the State Budget of Ukraine in full or through the allocation of certain national taxes to the local budget, by the procedure established by law, transfers the relevant objects of state property to bodies of local self-government.

Bodies of local self-government, on issues of their exercise of powers of bodies of executive power, are under the control of the respective bodies of executive power.

#### *Article 144*

Bodies of local self-government, within the limits of authority determined by law, adopt decisions that are mandatory for execution throughout the respective territory.

Decisions of bodies of local self-government, for reasons of nonconformity with the Constitution or the laws of Ukraine, are suspended by the procedure established by law with a simultaneous appeal to a court.

#### *Article 145*

The rights of local self-government are protected by judicial procedure.

#### *Article 146*

Other issues of the organisation of local self-government, the formation, operation and responsibility of the bodies of local self-government, are determined by law.

## **Chapter XII Constitutional Court of Ukraine**

#### *Article 147*

The Constitutional Court of Ukraine is the sole body of constitutional jurisdiction in Ukraine.

The Constitutional Court of Ukraine decides on issues of conformity of laws and other legal acts with the Constitution of Ukraine and provides the official interpretation of the Constitution of Ukraine and the laws of Ukraine.

#### *Article 148*

The Constitutional Court of Ukraine is composed of eighteen judges of the Constitutional Court of Ukraine.

The President of Ukraine, the Verkhovna Rada of Ukraine and the Congress of Judges of Ukraine each appoint six judges to the Constitutional Court of Ukraine.

A citizen of Ukraine who has attained the age of forty on the day of appointment, has a higher legal education and professional experience of no less than ten years, has resided in Ukraine for the last twenty years, and has command of the state language, may be a judge of the Constitutional Court of Ukraine.

A judge of the Constitutional Court of Ukraine is appointed for nine years without the right of appointment to a repeat term.

The Chairman of the Constitutional Court of Ukraine is elected by secret ballot only for one three-year term at a special plenary meeting of the Constitutional Court of Ukraine from among the judges of the Constitutional Court of Ukraine.

#### *Article 149*

Judges of the Constitutional Court of Ukraine are subject to the guarantees of independence and immunity and to the grounds for dismissal from office envisaged by Article 126 of this Constitution, and the requirements concerning incompatibility as determined in Article 127, paragraph two of this Constitution.

#### *Article 150*

The authority of the Constitutional Court of Ukraine comprises:

1) deciding on issues of conformity with the Constitution of Ukraine (constitutionality) of the following:

laws and other legal acts of the Verkhovna Rada of Ukraine;

acts of the President of Ukraine;

acts of the Cabinet of Ministers of Ukraine;

legal acts of the Verkhovna Rada of the Autonomous Republic of Crimea.

These issues are considered on the appeals of: the President of Ukraine; no less than forty-five National Deputies of Ukraine; the Supreme Court of Ukraine; the Authorised Human Rights Representative of the Verkhovna Rada of Ukraine; the Verkhovna Rada of the Autonomous Republic of Crimea;

2) the official interpretation of the Constitution of Ukraine and the laws of Ukraine;

On issues envisaged by this Article, the Constitutional Court of Ukraine adopts decisions that are mandatory for execution throughout the territory of Ukraine, that are final and shall not be appealed.

#### *Article 151*

The Constitutional Court of Ukraine, on the appeal of the President of Ukraine or the Cabinet of Ministers of Ukraine, provides opinions on the confor-

mony with the Constitution of Ukraine of international treaties of Ukraine that are in force, or the international treaties submitted to the Verkhovna Rada of Ukraine for granting agreement on their binding nature.

On the appeal of the Verkhovna Rada of Ukraine, the Constitutional Court of Ukraine provides an opinion on the observance of the constitutional procedure of investigation and consideration of the case of removing the President of Ukraine from office by the procedure of impeachment.

#### *Article 152*

Laws and other legal acts, by the decision of the Constitutional Court of Ukraine, are deemed to be unconstitutional, in whole or in part, in the event that they do not conform to the Constitution of Ukraine, or if there was a violation of the procedure established by the Constitution of Ukraine for their review, adoption or their entry into force.

Laws and other legal acts, or their separate provisions, that are deemed to be unconstitutional, lose legal force from the day the Constitutional Court of Ukraine adopts the decision on their unconstitutionality.

Material or moral damages, inflicted on physical and legal persons by the acts or actions deemed to be unconstitutional, are compensated by the State by the procedure established by law.

#### *Article 153*

The procedure for the organisation and operation of the Constitutional Court of Ukraine, and the procedure for its review of cases, are determined by law.

### **Chapter XIII**

#### **Introducing Amendments to the Constitution of Ukraine**

#### *Article 154*

A draft law on introducing amendments to the Constitution of Ukraine may be submitted to the Verkhovna Rada of Ukraine by the President of Ukraine, or by no fewer National Deputies of Ukraine than one-third of the constitutional composition of the Verkhovna Rada of Ukraine.

#### *Article 155*

A draft law on introducing amendments to the Constitution of Ukraine, with the exception of Chapter I – ‘General Principles’, Chapter III – ‘Elections. Referendum’, and Chapter XIII – ‘Introducing Amendments to the Constitution of Ukraine’, previously adopted by the majority of the constitutional composition of the Verkhovna Rada of Ukraine, is deemed to be adopted, if at the next regular session of the Verkhovna Rada of Ukraine, no less than two-thirds of the constitutional composition of the Verkhovna Rada of Ukraine have voted in favour thereof.

#### *Article 156*

A draft law on introducing amendments to Chapter I – ‘General Principles’, Chapter III – ‘Elections. Referendum’, and Chapter XIII – ‘Introducing Amend-

ments to the Constitution of Ukraine', is submitted to the Verkhovna Rada of Ukraine by the President of Ukraine, or by no less than two-thirds of the constitutional composition of the Verkhovna Rada of Ukraine, and on the condition that it is adopted by no less than two-thirds of the constitutional composition of the Verkhovna Rada of Ukraine, and is approved by an All-Ukrainian referendum designated by the President of Ukraine.

The repeat submission of a draft law on introducing amendments to Chapters I, III and XIII of this Constitution on one and the same issue is possible only to the Verkhovna Rada of Ukraine of the next convocation.

#### *Article 157*

The Constitution of Ukraine shall not be amended, if the amendments foresee the abolition or restriction of human and citizens' rights and freedoms, or if they are oriented toward the liquidation of the independence or violation of the territorial indivisibility of Ukraine.

The Constitution of Ukraine shall not be amended in conditions of martial law or a state of emergency.

#### *Article 158*

The draft law on introducing amendments to the Constitution of Ukraine, considered by the Verkhovna Rada of Ukraine and not adopted, may be submitted to the Verkhovna Rada of Ukraine no sooner than one year from the day of the adoption of the decision on this draft law.

Within the term of its authority, the Verkhovna Rada of Ukraine shall not amend twice the same provisions of the Constitution.

#### *Article 159*

A draft law on introducing amendments to the Constitution of Ukraine is considered by the Verkhovna Rada of Ukraine upon the availability of an opinion of the Constitutional Court of Ukraine on the conformity of the draft law with the requirements of Articles 157 and 158 of this Constitution.

### **Chapter XIV Final Provisions**

#### *Article 160*

The Constitution of Ukraine enters into force from the day of its adoption.

#### *Article 161*

The day of adoption of the Constitution of Ukraine is a national holiday – the Day of the Constitution of Ukraine.

### **Chapter XV Transitional Provisions**

1) Laws and other normative acts, adopted prior to this Constitution entering into force, are in force in the part that does not contradict the Constitution of Ukraine.

2) After the adoption of the Constitution of Ukraine, the Verkhovna Rada of Ukraine exercises the authority envisaged by this Constitution.

Regular elections to the Verkhovna Rada of Ukraine shall be held in March 1998.

3) Regular elections of the President of Ukraine shall be held on the last Sunday of October 1999.

4) The President of Ukraine, within three years after the Constitution of Ukraine enters into force, has the right to issue decrees approved by the Cabinet of Ministers of Ukraine and signed by the Prime-Minister of Ukraine on economic issues not regulated by laws, with simultaneous submission of the respective draft law to the Verkhovna Rada of Ukraine, by the procedure established by Article 93 of this Constitution.

Such a decree of the President of Ukraine takes effect, if within thirty calendar days from the day of submission of the draft law (except the days between sessions), the Verkhovna Rada of Ukraine does not adopt the law or does not reject the submitted draft law by the majority of its constitutional composition, and is effective until a law adopted by the Verkhovna Rada of Ukraine on these issues enters into force.

5) The Cabinet of Ministers of Ukraine is formed in accordance with this Constitution within three months after its entry into force.

6) The Constitutional Court of Ukraine is formed in accordance with this Constitution, within three months after its entry into force. Prior to the creation of the Constitutional Court of Ukraine, the interpretation of laws is performed by the Verkhovna Rada of Ukraine.

7) Heads of local state administrations, upon entry of this Constitution into force, acquire the status of heads of local state administrations in accordance with Article 118 of this Constitution, and after the election of chairmen of the respective councils, tender resignations from office of the chairmen of these councils.

8) Village, settlement and city councils and the chairmen of these councils, upon entry of this Constitution of Ukraine into force, exercise the authority as determined by it, until the election of the new composition of these councils in March 1998.

District and oblast councils, elected prior to the entry of this Constitution into force, exercise the authority as determined by it, until the formation of the new composition of these councils in accordance with the Constitution of Ukraine.

City district councils and their chairmen, upon entry of this Constitution into force, exercise their authority in accordance with the law.

9) The procuracy continues to exercise, in accordance with the laws in force, the function of supervision over the observance and application of laws and the function of preliminary investigation, until the laws regulating the activity of state bodies in regard to the control over the observance of laws are put into force, and until the system of pre-trial investigation is formed and the laws regulating its operation are put into effect.

10) Prior to the adoption of laws determining the particular aspects of the exercise of executive power in the Cities of Kyiv and Sevastopol in accordance

with Article 118 of this Constitution, the executive power in these cities is exercised by the respective city administrations.

11) Article 99, paragraph one of this Constitution shall enter into force after the introduction of the national monetary unit – the hryvnia.

12) The Supreme Court of Ukraine and the High Court of Arbitration of Ukraine exercise their authority in accordance with the legislation of Ukraine that is in force, until the formation in Ukraine of a system of courts of general jurisdiction, in accordance with Article 125 of this Constitution, but for no more than five years.

Judges of all courts in Ukraine, elected or appointed prior to the day of entry of this Constitution into force, continue to exercise their authority in accordance with the legislation in force, until the expiration of the term for which they were elected or appointed.

Judges whose authority has terminated on the day this Constitution enters into force, continue to exercise their authority for the period of one year.

13) The current procedure for arrest, holding in custody and detention of persons suspected of committing a crime, and also for the examination and search of a dwelling place or other possessions of a person, is preserved for five years after this Constitution enters into force.

14) The use of existing military bases on the territory of Ukraine for the temporary stationing of foreign military formations is possible on the terms of lease, by the procedure determined by the international treaties of Ukraine ratified by the Verkhovna Rada of Ukraine.

*Official English translation* □

# The New Ukrainian Constitution

Andrew Wilson

In June of this year Ukraine became the last of the post-Soviet states to adopt a new Constitution, when, after months of wrangling and an all-night sitting, the necessary two-thirds' majority of deputies was finally achieved in the Supreme Council (the vote was 315 to 36, with 12 abstentions).<sup>1</sup> This article does not seek to examine the Constitution in minute detail, but to consider a few of its salient and more directly political aspects; namely the powers it grants to the presidency, the position of Crimea, the stance taken towards national minorities and the relative status of the Ukrainian and Russian languages, and the issue of private property and economic reform.

## The Constitutional Position of the Presidency

Many commentators misleadingly heralded the new Constitution as marking a significant increase in the powers of the Ukrainian President. In fact it simply consolidated the situation already established by the Constitutional Agreement of June 1995, and in several key areas Kuchma's power was actually reduced. Ukraine is *not* a presidential republic in the manner of Belarus (see James Dingley, 'The Constitutions of Ukraine and Belarus: Increasing Cooperation *versus* Confrontation', *The Ukrainian Review*, No. 3, 1996, pp. 35–45) or Russia. Since 1995 it has in fact operated as a 'parliamentary-presidential system', which can be defined as one where 'both the president and the parliament have authority over the composition of cabinets'.<sup>2</sup> The President is directly elected, but so is Parliament, and the two have therefore fought a long-running battle for control of the executive (Cabinet of Ministers), as well as over local authorities, the National Bank of Ukraine, privatisation agencies and so on. Ukrainian presidents have always had to share power with their prime ministers, and conflict between the two has been a more or less permanent feature of the political system. Just as Kravchuk eventually fell out with Fokin, Kuchma, Zvyahilskyi and Masol, so Kuchma fought for authority with Masol and Marchuk. Moreover, the current Prime Minister Pavlo Lazarenko, although originally a protégé of Kuchma's, is already showing signs of developing ambitions of his own. The cosy relationship between Yeltsin and Chernomyrdin was never established in Ukraine. Moreover, in Ukraine the chairman of Parliament (from 1991–94 Ivan Plyushch and from 1994–96 Oleksander Moroz) is also a powerful figure in his own right.

Neither Kravchuk nor Kuchma ever enjoyed a secure majority in Parliament, and neither man was able to discipline it, as Yeltsin was able in Russia, with the

<sup>1</sup> An English-language version of the Constitution is published in this issue of *The Ukrainian Review*, pp. 3–48. The Ukrainian text can be found, *inter alia*, in *Zerkalo nedeli*, 13 July 1996. The official version, widely available in kiosks throughout Ukraine, was published as *Konstytutsiya Ukrayiny*, Kyiv: Secretariat of the Supreme Council, 1996.

<sup>2</sup> Matthew Soberg Shugart and John M. Carey, *Presidents and Assemblies. Constitutional Design and Electoral Dynamics*, Cambridge, UK: Cambridge University Press, 1992, p. 24. See also my chapter on the Ukrainian presidential system in Ray Taras (ed.), *The Post-Communist Presidents*, Cambridge, UK: Cambridge University Press, forthcoming for 1997.

key powers of veto and parliamentary dissolution. Before the 1995 Constitutional Agreement therefore the Ukrainian presidency was arguably in a much weaker institutional and political position than its counterparts in states such as Russia or Belarus, or even Poland or Slovakia.

Before discussing the 1996 Constitution it is therefore necessary to describe the key changes introduced by the 1995 Constitutional Agreement. The Agreement described the President as heading the Cabinet of Ministers (Article 19), appointing the Prime Minister and 'forming' the government.<sup>3</sup> In principle, a clearer hierarchy of authority was now established, but it nevertheless remained unclear whether the President or the Prime Minister was in charge of day-to-day administration. The President was also given the power to appoint the head of the Constitutional Court (after consultation with the chairman of Parliament), half of the Court's judges, the head of the National Bank of Ukraine, and to remove heads of local administrations (Article 24).<sup>4</sup> In theory, he could also organise national referenda (Article 25), although, as a moratorium was placed on referenda for the year the Agreement was to be in force, this was a largely meaningless power. The President could not be impeached, but nor could he dissolve Parliament. On the other hand, the President was finally granted a proper veto power, which would require a two-thirds' vote to overturn (Article 23).

The Agreement therefore represented a considerable expansion of presidential power, if not the kind of decisive breakthrough achieved by Yeltsin in 1993 or by Lukašenka in 1996. Kuchma's draft Constitution presented to Parliament in spring 1996 had originally sought a more radical expansion of his powers, but by compromising in June Kuchma indicated that the consolidation of the position he had precariously gained in 1995 was worth more to him than seeking to emulate Yeltsin or Lukašenka. As on previous occasions, Kuchma has preferred not to go for broke by provoking outright confrontation with the left, but to steer through a compromise document which split the opposition by attracting the support of the moderate Socialist and Agrarian factions. The 1996 Constitution therefore largely confirmed the 1995 Constitutional Agreement, thereby at least stabilising and legitimising the situation, although some powers Kuchma had won in 1995 were actually surrendered.

Most importantly, the 1996 Constitution continued the practice of dual authority over the executive. New Prime Minister Pavlo Lazarenko conducted a much more spirited defence of his powers during the period of constitutional debate than his predecessor Yevhen Marchuk had in 1995, and if anything the position of the Cabinet of Ministers was slightly strengthened. It was now described as 'the highest organ in the system of executive power' and was still jointly 'accountable (*vidpovidalnyi*) to the President and under the control of (*pidkontrolnyi*) and obliged to report to (*pidzvitnyi*) the Supreme Council of Ukraine' (Article 113). The President appointed the Prime Minister, subject to parliamentary approval, but other appointments to the Cabinet of Ministers were on 'the advice of' (*za podannnyam*) the Prime Minister (Article 106), and in contrast to previous occasions when the President had attempted to take more active control over the Cabinet of Ministers, it was stated that

<sup>3</sup> For the text of the 1995 Constitutional Agreement, see *Holos Ukrayiny*, 10 June 1995.

<sup>4</sup> Kuchma has made full use of this particular power right across the political spectrum, removing for example both the Communist Petro Kupin in Luhansk and the Liberal Volodymyr Shcherban in Donetsk.

'the prime minister leads the work of the Cabinet of Ministers' (Article 114). The endemic problem of conflict between President and Prime Minister that had bedevilled Ukraine ever since 1991 is therefore likely to remain.

Impeachment of the President was now possible, but would require a three-quarters' vote of all deputies (Article 111), a majority which was only likely ever to be assembled in the most extreme of circumstances (opponents of Lukašenka failed to gain the permanent support of the seventy Belarusian deputies required to begin impeachment proceedings in late 1996, after twelve deputies withdrew their signatures from the original list). A Constitutional Court was to be elected 'within three months' of the passage of the Constitution. The President would now appoint only six out of eighteen judges. The Supreme Court would elect another six, and six more would be elected by a 'Congress of Justices' (Article 148). The eighteen would then pick their own head. At the time of writing, elections were proceeding, and the Ukrainian Court had a reasonable chance of being established on a more independent basis than its counterpart in Belarus or Russia (Yeltsin forcibly disbanded the Russian Court in 1993, Lukašenka has repeatedly ignored the Belarusian Court), although its first judgements would be decisive.

In the key economic sphere, the Supreme Council clawed back the right to appoint the head of the National Bank of Ukraine and half the members of its board. This is a potentially worrying development, as the majority of deputies oppose the tight monetary and fiscal policies that have at least succeeded in stabilising inflation since 1993–94. On the other hand, the special provisions of the Constitution granted Kuchma the power to issue economic decrees until the end of his term in office, which was now fixed to end in October 1999. Such decrees would automatically become law if the Supreme Court failed to annul them within thirty days.

No mention was made of referendum powers, except in respect to 'changes to the Constitution', which either Parliament or the President could propose (Articles 72 and 156). The President's hard-won veto power was confirmed (Articles 106 and 94).

Crucially, however, the President did not gain the key power of parliamentary dissolution, despite Kuchma's insistent campaigning. Moreover, as the Prime Minister remained in charge of everyday administration, there was still a dyarchy in the executive. On the other hand, the President can still *dismiss* the Prime Minister without needing to obtain the approval of the Supreme Council, although this has proved a blunt weapon in the past.

## The Position of Crimea

Since 1992 Crimea has been an autonomous 'republic' within Ukraine.<sup>5</sup> Although in essence this pragmatic arrangement reflects the reality on the ground, this rather awkward formula has been much criticised (and not only by Ukrainian nationalists) for establishing two rival sovereign powers within a single state.

Article 1 of the new Constitution states clearly that 'Ukraine is a unitary state' (Article 2, see also Article 132). Moreover, 'the defence of the sovereignty and territorial unity of Ukraine' is defined as 'the most important function of the state' (Article 17). During the constitutional debates of 1995–96 many national-

<sup>5</sup> Following a referendum in January 1991 (93% supported the proposal on an 81% turnout), Crimea became an 'Autonomous Soviet Socialist Republic'. After the collapse of the USSR, Crimea became simply a 'republic' in April 1992.

ists argued that Kyiv should take advantage of political weakness in Simferopol and Russia's preoccupation with the Chechen war to remove all references to Crimean 'autonomy' from the Constitution. Nevertheless, according to Section 10 of the Constitution, Crimea is still described as an 'Autonomous Republic'. It has its own Constitution, Supreme Council and Cabinet of Ministers, but the contents of the first and the actions of the latter must conform with the Ukrainian Constitution and with all-Ukrainian law (Article 135). In particular, the Crimean Constitution must be approved by 'half of the constitutional composition of the Supreme Council' in Kyiv (i.e. 225 out of a maximum of 450).

The requirement imposed by Kuchma in 1995 for the appointment and dismissal of the chairman of the Crimean Council of Ministers (in effect the Prime Minister of Crimea) to require his approval remains in force (Article 136). Moreover, Crimean institutions must share power on the peninsula with the Ukrainian President's Representative, 'the status of whom is regulated by the laws of Ukraine' (Article 139). Crimean courts remain a part of the legal system of Ukraine (Article 136). The Ukrainian President may 'halt the action' of any decision by the Crimean authorities, 'at the same time as appealing to the Supreme Court of Ukraine [to rule on] their constitutionality' (Article 137).

With regard to the status of the Black Sea Fleet, Article 17 of the Constitution declares that 'the billeting of foreign military bases is not allowed on the territory of Ukraine'. On the other hand, the 'transitional provisions' appended to the Constitution allow for the possibility of *renting* military bases to foreign military forces (Section 15, Article 14).

However, although the Constitution confirms the trend towards the diminution of Crimean autonomy begun in 1995, the peninsula is still possessed of considerable powers. Kuchma still seems concerned that the outright abolition of Crimean autonomy would overplay his hand considerably and provoke a sharp Russian counter-reaction. Consequently, Crimea still has the right 'to organise and conduct local referenda', run its own budget as part of the 'single tax and budgetary politics of Ukraine', dispose of local property and 'secure the functioning and development of state and national languages' in Crimea (Article 138).

### **The Ukrainian People – Citizens of all Nationalities**

The preamble to the Constitution began by declaring that the Supreme Council acted 'in the name of the Ukrainian people – citizens of Ukraine of all nationalities'. This careful phrasing represented a clear compromise between Ukrainian nationalists who had favoured a formula defining sovereign authority as residing with the 'Ukrainian people' (*Ukrayinskyi narod*), that is with ethnic Ukrainians, and their opponents who supported the explicitly multi-ethnic formula of the 'people of Ukraine' (*narod Ukrayiny*). This key theme of striking a delicate balance between the interests of indigenous Ukrainians and others is evident throughout the Constitution.

Article 10 of the Constitution is of central importance in defining the relative status of the Ukrainian and Russian languages and is worth quoting in full:

The state language in Ukraine is the Ukrainian language.

The state secures the all-round development and functioning of the Ukrainian language in all spheres of social life on all the territory of Ukraine.

In Ukraine the free development, use and defence of the Russian, other languages

of national minorities of Ukraine is guaranteed.

The state assists the study of languages of international intercourse.

The use of languages in Ukraine is guaranteed by the Constitution of Ukraine and clarified by the law.

Several points are worthy of note. Firstly, the second clause was a new formulation that had not appeared in previous drafts of the Constitution. The stress on 'all the territory of Ukraine' was particularly important,<sup>6</sup> especially in contrast to the 1989 Law on Languages, which made special provision for the use of Russian and other languages 'in areas where a majority of citizens of other nationalities are living' (Article 3).<sup>7</sup> No mention was made in the 1996 Constitution of special status or provision for Russian. In fact, the bracketing of Russian with 'other languages of national minorities of Ukraine' represented a substantial diminution of its past status.

Furthermore, Article 11 declared 'the state assists the consolidation and development of the Ukrainian nation, its historical consciousness, traditions and culture, and also the development of the ethnic, cultural, linguistic and religious uniqueness of all native peoples [*korinni narody*] and national minorities of Ukraine', an explicit commitment to make ethnic Ukrainians 'first among equals' which had not appeared in previous documents, such as the 1990 Declaration of Sovereignty or the 1991 Declaration of the Rights of Minorities. Moreover, the emphasis on the defence of ethnic Ukrainians was continued in Article 12, which promised that 'Ukraine takes care of the satisfaction of the national-cultural and language needs of Ukrainians who live beyond the borders of the state'. On the other hand, this had to be set against the statement in Article 24 that Ukraine would allow 'no privileges or limitations [of rights] on the basis of race, colour of skin, political, religious or other convictions, gender, ethnic or social origin, property status, place of residence, or linguistic or other grounds'.

The issue of state symbols has also been a key battleground between Ukrainian ethnonationalists and others. However, despite a strong campaign by leftist and Russophile deputies in the Supreme Council, Ukraine has not backtracked on the national symbols adopted in 1992, in sharp contrast to Belarus, although the new Constitution makes some small concessions.

Article 20 declares that 'the state symbols of Ukraine are the State Flag of Ukraine, the State Crest [*Herb*] of Ukraine and the State Hymn of Ukraine'. It was further specified that the flag is the current blue and yellow, that the 'Large State Crest' will be made up of the Cross (*znak*) of Volodymyr the Great (as with the 'Small State Crest' at present) and that of the Zaporozhian Host. Its exact form will have to be decided by a two-thirds' vote of deputies, but its 'main element' will be the Cross of Volodymyr. Ukrainian nationalists were unable to secure a more specific reference to their preferred 'trident' (*tryzub*) symbol rather than the vague 'Crest'. The tune for the State Hymn remains Mykhailo Verbytskyi's *Shche ne umerla Ukrayina*, although the words are to be decided by a public competition, subject to the approval of a two-thirds' vote of the Supreme Council.

<sup>6</sup> The author was in Kharkiv in August 1996, where the local branch of the Ukrainian Language Society 'Prosvita' proudly displayed the clause in question on special banners, with the key words 'on all the territory of Ukraine' underlined.

<sup>7</sup> For the law, see *Materialy pro rozvytok mov v ukraïn'skyi RSR*, Kyiv: Prosvita, 1991, pp. 3–12. Article 3 is on page 4.

## Private Property

The new Constitution removed some key obstacles to economic reform, but left others intact.<sup>8</sup> Most importantly, despite a strong rearguard action by leftist deputies, the new Constitution explicitly guaranteed the right to private property (Article 41), and the right to engage freely in business (*pidpriyemnytska diyalnist*) (Article 42). Moreover, the simplicity of the commitment was in sharp contrast to previous attempts to balance the status of all forms of property. On the other hand, these guarantees appeared very late in a list of rights that began with Article 21, and the procedures for acquiring private property were left under-defined.

The strength of this commitment to a freer economy, however, needed to be set against the fact that the Constitution continued the Soviet practice of listing a long series of open-ended rights, including the 'right to work' (Article 43), and the right to 'social defence' (Article 46) and free health services (Article 49). Moreover, the Constitution explicitly promised that 'the existing network of [health-servicing] institutions cannot be reduced' (Article 49). The practical ability of the Ukrainian state to meet these commitments was of course another matter. Such promises could be serious hostages to fortune at a time of increasing budgetary stringency.

## Conclusions

The fact that the Constitution achieved a two-thirds' majority in Parliament was a considerable achievement in itself, given the strength of previous leftist opposition. The three main left-wing factions still controlled around 150 seats in the Supreme Council (down to 136 seats out of 415 in September 1996), but only 36 deputies voted against the adoption of the Constitution (twelve abstained). However, many Communists complained of voting irregularities and some eighty deputies have since refused to take the oath of allegiance laid out in the Constitution (technically this is only a requirement for new deputies 'before they take their place' in the Supreme Council, although 'refusal to take the oath results in the loss of a deputy's mandate' – see Article 79). In August the Communist Party of Ukraine signalled that it had not changed its stance by expelling five of its deputies who had voted in support of the Constitution in June.<sup>9</sup>

The Constitution is a compromise document, but clearly its adoption was a major defeat for the left.<sup>10</sup> Although the parties of the left divided on the key vote (most Socialists and Agrarians abstained or were in favour, the Communists split down the middle), they still control the largest single block of seats in the Supreme Council, and it seems clear that the Kuchma administration will not attempt to use their new powers to try to impose an agenda that is anathema to the left. Progress on economic reform in particular is likely to remain crab-like. Much depends, however, on how the new Constitution, which is often vague or contradictory, is interpreted. The issues discussed above are likely to be raised again as the vast amount of supporting enabling legislation slowly works its way through the Supreme Council, and as the Constitutional Court begins to hand out judgements. □

<sup>8</sup> On economic reform in general, see Andrew Wilson and Igor Burakovsky, *The Ukrainian Economy Under Kuchma*, London: Royal Institute of International Affairs, 1996.

<sup>9</sup> *Segondnya*, 21 September 1996.

<sup>10</sup> Significantly, one of the main nationalist organisations in Ukraine, the Melnykite branch of the Organisation of Ukrainian Nationalists (OUN), declared in September 1996 that 'with the adoption of the Constitution of Ukraine the main part of the programme of the OUN has been realised', *Rozbudova derzhavy*, No. 11 (November) 1996, p. 64.

## Ukraine-NATO-Russia: The Search for Sides in the Trilateral Relations

Ihor Nabytovych

Ukraine, which is situated almost in the centre of Europe, became, after the disintegration of the Soviet empire, one of the principal factors in relations between the West and the states which were formed on the ruins of the USSR and its former satellite states, the cornerstone of European security.

Being in the gravitational fields of both Russia and Western Europe, Ukraine is trying to find its own course. Where will this course lead and who will be our companions on the way?

Both peace in Europe and the future of Ukraine in the coming decades depend on what relations the Ukrainian state will build with Russia and the Tashkent Treaty created in the framework of the CIS, and with NATO and other European structures.

### NATO

NATO was established, as a defensive alliance, on the basis of the North Atlantic Treaty, signed on 4 April 1949 in Washington by 12 countries. This document stated that the Parties to the Treaty reaffirm their faith in the purposes and principles of the Charter of the United Nations and their desire 'to live in peace with all peoples and all governments'.

Today there are 16 member-states in NATO. The principal aim, which it sets itself, is to guarantee by political and military means the independence and security of its members.

At the beginning of June 1996, after the meeting in Berlin of foreign ministers of NATO member-states, a declaration was issued on the initiation of serious changes, the structural reorganisation of the alliance.<sup>1</sup>

### NATO-Europe

The fundamental decision regarding NATO was adopted in 1994. The change in the geopolitical and geostrategic situation in Europe demands a certain course-correction of the goals and function of the North Atlantic Alliance. The West favours the eastward expansion of NATO for several reasons.

Firstly, NATO expansion will be another step towards strengthening pan-European security and will bolster the security of NATO's existing 16 members.

Secondly, the increase in the number of members of the organisation by bringing in the former members of a hostile camp will give a fresh impetus to the development and continued existence of this structure.

Thirdly, Western Europe will be able to absorb the countries of the former 'Socialist Camp' economically and politically, if it goes through NATO and other structures and institutions of European cooperation.

<sup>1</sup> Javier Solana, 'A New Role for Europe', *Deutschland*, 1996, No. 3 (June), pp. 8–11.

Fourthly, it will put an end to discussions and debates within Euro-Atlantic structures on the need for the existence of NATO after the end of the Cold War and the disintegration of the Warsaw Pact.

The aspiration of the states of Central and Eastern Europe and the Baltic states gradually to join NATO, the focusing of their efforts towards the insuring of their security, and their search for political and military support by drawing closer to Western Europe is a direct response to the persistent internal instability of Russia, and its aggressive foreign policy towards the Newly Independent States, and its former Warsaw Pact satellites.

Speaking in Detroit on 22 October 1996, President Clinton announced 1999, the fiftieth anniversary of NATO and the tenth anniversary of the fall of the Berlin Wall, as America's formal target date for accepting the first tranche of former Communist-bloc countries into NATO. The alliance continues to remain open and the opening of this alliance is seen as a part of the general process of European integration.

### **NATO-Russia**

In March 1949, before the North Atlantic Treaty was signed, the USSR handed to Western states a memorandum of protest, stating that the future pact was aggressive and directed against the Soviet Union. Finally as a counter-balance to NATO, at a Moscow-controlled conference in Poland, the conference of the eight states under the control of Moscow (USSR, Poland, East Germany, Czechoslovakia, Romania, Bulgaria, Albania, Hungary), the Warsaw Treaty on cooperation and mutual aid was signed on 14 May 1955.

The formation of two blocs and the 'Cold War' kept the world in a constant state of tension, and apprehension of the possible start of World War III for more than four decades.

The USSR controlled the satellite states of the Warsaw Pact with an iron hand. Soviet occupation forces were deployed in them and used, in particular, to suppress the pro-freedom, anti-Russian, anti-communist uprisings in Hungary (1956) and Czechoslovakia (1968).

Thirty-five years later, the Warsaw Pact, the crowning glory of the political-military counterweight to NATO, fell apart, following the anti-communist revolutions in Europe. Its official dissolution was announced in February 1991. The Council of Mutual Economic Assistance (Comecon), which was established in January 1949 and which formed the economic structure of the communist camp supporting the Warsaw Pact, collapsed on 28 June 1991. The ultimate disintegration of the Union the same year completed the downfall of the communist camp in Europe.

After the disintegration of the Soviet empire, confrontation along the axis Warsaw Pact-NATO, or more precisely USSR-NATO, was transformed into confrontation along the axis Russia-NATO. The old saying that history repeats itself, first time round as tragedy and second time as farce, was fully borne out in this case. The bitter confrontation between the Communist bloc and the free world of the 'Cold War era', with all its panoply of economic and propaganda competition, and mutual nuclear threats, was transformed into the self-aggrandisement of today's Russia, which would like to convince everyone that even if it is back within its seventeenth-century borders, it remains a 'great power'. The present foreign policy of the Russian Federation, with its searching for opportunities to demonstrate itself as a great and influential state, is affected by a number of fac-

tors of its internal policy, which in its turn is conditioned by an acute economic, political and cultural crisis.

Russia's sharp reaction to possible NATO expansion eastwards, to which it remains in principle unreconciled, is a result of an imperialist and chauvinistic interpretation of the new geopolitical realities of the present day. This is corroborated by the military doctrine of Russia, which states that its 'zone of vitally important interests' is the entire political space maintained by the USSR. This political space includes a system of priorities in the bounds of two huge circles around Russia. The first circle – the successor states of the USSR; the second – the satellite states of the former Soviet empire. To secure its 'vitally important interests' Russia continues to maintain its forces on the territory of twelve states (including Ukraine) and feeds a 2-million-strong army.

Recognising that NATO expansion is inevitable, the Russian Federation is forced to make concessions. However, as stated at the beginning of October 1996 by the Defence Minister of the Russian Federation, Igor Rodionov, basing himself on the stance of President Yeltsin, this eastwards expansion is unacceptable 'without the previous signing of a treaty of alliance with Russia and the other states which do not belong to the North-Atlantic bloc'.<sup>2</sup>

During a meeting with young diplomats in Moscow, the Foreign Minister of the Russian Federation, Yevgeniy Primakov, stated that such a treaty between Russia and NATO must reflect 'the realistic possibilities of our influence on these or other decisions which the North Atlantic Alliance adopts', and that 'a whole series of problems, which directly affect us, should be discussed, with our participation, in as much as we have special relations with NATO, and should be adopted by consensus and be obligatory'.<sup>3</sup>

The statements of Rodionov and Primakov both conceal the desire of Russia to dictate conditions to NATO on those issues which concern Russia's strategic imperialist interests.

### **Ukraine-Russia**

The political earthquakes in Europe in 1989–91 completely changed the landscape and architecture of European security. Straightaway, the new Ukrainian state became one of the principal factors determining the stability and security of the European continent.

In the spring of 1992 the military analysts of NATO published their forecasts about possible military conflicts on the territory of Eastern Europe and the former Soviet Union. According to the NATO strategists, the geopolitical and geostrategic position of Ukraine, virtually at the centre of this post-communist circle, put the Ukrainian state in the centre of virtually every scenario of the possible conflicts (first and foremost military), which could break out here.

According to these scenarios, in the event of an outbreak of hostilities between Ukraine and Russia, the military forces of the defeated state (and it was assumed that in this situation Ukraine would be defeated extremely rapidly), by withdrawing into the territory of Eastern Europe, could draw their Western neighbours into

<sup>2</sup> *Zerkalo nedeli*, Kyiv, 12–18 October 1996.

<sup>3</sup> *Ibid.*

this global conflict. The military experts of NATO did not discount the possibility of a conflict between Russia and Moldova with the subsequent intervention of Romania. Ukraine, which is a buffer between these potential adversaries, could likewise be drawn into such a conflict. The war in Transdnistria, however, in fact followed a somewhat different scenario.

CIA experts also pointed out the great danger of armed conflicts on the territory of the former Soviet Union. According to their figures, a war between Russia and Ukraine would claim the lives of 200,000 soldiers and would result in tens of millions of refugees streaming in both directions. Forty million would face the threat of starvation and a further 2 million that of death from disease.

To obviate such a danger, immediately after the break-up of the USSR, NATO and other European structures launched a policy of cooperation and rapprochement with Ukraine.

Russia is attempting to keep Ukraine in the sphere of its own influence by economic and political levers, constant efforts to drag Ukraine into the Tashkent Treaty, signed by six CIS members in 1992. The Tashkent Treaty is, to a certain degree, a counter-balance to NATO, analogous to what the Warsaw Pact used to be. Russia uses this bloc as the USSR used the Warsaw Pact: for the declaration and protection of Russian interests, which are portrayed to the world as the geopolitical and geostrategic interests of a whole group of states and nations.

Unfortunately, a certain section of the Ukrainian political élite and Ukrainian society, which was brought up in the conditions of communist ideological oppression, perceives NATO as an enemy, and continues to focus its attention on closer ties with Russia.

## Ukraine-NATO

The development of relations between Ukraine and NATO began with Ukraine's participation (January 1992) in the work of the North Atlantic Cooperation Council, the institutional basis for cooperation between NATO and the countries of Central and Eastern Europe and the former Soviet Union.

In 1994 the North Atlantic Alliance initiated the Partnership for Peace programme (PfP). NATO Secretary-General Javier Solana described this programme in an interview for the journal *Deutschland* as the 'foundations of the architecture of European security'.<sup>4</sup>

Ukraine was the first to join PfP. In February 1994 Foreign Minister Anatoliy Zlenko signed the framework document of PfP, and in May of that year a document which determined the aspects of Ukraine's participation in the Partnership for Peace programme was presented to the NATO Secretariat.

Today 27 countries participate in that programme. Thanks to PfP it was possible to establish multi-national peacekeeping forces, drawn from 12 states. These forces – including a Ukrainian battalion – are currently involved in implementing the November 1995 Dayton agreement in Bosnia-Herzegovina.

At the same time, Ukraine's present leadership is not ready to raise the question of Ukraine becoming a fully-fledged member of NATO. Speaking in March 1996 at the Geneva international conference centre, President Leonid Kuchma said that

<sup>4</sup> Javier Solana, *op.cit.*, p. 10.

In principle, Ukraine is not opposed to the idea of the enlargement of NATO as an organisation, which unites democratic countries.

The decision to join military-political structures, including NATO, is the right of any state and no one can impose a veto on this sovereign right.

Kuchma likewise believes that NATO expansion is to be an evolutionary process.

He has also stated that Ukraine does not regard NATO as a threat to its security and is actively expanding its cooperation with this influential organisation. The next step in extending relations between Ukraine and the North Atlantic Alliance will be the establishment of a 'special partnership'.

At the same time, Ukraine places certain conditions and demands the maintenance of certain principles in the expansion of NATO to its borders. This was made public by Deputy Foreign Minister Kostyantyn Hryshchenko.<sup>5</sup>

Firstly, the principle of indivisibility of European security must be maintained. This would rule out the possibility of the establishment of a new divide in Europe, that is primarily national interests have to be guaranteed in the sphere of security of all interested states.

Secondly, the right of every country to choose independently the methods and means of guaranteeing its own security must be recognised.

Thirdly, it must be understood that no country can expect to strengthen its own security at the expense of others and that any decisions in this sphere (including NATO expansion) should strengthen and not weaken European stability.

Fourthly, and most important, the Ukrainian government categorically rejects the deployment of nuclear weapons on the territory of new NATO members.

Here, one is obviously discussing, first and foremost, those states which border on Ukraine or are close to it and which have the chance of becoming members of the North Atlantic Alliance in three to four years, i.e. Poland, Hungary and the Czech Republic.

If nuclear weapons were to be deployed close to Ukraine's western frontiers, Russia's reaction could pose a threat to Ukraine. For certain Russian politicians state that in this case Russia would denounce the START Treaty and deploy nuclear weapons on its western borders.

Ukraine, which under pressure from the West and Russia has got rid of its nuclear weapons, could end up at the centre of a new strategic nuclear confrontation without guarantees of its own security.

A somewhat different position regarding NATO is adopted by the Speaker of the Ukrainian Parliament, Oleksander Moroz. His view (Marxist-Leninist by conviction) is of some significance since for at least another year he will continue to have an influence on Ukraine's foreign policy, for, in accordance with the Constitution, the Supreme Rada works out the strategy of foreign policy and ratifies international treaties.

Moroz believes that there should be multilateral international discussions, which would eventually result in the self-dissolution of blocs, or in agreements on how they will act in relation to each other and on what conditions. Moroz has instructed the Parliamentary Commission on Defence and National Security to draft documents defining the position of the Supreme Rada vis-à-vis the North Atlantic bloc.

<sup>5</sup> Kostyantyn Hryshchenko, 'The independence of Ukraine and NATO: the Search for new guarantees of all-European security', *Zerkalo nedeli*, 14–19 September 1996.

## Ukraine-NATO-Russia

At the end of the twentieth century Ukraine has ended up at the border of two worlds: Russia – Asiatic and armed to the teeth, and the West, which is spreading its influence in Europe.

The President and government of Ukraine are conducting a two-vector foreign policy, regarding both Russia and the USA as 'strategic partners', building up with NATO a 'special partnership', and forgetting that in the end the contrary vectors may simply tear Ukraine apart.

Today in the Ukrainian politicum a perception has taken shape of three fundamental possible directions of development of the architecture of external security, and Ukraine's search for its own political course.

One section, focusing on integration with Russia (fundamentally communists and socialists), are categorically opposed to NATO enlargement, and urge Ukraine's membership of the Tashkent Treaty.

Another section do not reject NATO enlargement, but place on it certain conditions which take into account the interests of Ukraine. The President and government occupy this position today.

A third section takes the view that Ukraine will be able to guarantee its security by becoming a fully-fledged member of NATO. This is the stance taken by national-democratic forces.

The events of recent months in Russia demonstrate that it will never reconcile itself with the independence of Ukraine, and will always make territorial claims on Ukraine, apply economic and political pressure, and brutally violate international agreements. Therefore gravitation towards Russia and the Tashkent Treaty is a movement towards the liquidation of Ukraine as a state, and is a threat to the existence of the Ukrainian nation.

A neutral position vis-à-vis Russia and NATO is balancing in a state of unstable equilibrium which will never guarantee a realistic external security for Ukraine.

There remains one possibility: drawing closer to Europe, with Ukraine's gradual integration into its political, economic and military-political structures, and in particular NATO. This search and determination is latent in President Kuchma's words in Geneva: 'The future of Ukraine does not necessarily have to be non-aligned'.

The well-known political analyst Dr Zbigniew Brzezinski has expressed the belief that 'by the year 2010 Ukraine will have finally decided, whether it wishes to join one of the blocs or remain neutral and non-aligned. From this point until real entry into NATO (should Ukraine want to and be ready to join NATO), very little time will be needed'.

One possible major threat to the national interests of Ukraine, and to its external security is the price which Russia may demand for its agreement to the expansion of the North Atlantic Alliance. The small change of agreement to this expansion could be Ukraine. Russia will undoubtedly demand that the Ukrainian state remains in its sphere of 'vitaly important interests'. There exists the threat that such a division of spheres of influence has possibly already occurred.

Ukraine must not let itself become the object of trade between the West and Russia. NATO, in spite of everything, is leaving its door open to Ukraine. The choice is Ukraine's. □

## *Quatercentenary of the Union of Brest*

### **Commemoration of the 400th Anniversary of the Brest Union in Rome (July, 1996)**

*Volodymyr Luciv*

#### **Rome, Friday, 5 July 1996**

At 11.30 a.m., in the press office of the Apostolic See in the Vatican (Sala Stampa), a press conference was held which opened the commemorations. There was a panel consisting of: Archbishop Stepan Sulyk, Metropolitan of the Ukrainian Catholics in the USA, Archbishop Lyubomyr Huzar, Apostolic Exarch of the Kyiv-Vyshhorod Exarchate, Professor Fr. Atanazy Pekar, member of the General Curia of the Basilian Order and editor of the *Basilian Journal*, and Professor Ivan Paslavskyi from Lviv.

Professor Pekar gave the journalists the historical background of the Kyivan Church which led up not so much to unity at Brest in 1596, as to a renewal of former unity, since the Kyivan Church never formally broke with the Apostolic See. The bishops of the Kyivan Church took that decision without any external pressure or compulsion. Likewise they did not intend breaking off relations with other Christians of the East; this was provided for in a special clause. After the schism between the Eastern and Western Churches in 1054, we have much documentary evidence of the continuation of relations in the following centuries between the Kyivan Church and the Apostolic See.

In reporting the press conference, the Italian newspaper *Avvenire* of 6 July remarked, *inter alia*, on the speech at the conference of Archbishop Huzar, which stressed that the Rome commemorations were not of a triumphalist character, but rather had the aim simply of recognising the importance of this historical event for our Church. One should note that for the last few months two representatives of the Ukrinform Ukrainian national news agency have been working in Rome – Lyubov Levytska and Petro Olar. They are accredited to the Vatican and send coverage from Rome to Ukraine.

While on the subject of the media, it should be noted that Vatican Radio put out extensive information in many languages about the Brest commemorations, particularly those events in which Pope John-Paul II participated. Reuters relayed information to all the press agencies of the world. In one of these reports we read: 'The largest Catholic Church in the former Soviet Union, numbering some 5 million believers, was forced by Joseph Stalin to become incorporated in the Russian Orthodox church in 1946. Around 100,000 believers, and many bishops and priests of this Church [who did not wish to join the Russian Orthodox] met their deaths in the concentration camps of Siberia'. The official Vatican newspaper *Osservatore Romano* wrote extensively about the commemorations, and so did the Rome newspapers – *Avvenire* and *Il Messaggero* (8 and 9 July), the Manchester-based Catholic weekly *The Universe* of 7 July and others. The *Osservatore Romano* was, perhaps, the only newspaper in the world which published the Pope's address in Italian and Ukrainian.

## 14.00

Bishop Ivan Khoma, Procurator of Patriarch Cardinal Myroslav Ivan Lubachivskiy, entertained at a lunch at the Ukrainian Catholic University of St Clement all the Ukrainian bishops, and guests from Ukraine and the diaspora, including the Ukrainian Ambassador to Italy, Anatolii Orel, and his First Secretary. The Ukrainian prelates present were: Patriarch Myroslav Ivan, Metropolitans Stepan Sulyk, Mykhailo Bzdel, Ivan Martynyak, Archbishop Myroslav Marusyn, Secretary of the Oriental Congregation, Bishops Sofron Dmyterko, Ivan Semediy, Pavlo Vasylyk, Yuliyani Voronovskiy, Mykhailo Sabryha, Vasylii Losten, Petro Stasyuk, Korneliy Pasichnyi, Stepan Soroka, Irynei Bilyk, Mykhailo Koltun, Yuliyani Gbur, Vasyl Medvit, Sofron Mudryi, Ivan Khoma, Lyubomyr Huzar, Slavomir Miklovsh, Mykhail Kuchmyak, Miguel Mykyytsey, Innokent Lototskyy, Volodymyr Paska, Mykhailo Vivchar, Roman Danylyak, Severyn Yakymyshyn. The other Ukrainian bishops were unable to travel to Rome due to their advanced age.

In his after-lunch speech, Bishop Ivan Khoma announced that in the near future the Apostolic See would beatify the Servant of God Vintsentiy Levonyuk and the other 12 martyrs of Pidlassya, who, in the last century, were shot by Russian soldiers because they did not wish to abandon their Greek-Catholic faith and go over to Russian Orthodoxy.

Around 17.00, in front of the great church of St Sophia, built by the late Patriarch Josyf Slipyi, Ukrainians from the whole world assembled, to take part, together with their bishops and priests, in a service of thanksgiving, a *moleben* to the Most Holy Mother of God. An altar had been set up in front of the cathedral, and at 17.30 the bishops and priests conducted the *moleben*. The 'Blahovist' choir from Lviv, which was conducted by Volodymyr Holovko, sang very beautifully. United in prayer, and in elevation of spirit, everyone sang the hymn 'God, Who art one and almighty, Do Thou protect our Ukraine'. Those who were in Rome for the first time could not find the words to praise the wonderful church of St Sophia. For the pilgrims the first day had begun with visits to the principal basilicas of Rome and ended in the Ukrainian church with the golden domes which the Italians term the Pro-Cathedral of St Sophia in Rome.

## 19.00

Taking advantage of the visit of the bishops to Rome, the Ukrainian Ambassador invited them and the guests from Ukraine to his residence which is located in 'Parioli', the best district in Rome. Other guests of the Ambassador were Cardinal Achille Silvestrini, Prefect of the Oriental Congregation for the Eastern and Oriental Churches, and, from Ukraine, the Mayor of Lviv, Vasyl Kuybida, the first deputy head of the cultural department of the Lviv provincial administration, Zynoviya Mazuryk, Petro Zozulyak, Oleh Mandyuk, a member of the Lviv City Council, Yaroslav Lemyk, head of the Commission for Cultural Affairs of Lviv City Council, Professor Dmytro Stepovyk of the Theological Academy of the Kyiv Patriarchate, Professor Ivan Paslavskiy from Lviv, *maestro* Serhiy Burko, Director of the 'Virtuosi Lvova' chamber orchestra, and the author of these notes. At the end of the reception, Bishop Mykhailo Bzdel thanked the Ambassador and his team for entertaining them.

## Saturday, 6 July

From 15.30 onwards, the pilgrims began to assemble in St Peter's Square, together with choristers from Ukraine and the diaspora, to take part in the *moleben* to the Most Holy Mother of God, to be offered by Pope John-Paul II and the bishops of the Ukrainian Greek-Catholic Church at 18.00. Thousands of the faithful assembled in the Chapel of St Gregory where, above the altar, is the ancient icon of Our Lady of Perpetual Succour. This chapel is not far from the place where the mortal remains of St Josaphat rest. Clerics, priests, monks, special guests and members of the faithful, the colourful uniforms of the papal guards, the scarlet robes of the cardinals, the purple of the bishops, all this created an atmosphere of great beauty, and a sense of peace and great human dignity.

At a few minutes after 18.00 there appeared a procession led by a cross, behind which walked two deacons from Lviv, 170 Ukrainian priests from all over the world, Patriarch Cardinal Myroslav Ivan Lubachivskyi, and immediately behind him Pope John-Paul II. They all came into the chapel and took their places. The prelates took their places around the altar. The 'Blahovist' choir from Lviv which was to sing the *moleben* stood on the right side of the altar. Ukrainian monks from various different orders were on the left side of the chapel. Guests from Ukraine and the diaspora, including the Ukrainian Ambassador and members of the Embassy staff, stood between the choir and the priests. Beside the Ukrainian prelates one could see Cardinals Achille Silvestrini, Edward I. Cassidy, Virgilio Noe, Józef Glemp, Frantisek Macharski, Henryk Gulbinowicz, and many archbishops and bishops.

At the beginning of the *moleben* Patriarch Myroslav Ivan addressed those present in Ukrainian and Italian. I shall give an abridged version of his speech:

Holy Father, Your Eminences, Excellencies, Very Reverend Fathers, dear brothers and sisters in Christ... We have come here today to the basilica of St Peter so that together with the Pope we may pay honour to Our Lady, the Most Holy Mother of God and Virgin Mary, and to the relics of our martyr, St Josaphat, and to pray together for the unity of the whole Church of Christ and especially the Church of Ukraine. United in spirit with our brothers and sisters in Ukraine and Belarus and in all parts of the world, we draw near to the Most Holy Mother of God, the Mother of intercessory prayer and our indestructible wall, whom our people confess so sincerely. We pray that all her spiritual children may find in her profound love their lost unity and that they may become an instrument of the holy spirit of the Holy Universal Church for Christian unity. On this occasion we turn to our Holy Father, Pope John-Paul II, asking him to lead us in this *moleben* of prayer and to strengthen our spirit with his Apostolic Blessing. Holy Father, bless our Church and our nation.

Pope John-Paul II, together with the prelates and deacons, conducted the *moleben* to the Most Holy Mother of God in the Ukrainian language. The text in Ukrainian and Italian was printed in a special prayer-book prepared by Fr. Hlib-Lonchyna and printed by the Vatican press. On the cover was a copy of the icon of Our Lady of Żyrowiçy which is in the Ukrainian church of Sts Sergius and Bacchus in Rome. During the *moleben*, the Pope addressed the congregation in Ukrainian and Italian. I shall give an extract from his speech.

Today, at this time, when we are thanking God's providence for His deeds, let us not cease to pray that the saving concern which at that time bore precious, although partial fruits, will continue to act among today's generation of Christians.

We cannot rest quietly until that time when the divisions which have existed for so many generations shall yield place to unity among Christians, that unity for which Christ prayed so fervently: 'That they may all be one' (John 17,21). We must not cease to hope that the prayer of our Saviour and Teacher will bear abundant fruit. We shall not give up hope that the final years of the second millennium may lead to a new drawing together, so that we may enter the third millennium if not in complete unity, at least not so divided as before. For this we pray to the Holy Spirit. We raise our prayer for Mary, the Mother of unity, to the apostles Peter and Paul, Andrew, Cyril and the saints and martyrs who in the course of these four centuries did not spare their efforts, sacrifices and even their lives in the cause of unity. In particular, we beseech the intercession of the blessed St Josaphat, the apostle and martyr of unity, whose mortal remains rest in this basilica of the Vatican, and to which, after the conclusion of this service, we shall pay honour. In this spirit, let us sing the words of the Magnificat which we heard in today's gospel 'My soul doth magnify the Lord... Because He hath regarded the humbleness of his handmaiden, for behold from henceforth all generations shall call me blessed. Because He that is mighty hath done great things to me, and holy is His name' (Luke 1,46-49). Amen.

Before the conclusion of the *moleben*, the Pope presented to the new Archbishop of Przemyśl, Metropolitan Ivan Martynyak, the pallium, the traditional sign of unity between Metropolitan archbishops and the See of Rome. Before receiving the pallium the Archbishop recited the Nicene Creed in Ukrainian. The Italian papers stressed the beautiful singing during the *moleben*, the ancient beauty of the rite, and the spiritual depths of this religious service. See, for example, Maria Ponzì, in *Osservatore Romano*, 8 July.

When the *moleben* was over, the guests from Ukraine presented the Pope with gifts. Mayor Vasyl Kuybida of Lviv and the head of the Commission for Cultural Affairs of the Lviv City Council, Yaroslav Lemyk, presented on behalf of the City of Lviv a work of art representing the head of Christ. This was imprinted on leather by the artist Ihor Kopchyk, who has revived in Lviv this ancient Ukrainian art-form. A member of the Lviv City Council presented the Holy Father in the name of the head of the Lviv Provincial Council, Mykola Horyn, (who at the last moment had had to cancel his visit to Rome) a portrait in pastels of the late Patriarch Josyf Slipyi, the work of the Lviv artist, Yevhen Beznisko. Accepting the portrait, the Pope said that Patriarch Josyf was indeed a great man. Ivan Hrechko, the head of the Lviv Club of Ukrainian Greek Catholic Intelligentsia, presented a picture of St George the Victor, and also a picture of St Peter, Prince of the Apostles. These pictures were painted on glass by the Lviv artist Taras Lozynskyi, and carried out in the Hutsul style. Bohdan Henhalo, the conductor of 'Yevshan' (one of the Lviv choirs), also presented a picture with a religious theme, and several dignitaries, including Professor Dmytro Stepovyk, Professor Ivan Paslavskyi, *maestro* Serhiy Burko, and others, exchanged personal greetings with the Pope. This first meeting with the Pope concluded in a very warm and, one might say, family-like atmosphere. Fr. Ivan Datsko, the secretary of Patriarch Myroslav Ivan, presented the guests to the Pope.

### **Sunday, 7 July, St Peter's Basilica**

Holy Liturgy in the Byzantine-Ukrainian rite was to begin at 9.00, and an hour beforehand, everyone was in their place. The greatest cathedral in the world was filled with thousands of believers of various nationalities. Even the ambas-

sadors, accredited to the Holy See – and there were more than 60 of them, were all in their places half-an-hour in advance.

On every seat in the basilica there was a prayer-book with the text of the Holy Liturgy, which Pope John-Paul II and the bishops and priests celebrated in Ukrainian. This prayer-book, with texts in Ukrainian and Italian, was prepared by Fr. Hlib-Lonchyna, a Studite monk. The prayer-book was illustrated by icons from the Ukrainian National Museum in Lviv. Dr Oleh Sydor of the Museum staff had selected eight Ukrainian icons from the sixteenth and seventeenth centuries. Under each icon, in Ukrainian, Italian and English, there was a note on its origin. This was a great mark of recognition for the Ukrainian school of iconography and the Ukrainian National Museum. The technical work of producing the prayer-book was done by the Vatican press. The author of these notes was also consulted about it.

At 9.00 there appeared from a side chapel a procession which approached the high altar, above which hangs the magnificent baldachino of the world-famous sculptor Giovanni Lorenzo Bernini (1598–1680). Patriarch Myroslav Ivan was escorted to a special throne. Beside the high altar there stood alongside the cardinals, many archbishops and other clerical and lay dignitaries. At the end of the procession came the Pope, with on one side of him Monsignor Piero Marini, who is responsible for all religious ceremonies in which the Pope participates, and on the other Fr. Hlib-Lonchyna, who was responsible for the course of the Holy Liturgy and *moleben* from the Ukrainian side. In spite of the weakness of his legs, Patriarch Myroslav Ivan nevertheless managed to stand at the altar. The Italian press remarked that the Holy Father, who was concelebrating with Patriarch Myroslav Ivan and the other metropolitans, from time to time tried to support him. The deacons began this historic Liturgy of thanksgiving. 'Blessed be the name of the Lord'... resounded round the Basilica from the combined 230-voice choir. Those who were able to be present at this Holy Liturgy were indeed fortunate. The choir was conducted by Zynoviy Demtsyukh and Oleh Tsyhylyk, and the 'Blahovist' choir by Volodymyr Holovko. First of all, Patriarch Myroslav Ivan spoke in Ukrainian and English. He greeted the Holy Father, the cardinals, archbishops, bishops, ambassadors, priests, monks, and especially all believers, in particular those who for the first time in their lives had come from Ukraine. In his address, the Ukrainian Cardinal thanked God for His grace that we were able to pray together in St Peter's just as in 1988, which was a turning-point in the history of our Church. That was the stimulus for our Church to come out from the catacombs after decades of persecution. This was the first time that so large a number of pilgrims had come from Ukraine to the Eternal City, to pray together for the unity of the Christian churches. This had all been started by our bishops in 1596. Patriarch Myroslav Ivan added that were it not for the great financial crisis there would have been far more pilgrims from Ukraine (as it was, together with the members of the choirs and the orchestra, there were about 1,000). The Italian press made the same point. Vatican TV and Radio recorded the whole of the Liturgy and *moleben* on video, and gave these recordings to Bishop Vasyl Medvit, the Chief Secretary of the Jubilee Committee of the Ukrainian Greek Catholic Church. These recordings can be shown to people in Ukraine who were not able to go to Rome.

After the Gospel, the Pope spoke in Ukrainian and Italian. First of all, in Ukrainian. Here are some of the thoughts the Holy Father expressed:

We have come here today to offer thanks to God. We shall not cease to hope that, having at least partial unity, it may directly facilitate, support and vitalise the proposition of unity about which the Second Vatican Council spoke... Marking the 400th anniversary of the Union of Brest is like crossing a historical threshold... 'The Lord of the ages' gave the inspiration to those who were active in that event of four hundred years ago, which we term the Union of Brest. Irrespective of the historical constraints connected with it, in that act one may truly speak of *unitatis redintegratio*, the renewal of unity. For your ancestors, dear brothers and sisters, it was a matter of renewing that unity, the lack of which they felt, and indeed, they knew well that the unity of believers is Christ's gift and his explicit wish. They knew that he paid for it with His own blood and His suffering on the cross, and they knew that He made this unity a sign of His mission 'that the world may believe that Thou [Father] hast sent me' (John 17,21)... In this lies the fundamental reason which four hundred years ago led to this auspicious event.

One must observe with pleasure the excellent Ukrainian of the Holy Father's address. The Liturgy lasted three hours. At the end, the choir sang 'Many Years' for Pope John-Paul II, for the head of the Ukrainian Greek Catholic Church, the bishops, the faithful and the Ukrainian nation. This was an extraordinary experience, spiritual exaltation, tears of joy in the eyes of those present...

The procession re-formed and made its way to a side chapel. There were shouts of 'Long live the Pope', in Ukrainian and Italian, vociferous applause. Among the mass of people one could see embroidered Ukrainian shirts and blouses. Dozens of Ukrainian prelates in their gold and colourful mitres and many episcopal vestments added to the splendour of the event in St Peter's, praising the Triune God for recalling to the memory of the world the Ukrainian Church, the Ukrainian people, and Ukraine.

## 12.00 St Peter's Square

Traditionally every Sunday at 12.00 the Pope addresses pilgrims from the window of his residence. He then recites the 'Angelus'. However, since our Liturgy had lasted three hours, the Pope appeared at the window only at 12.30. Thousands of people were waiting in the square. Addressing the Ukrainians, the Pope said:

Praise be to Jesus Christ! It is with inexpressible joy that I can welcome to the Eternal City the pilgrims who have come from Ukraine and the Ukrainian diaspora to celebrate the 400th anniversary of the Union of Brest. May God bless you all with His grace. Praise be to Jesus Christ!

Then addressing all the people, the Pope said in Italian:

My dearest brothers and sisters. Yesterday and today in the basilica of St Peter we marked with Divine services the 400th anniversary of the Union of Brest, which in 1596 marked the renewal of the unity of one part of the Church in those lands and the Apostolic See. In this spirit, I shall continue my observations made last week about the spiritual riches of the Church, which are the common property of the Church of the East and the West. I wanted especially to emphasise the Great Councils of Nicaea, Constantinople, Ephesus and Chalcedon, which took place in the East at the time when

the Church was one, and there was complete unity between the Eastern Patriarchates and Rome. They recall to us the indestructibility of the Universal Church.

As always, at the end of the 'Angelus', the Pope gave his apostolic blessing. At this point many of the Ukrainian pilgrims had tears in their eyes. Each had a personal experience of these moments of prayer, joy and tears.

## 18.00

'Under the sign of faith, spirituality and culture'. That was the title under which Gianfranco Greco described in the *Osservatore Romano* of 8 July, the concert of Ukrainian religious songs and music, which took place in the magnificent Paul VI hall in the Vatican. The concert took place in the presence of the Pope and several cardinals, including Angelo Sudano, Vatican Secretary of State, Achille Silvestrini, Prefect of the Oriental Congregation for Eastern and Oriental Churches, Antonio Innocenti and many archbishops and bishops. Also present was the Ukrainian Ambassador, Anatoliy Orel, members of the Embassy staff and the Mayor of Lviv, Vasyl Kuybida.

The concert began with a speech of welcome in Italian and English from Bishop Ivan Khoma, who for a long time was secretary to Cardinal Josyf Slipyi, and who is now the Procurator in Rome of the Ukrainian Greek Catholic Church. Greco also wrote that in this magnificent hall there hung behind the stage an ornamental back-cloth showing the contours of the basilicas of St Peter, St Sophia in Kyiv and St George in Lviv (this 8 x 4 metre decoration was produced by Tadey Ryndzak, the principal scenic designer of the Lviv Opera and his brother Mykhailo). Petro Zozulyak from Lviv and the author of these notes were also called into consultation about it.

Bishop Ivan Khoma began his address by greeting the eminent members of the clergy and laity present:

We have gathered here at this concert of sacred music on the occasion of our national pilgrimage to Rome, to mark the 400th anniversary of the Union of Brest. In the sacred music of our people are expressed the deepest spiritual sentiments of their soul. Through sacred music we enter into the angelic world, where God is praised for all eternity. This concert also has an ecumenical character, since there have been performed here works composed in various regions of Ukraine, by both Catholic and Orthodox composers. They represent the spiritual and cultural heritage of the Ukrainian people from this beautiful hall to the entire world and kindle in the hearts of all joy and an unquenchable hope of a bright future.

Each work was greeted by those present (and there were over 3,000 of them) with enthusiastic and prolonged applause. At the end of the concert they performed Mykola Lysenko's 'God, Who Art One and Almighty...'. The 'Virtuosi Lvova' chamber orchestra accompanied the choir. After which, Bishop Ivan Khoma wished the Pope long life, and the choir sang *fortissimo* 'God, grant him many and blessed years'.

In his extensive write-up Gianfranco Greco wrote:

More than 200 voices from six choirs 'Antey' (conductor Zynoviy Demtsyukh), 'Boyan' (conductor Yaroslav Baziv), 'Homin' (conductor Oleh Tsyhylyk), 'Yevshan' (conductor Bohdan Henhalo), 'Mriya' (conductor Bohdan Derevyanko), all from Lviv; the choir of



The united choir from Ukraine, Paul VI hall, Sunday, 7 July.

First row, left to right: soloist (baritone) Kornel Syatetskyi, Yaroslav Baziv (conductor, 'Boyan'), Volodymyr Luciv (coordinator), Ambassador of Ukraine to Italy, Anatoliy Orel, Serhiy Burko (conductor, 'Virtuosi Lvova'), soloist (soprano) Oleksandra Lenyshyn, Pope John-Paul II, Zhanna Zvarychuk (conductor, choir of the cathedral of the Resurrection of Christ, Ivano-Frankivsk), Bohdan Derevyanko (conductor, 'Mriya'), Bohdan Henhalo (conductor, 'Yevshan'), Zynoviy Demtsyukh (conductor, 'Antey'), Oleh Tsyhylyk (conductor, 'Homin').

the cathedral of the Resurrection in Ivano-Frankivsk (conductor Zhanna Zvarychuk) and also the chamber orchestra 'Virtuosi Lvova' (conductor Serhiy Burko) performed works by M. Berezovskyi, A. Vedel, D. Bortnyanskyi, M. Verbytskyi, K. Stetsenko, M. Leontovych, M. Lysenko, A. Hnatyshyn; the chamber orchestra – works by A. Vivaldi, D. Bortnyanskyi, M. Skoryk, I. Sonevtskyi and others.

This journalist concluded his account of the concert with the words:

In the Paul VI hall of the Vatican there were heard the prayers in music of eleven composers, spanning three centuries of the history of music (1700, 1800, 1900), and which moreover was enthralling, both artistically and spiritually... Many Italians and representatives of other nations were witnesses to this religious musical and artistic feast of Ukrainian culture in the Eternal City.

One cardinal remarked: 'How was it possible in decades of isolation from the Western world to preserve such marvellous singing and music?' Foreigners came and asked where they could buy compact discs or cassettes of these songs and music.

Pope John-Paul II went up to the performers. He exchanged greetings with all the conductors and soloists, and asked, to the great joy of them all, for a group photo to be taken. What was particularly pleasant was that no one had expected the Holy Father to attend the concert, hence his presence gave it an extra air of celebration and solemnity.

The Ukrainian Ambassador, the Mayor of Lviv and many others thanked the performers for this great musical treat. At the request of Fr. Dziwicz, the Pope's private secretary, the choir performed two more songs, when, bidding farewell to the audience, the Pope left this remarkable hall, which had already resounded with Ukrainian song in 1988 and 1996. Here we had left our spiritual mark, for Ukrainian song is part of the Ukrainian soul, which had shown itself so well in Rome.

### **Monday, 8 July**

At 17.30 there was a historical exhibition of documents in the Vatican (the Sistine Room of the Vatican Museum). Vatican Radio and the press had publicised the fact that this exhibition was of great significance since it illustrated two facts. Firstly, that relations existed between the Kyivan episcopate and the Apostolic See existed before 1500 and were practically speaking never broken, even after the split between East and West. There are documents dating from 1073, 1200 and 1400 which show that close relations always existed between Rome and Ukraine. The Bull of the Council of Florence (the Union between the Greek and Roman Churches) is the special theological and moral basis for the Union of Brest. The Union of Florence became the great example for the Eastern bishops, so that they continued to strive to bring about the Union between the Kyivan Church and the Apostolic See, which finally came about in 1595–96.

The exhibition of these important historical documents (preserved in the Vatican archives), which throw light on the relations between the Kyiv state, the Kyiv Church and the Apostolic See throughout the centuries, was opened by Cardinal Achille Silvestrini, Prefect of the Oriental Congregation for the Eastern and Oriental Churches. This is what he said about it in an interview on Vatican Radio:

This is an exceptionally rare exhibition. In my opinion, it has great informative value, because many people know nothing about this. They know about that Church

which was persecuted, especially in the last 50 years, but they do not know the whole history, the history of intensive contacts which were never broken. Knowledge of this history will help overcome certain prejudices, such as, for example, that uniatism was some strange and illegal affair, or almost of its very nature a break with Orthodoxy. No! It was a desire to renew Catholic unity, without excluding the Orthodox. Now it is possible to take these steps further, and, proceeding from the religious freedom which was proclaimed together with the independence of Ukraine, it will be possible to continue a constructive dialogue with the Orthodox Church.

The Ukrainian Ambassador, Anatoliy Orel, also spoke at the opening of this exhibition. Almost all the bishops and archbishops of the Ukrainian Greek Catholic Church and many lay dignitaries were present at this important evening. The fact that there was this exhibition of historical documents to mark the 400th anniversary of the Union of Brest was due to a large extent to the efforts of Bishop Ivan Khoma and Fr. Porfiry Bezruchnyi.

## 21.00

A concert of Ukrainian religious music in St Ignatius' Square. One must thank the International Association of Lovers of Religious Music, its President Hans Albert Cortial, and the President of the Rome Tourist Board, Dr. Bruno Piatelli, for the fact that the beautiful baroque St Ignatius' Square, in the centre of Rome, adjoining the wonderful church of St Ignatius, was transformed into a real Roman salon, or rather, a stage under the open sky. This Association works closely with the Papal Institute of Religious Music. It has existed now for 25 years, and this summer it put on concerts for Roman devotees of religious music and for the international public, of whom millions come to the Eternal City. The natural acoustics are favourable and the surroundings of the square create a wonderful romantic atmosphere. The steps of the church and a platform erected in front of it make the stage. The beauty of the square is due to the architect Filippo Ragusini, who built the buildings round the church in 1727-28. Here Ukrainian choral and musical culture found a well-deserved place. Tanya Shuflyn from Rome announced the programme of the concert in Italian.

On Saturday, 7 July, a symphony orchestra from Bremen, Germany, had performed here, on Sunday an American choir from Kentucky, the next week there would be a choir from Indianapolis and on Friday, 30 July, a chamber choir from St Petersburg, and so on...

In such circumstances, and with brightly-coloured posters in all the churches of Rome, and leaflets distributed all over the city, with, as has been said, very finely produced programmes – in such an auspicious atmosphere the Ukrainian combined choir and the 'Virtuosi Lvova' orchestra performed here. The concert was opened by the President of the International Association of the Lovers of Sacred Music, Dr Hans Albert Cortial. Immediately after Dr Cortial's address, the square resounded with Andriy Hnatyshyn's 'Creed', Mykhailo Verbytskyi's 'Holy God', and Andriy Hnatyshyn's 'Hail, Virgin Mother of God', with soloist (soprano) Oleksandra Lenyshyn. After every item, there were shouts of 'Bravo! Come sono bravi!' (How good they are!) 'Bis!', and so on. The repertoire was similar to that of the Sunday concert. But the 'Virtuosi Lvova' also included Stanislav Lyudkevych's 'Song of Olden days' and, as an encore, played Mozart's 'Eine kleine Nachtmusik'. The perform-

ers received long and vigorous applause. Before the white façade of the church, over the illuminated square, the hymn 'God, Who art One and Almighty, Do Thou protect our Ukraine...' rolled forth magnificently. Many a Ukrainian felt proud indeed at that moment. All the members of the choir were elegantly dressed and the conductors in their tail coats and the soloists in truly magnificent attire completed the picture. All this made up a single harmony, a single aesthetic unity. One must offer sincere and heartfelt thanks to all the performers who so worthily represented Ukraine's sacred choral and musical culture in Rome.

When the concert was over, the performers assembled in the church, where in the name of the head of the Ukrainian Greek Catholic Church, Myroslav Ivan Lubachivskyy, Fr. Ivan Datsko thanked them for their magnificent performance in Rome, and on behalf of the Patriarch and himself wished them all further successes and a safe journey home. The author of these notes also thanked the conductors, soloists and all the members of the choir and the musicians for their several months of working together in preparation, and praised their successful performance of this difficult mission – for it would be hard to find any other term for it. 'You are fortunate, and Lviv and Ivano-Frankivsk are fortunate that they can rejoice in such splendid artistes. All honour and glory to you!' At the end, Petro Zozulyak from the Cultural Board of the Lviv provincial administration (who, incidentally, was of active assistance in Rome to the author of these lines), thanked all the performers for the successful performances in Rome which had brought glory to Ukrainian choral and musical culture. The faces of the performers revealed great weariness but at the same time their joy and satisfaction with their participation in these historical events. To paraphrase Julius Caesar: 'They came, they saw, they conquered!'

Indeed, for these four days, the Ukrainians did conquer Rome, with their prayers for the unity of the Ukrainian Church and the whole Christian Church in general, their hymns, the exhibition of historical documents, their contacts and cooperation with world-famous people, their presentations in the press, on radio and television, the coverage in world languages on the Ukrainian Church, and Ukrainian culture, affirming that on the threshold of the millennium they are striving to live in harmony and peace with all the nations of the world.

## **Addendum**

For a fuller picture of the preparations and course of these celebrations, I should like to add the following information.

The four months of the combined choir's rehearsals concluded by a concert given by that choir and the 'Virtuosi Lvova' orchestra in the Lviv opera house on 25 June 1996. The auditorium was packed. The programme was similar to that given in Rome. This event was organised by the Ukrainian Greek Catholic Church and the Board of Culture of the Lviv provincial administration. Introductory and closing speeches were given by Bishop Vasyl Medvit. This most successful concert took place on the eve of their departure for Rome.

The programme of the Rome commemorations, in Ukrainian and Italian, was printed in Lviv. It included an article on the Union in three languages and also statistics on the current state of the Ukrainian Greek Catholic Church in Ukraine, a list of its hierarchy, the programme of the celebrations, photographs and bio-

graphical data on the choir and orchestra and also biographical data on the composers whose works were to be performed. Printed on quality paper, this jubilee programme comprised 20 A4-size pages. A week before the Rome commemorations, in the churches of Rome, hundreds of posters were put up (with the prior consent of the church authorities) giving the programme of the Brest commemorations in Italian. The pro-Rector of the College of St Josaphat in Rome, Fr. Marko Skirka, saw to these posters and to many other practical matters.

The 'Virtuosi Lvova' chamber orchestra recorded a programme of Ukrainian sacred and classical music for Vatican Radio. From now on, the recordings' library of Vatican Radio will benefit from these recordings. So will Ukrainian musical culture, since this music will be heard world-wide. In this project, the author of these notes was greatly assisted by Tanya Shuflyn, from the Ukrainian Service of Vatican Radio. In Lviv, a great deal of work was done for the pilgrims by Irena Fedak, secretary of Bishop Vasyl Medvit, the head of the Jubilee Committee of the Ukrainian Greek Catholic Church, and a whole array of other people. Here it should be added that while Bishop Medvit was responsible for all the organisational matters, Bishop Mykhailo Hrynychshyn, by his press-materials and radio talks, also assisted in the preparations for the Brest commemorations.

It must also be mentioned that at the Monday evening concert in St Ignatius' Square there was present Monsignor Pablo Colino who expressed to the author of these notes his utter delight in the concert. Monsignor Colino is a Spaniard, who graduated in philosophy and theology from the Lateran University in Rome. He also took a course in the composition of sacred music. He is a Canon and conductor of the cappella choir of St Peter's Basilica, an Academician and director of musical courses in choral art at the Academy of the Rome Philharmonia, and the Academia Tibertina, and President of the World Congress of Choral Maestri, and a member of the Vatican's Artistic and Cultural Commission for the Millennium.

The author of these notes had arranged with Monsignor Colino for the concert in St Ignatius' Square, since he is also the artistic director of the International Association of Devotees of Sacred Music. He was also asked to help the Ukrainian choir get a place in the artistic programme which the Apostolic See is preparing for the Millennium. Judging from his delight in the singing of the combined choir from Lviv and Ivano-Frankivsk, one may have every hope that this will come to pass.

It is also worth mentioning that the group of pilgrims from Great Britain, which included a group of members of the Association of Ukrainian Former Combatants, led by Petro Kishchuk, went on the Monday morning to the Military Cemetery at Monte Cassino, where many Ukrainians who served in the Polish army of General Anders are buried. Mayor Vasyl Kuybida of Lviv also went with the group, and it so happens that he found that one of the graves was that of his uncle, whose fate had remained unknown to all the members of his family. He laid flowers on his kinsman's grave. Archpriest Ivan Muzychka and the other priests conducted a *panakhyda* for the repose of the souls of the Ukrainians buried there.

Finally, it is fitting to record that the journey of the choirs and pilgrims to Rome would have been impossible without the assistance of the Ukrainian Greek Catholic Church. And, as Bishop Lyubomyr Huzar said, everything was done in the spirit of ecumenism and without any spirit of triumphalism. □

## The Arts

### Ukraine in the *Trilogy* of Henryk Sienkiewicz

In Memory of Alicja Iwańska

Nina Taylor

In a declaration of love and nostalgia for the Ukraine he has never known firsthand, the novelist Tadeusz Konwicki writes as follows:

For it was Sienkiewicz who taught me to love Ukraine. The Ukraine which enjoyed to 'rezaty Lachiw', that worshipped *hajdamak* recklessness and, in its great yearning for freedom, loved nothing better than to shove its shaggy pate into harsh bondage. I don't know how it came about, but the Messiah of our patriotism left us a waxworks of worthy Poles and a whole gallery of splendid, vibrant, exciting, passionate, magnificent, deeply human Ukrainians, Lithuanians and Tatars. Mr Sienkiewicz taught me the beauty of the Ukrainian land, its fragrant steppes and mysterious ravines, its rivers that really are rivers, its incredible sacred spots, its sky and its clouds that are to be found nowhere else in the world. After these marvels one no longer wants to hear his tales about the province of Sandomierz, the Carpathians or the Mazurian Lakes. He has intertwined it all so ingeniously that one cannot distinguish what is Polish in the Ukrainian world, and Ukrainian in the Polish world. Because of Sienkiewicz, the great hatred between Hajdamaks and Lachs is woven from threads of love, mutual fascination, and a strange, metaphysical attraction.<sup>1</sup>

This testimony of love-through-literature is symptomatic. At the time of writing *Kalendarz i klepsydra*, Konwicki was well established as the celebrant and custodian of the Lithuanian landscape tradition in post-war Polish prose. The relevance of Ukraine to his own *oeuvre* is therefore not immediately obvious. Yet his statement sublimates the latent dreams and imaginings of a large sector of the Polish reading public at a time when certain Polish-Ukrainian issues were outlawed by the communist censor.

For ethnic Poles who have never travelled outside ethnic Poland, the toponyms of Jampol, Żółte Wody and Korsun evoke a thrill of loss and nostalgia as they echo through the soundbox of acquired memory. Their acquaintance with Ukraine is confined to literary texts. Sienkiewicz's presentation of Ukraine has monopolised the Polish collective memory and organised its subconscious. This may partly be ascribed to the fact that by a *tour de force* of artistic dexterity his 'Ukrainian' novel *Ogniem i mieczem* simultaneously entered the reading orbits of adults and children alike – an instance of reader input in the form of wishful thinking and dream fulfilment more than meeting the author's own projections.

This article draws heavily on the materials collated by Julian Krzyżanowski, *Henryk Sienkiewicz. Kalendarz życia i twórczości*, Warsaw, 1956, and Józef Szczublewski, *Żywot Sienkiewicza*, PIW, Warsaw, 1989. Information about seventeenth-century diarists is based on the relevant volumes of *Nowy Korbut* and Czesław Hernas, *Barok*, Warsaw, 1973. The map used is that of Tadeusz Nowak and Władysław Raczyński.

<sup>1</sup> Tadeusz Konwicki, *Kalendarz i klepsydra*, 1976, pp. 142–43.

By a second accident of literary creativity, the main exponent of synthetic Ukrainianism in Polish literature is not a local boy, but a total outsider.

For Sienkiewicz never visited steppe-land Ukraine. The nearest he came was Lviv, which he visited twice, in mid-October 1875 and again in 1879, when his drama *Na jedną kartę* was being staged. On this latter occasion, he went on a trip into the Hutsul mountains, and is also thought to have visited Ternopil, and perhaps Zbarazh. Ten years after he had revamped the Ukrainian legend and codified it for Polish posterity, to quote Józef Szczublewski, 'he set off like Bohun in search of his Eastern odalisque as far as the seaboard at the distant edge of the old Republic'.<sup>2</sup> In 1893, he spent forty hours in a train between Warsaw and Odesa, where he planned to formalise his engagement to Maria Wołodkowicz. In the event following the trail of his own heroes proved somewhat of a fool's errand. The marriage was by any standards exceptionally short-lived.

\* \* \*

Born in Pidlassya in 1843, Henryk Sienkiewicz had no Ukrainian antecedents. His maternal great-grandfather was a Tatar-Belarusian settled in Lithuania, his mother was a native of Pidlassya, his father an impoverished, *déclassé* nobleman. Even before he could read, he knew from his parents and uncles about the land beyond a great river known as the Dnipro (Dnieper). He knew that in the centuries of its power, Poland had once reached as far back as the Black Sea. Further detail could be gleaned from Julian Ursyn Niemcewicz's *Śpiewy historyczne*, which served as a patriotic catechism for Polish children throughout the nineteenth century. His mother made him learn them by heart, and recite them when visitors came to the house. Half a century later, Sienkiewicz admitted that he had 'virtually learned to read' from Polish writers of the sixteenth and seventeenth centuries, which he had found in an old trunk 'in the attic of a manorhouse situated in a small village in an enslaved country'. They exerted a more potent charm on his youthful mind than *Robinson Crusoe* or the military adventures of Napoleon, which he discovered at a slightly later age. His first inkling of Ukraine would have derived from that same trunkful of books in the attic. Globetrotter that he became, he would only ever know Ukraine from texts, his nursery reading being later supplemented by Nikolai Gogol's *Taras Bulba* from the school syllabus.

From the sixteenth century onwards, the image of Ukraine in Polish literature had passed through various stages of mythologisation, each generation adding a new layer to the palimpsest. Sienkiewicz could thus draw on a richly kaleidoscopic vision. From the onset Ukraine was portrayed dominantly, though not solely, in the Arcadian vein of Sebastian Klonowicz's *Roxolania* (1584). It was subsequently identified as an initiation-ground for the nation's warriors, and as a desecrated Arcadia. It came to symbolise the bastion of Christianity in the East, and was apotheosised in Stanisław Trembecki's *Sofiówka* (1806) as the land flowing with milk and honey.<sup>3</sup>

<sup>2</sup> Józef Szczublewski, *Żywot Sienkiewicza*, Warsaw, 1989, p. 219.

<sup>3</sup> Ludwika Słękowa, 'L'Image des confins du sud-est dans la littérature des XVI<sup>e</sup> et XVII<sup>e</sup> siècles'. In Daniel Beauvois (ed.), *Les Confins de l'ancienne Pologne. Ukraine. Lituanie. Biélorussie*, Lille, 1988, pp. 19–38.

Two decades later, the literary landscape was updated and rewritten by the Romantics' 'discovery' of Ukraine, which they viewed through the lens of Ossian and Sir Walter Scott. This 'Ukrainian School' was identified and defined by M. Grabowski in an article entitled 'O elemencie poezji ukraińskiej' (*Literatura i krytyka*, Wilno, 1837). Compared to the sentimental steppeland pastorals of Józef Bohdan Zaleski ('I too was born in Arcadia!'), the tragic, gloomy, gory Gothic of Seweryn Goszczyński came historiosophically closer to reality. Zaleski was born in the village of Boyarka in Kyiv *guberniya*, Goszczyński in Illintsi in the district of Lypivtsi; they were both educated by the Basilian fathers in Uman. Less 'local' than Zaleski and Goszczyński, reared in Knyahynyne near Dubno in Volhynia, and at the Liceum in Kremenets, Antoni Malczewski (1793–1826) gave a permanent slant to the literary iconography. In the panorama of annihilation and metaphysical void he unfurls in his poem *Maria, Powieść ukraińska* (1825), he fixes the equation of steppe, horse, Cossack and night as one wild soul; and deploys both steppe and sea as interchangeable symbols of infinity. Furthermore, the cinematographic shorthand of his style ensured that infinity was never static.

Though largely outshone by the poetic vision and metaphysical envergnure of Juliusz Słowacki's narrative and dramatic poetry concerning Ukraine, Malczewski, Zaleski and Goszczyński were compulsory reading throughout the nineteenth century. They were, however, outdistanced by Wincenty Pol's *Mobort. Rapsod rycerski z podania* (written between 1840 and 1852), which gained a vast readership and went through over a dozen printings (1854, 1855, 1857, 1858, 1876, 1883, 1898, 1903, 1905, 1907, 1908, 1918, 1922, 1924 and 1925). In the process it became the standard icon of the Borderlands (*vide* Ukraine), a canonical text, a 'prayer of Polish souls, men of action', as Seweryn Goszczyński willingly admitted, and a Gospel of patriotic love. The leading literary iconographer of Ukraine for some seven decades, Pol was in fact an outsider, the son of Franciszek Ksawery Pohl (von Pohlenburg) a German from Warmia. Reared in Lviv, Zolochiv, perhaps Mistky, and Ternopil, he was notwithstanding a Pole by cultural choice and conviction, and at the time of the November Uprising fought in the insurgent army in Lithuania.

From Malczewski Pol inherited the exploration of Ukraine as 'a metaspace of adventure', to quote Jacek Kolbuszewski's phrase. Ironically, though, in superseding the more authentic testimonies of grass-roots poets, *Mobort* was outdated even before its inception, a living albeit heroic anachronism. As Włodzimierz Spasowicz pointed out, by the end of the eighteenth century 'there was no longer any major war on the Eastern borderlands, and the functions of the borderline chivalry were downgraded to what in today's terminology we would call the police of the steppe'. Sienkiewicz, who inherited Pol's hackneyed concept of Ukraine as the training-ground for ideal heroes and warriors, took exception to Spasowicz's criticism. Poetry, he claimed, should not be judged by the same criteria as a newspaper article. Pol had taught his contemporaries to love the past, without which the very ground would cave in beneath the nation's feet. *Mobort* was 'a monument of what was good in the tradition, a monument so magnificent that it is difficult to tear one's eyes away'. Away from the corruption of the capital, 'there had been the Eastern borderlands (*kresy*), and their simple life style, their simple, strict sense of duty...'.<sup>4</sup> Pol's *Mobort* continued to be published long after Sienkiewicz's success. At one point, they even shared the same illustrator.

<sup>4</sup> Henryk Sienkiewicz, *Mieszczanie literacko-artystyczne, Pisma*, Vol. 48, pp. 107–8.

\* \* \*

Sienkiewicz felt the urge to create his own historical fiction from a relatively early age, and in 1865 he had a plan for a 'half-novel, half-history' entitled *Spyt-ko z Melsztyna*, that materialised many years later in *Krzyżacy* (serialised 1897–1900, first book edition 1900). His first active dabbling in historical fiction dates from 1874 when, together with Walery Przyborowski and Daniel Zgliński, he worked on the Polish translation of Victor Hugo's *Quatre-Vingt Treize*. In view of his far from perfect knowledge of French, however, it is quite likely that he merely gave the final stylistic polish to their draft version.

Meanwhile in the cultural life of Warsaw and Kraków a climate of curiosity or longing for Ukrainica was sustained, though hardly satisfied, by the works of painters and graphic artists. Favourite battalistic scenes of Polish uhlans in combat with Tatars, such as Maksymilian Gierymski's (1846–74) 'Potyczka z Tatarami' (1867) inevitably evoked the Ukrainian connection. There was no dearth of illustrative material. Literary magazines and periodicals such as *Tygodnik Ilustrowany* and *Kłosy* published prints and reproductions of topographical sites, Ukrainian huts, potholed country roads, Podolian townships, views of Kamyanets-Podilskyi and Korsun, or historical items such as Żółkiewski's monument at Cecora (*Tygodnik Ilustrowany*, 1860), scenes *de genre* and human types (or stereotypes?): Ukrainian lyrists, and Podolian beggars perceived from a Polish angle and through Polish eyes.

Sienkiewicz's own circle of acquaintance embraced many a member of the journalistic and artistic community in Warsaw. Through his friendship with the actress Helena Modrzejewska, he was to meet 'the old national bard' Wincenty Pol in her Kraków drawing-room. Within the same social orbit he made friends with the painters Adam Chmielowski, Stanisław Witkiewicz and Józef Chełmoński. After leading a life of destitution in Munich for a year, Chełmoński had done a bunk to Ukraine: Sienkiewicz would apparently listen to his descriptions of the Ukrainian landscape with rapt, bemused attention.<sup>5</sup> Sienkiewicz was already steeped in 'Ukrainian' texts and literary confections. Yet this 'Ukrainian' word- or text-hoard was the common heritage of other literate Poles. There was nothing promised, predestined, or pre-ordained. Ukrainian themes in Sienkiewicz's writing became a practical option only after he had apparently run in the opposite direction.

The turning-point came with his departure for America. In 1876 Sienkiewicz sailed from Liverpool to New York, where he then took the Two Ocean Railroad to San Francisco. For the next two years (1876–78) he was to range the vast expanses of America's deserts, prairies and forests, hunting the Grisly in the Rockies, and buffaloes in the steppes of Wyoming, visiting the San Jago Canyon, and riding through 'the empty land' between the mountains of Santa Ana and San Bernardino. The summit of Mount Diablo, he claims, afforded him the most beautiful panorama he had ever beheld. Ultimately, the sight of Niagara Falls was to awaken the writer in him.

Sienkiewicz described Santa Inez from a sea journey along the coast. 'In this part the steppe dominates over the mountains. As far as I can make out by night the land is empty and neither trees nor human habitation are to be seen'.<sup>6</sup> Earlier, as his train passed through the prairie of Nebraska, he attempted to define the aesthetics

<sup>5</sup> J. Szczublewski, op. cit., p. 29.

<sup>6</sup> Ibid., p. 69.

of the steppe. 'One's eyes, soul, thoughts lose themselves in the steppe, live not their life, but by the whole power of the steppe (całą potęgą stepów), in which they dissolve like a drop of water in the sea. Man is fused with nature'.<sup>7</sup> Sienkiewicz perceives this to be the source of all pantheistic systems. He pursues:

We love the sea, steppe, yet according to the rules of aesthetics there is nothing aesthetic in a vacuum. The grey distance fuses with the sky at the edge of the horizon. There is silence all around: deathlike stillness, death almost. And yet the steppe lures and attracts. One feels the urge to gallop away and bathe in infinity, forget oneself, go wild – and live.

Sienkiewicz further wonders how to explain this incomprehensible attraction of emptiness, boundlessness, infinity.

There everything is only everything, individual life vanishes, there is only one great soul; that is why the steppe so allures and attracts. It is as it were the reflection of the Nirvana of universal life, a yearning for which lies in the human soul.<sup>8</sup>

On his journey from Los Angeles to San Francisco by the first official train along the newly opened line, Sienkiewicz got out at a small station at the edge of the Mojave desert, and set off on horseback with an Indian guide for a two-day trip into the wasteland.

We had been riding for a couple of hours, and the horizon hardly changed at all. Only the hilliness of the terrain came to an end, and before us lay an even steppe, grey, monotonous, along which I trailed my eyes, losing them in the infinite distance. It was four o'clock in the afternoon. The sun blazed in a huge downpour of rays. The scorched ground reflected the sun's heat; the horses sweated. The steppe began to bore and tire me, for it was not our Ukrainian steppe with its burial-mounds, and its poetic tradition. In Ukraine the wind bears echoes of 'Allah' and 'Jezus Maria' as though from the other world, and the report of fire-arms, and the neighing of horses. In a word the steppe there has its own living soul; here all is silence, deadness, soullessness. This area of land is only a foolish, mindless injury to life. The other one speaks and sings throughout its length and its breadth. This one has nothing to say. The other rocks, sways, lives, and riders 'wade shoulder-deep in grass'. But here the shameless earth uncovers its cracked and naked womb. There is nothing for the eye, nothing for the ear or the imagination. It is all one great nothing – I can find no other definition. It was getting hotter and hotter. I waited longingly for sunset, as it would bring the coolness of night, and an even cooler breath of wind from the ocean.<sup>9</sup>

Nostalgia for a panorama known only from reading testifies to the vigour of the tradition. Meanwhile, the impact of America on Sienkiewicz cannot be overestimated. As Aleksander Świętochowski commented in 1884, America had offered an escape from the empty, barren café life of Warsaw literati.<sup>10</sup> The prairie of Nebraska had suggested a deep-rooted need halfway between aesthetics and metaphysical longing. The Mojave desert further released his imagination, providing the comparative framework and structure for the conception and gestation of the *Trilogy*.

<sup>7</sup> Henryk Sienkiewicz, *Listy z podróży 'Koleją Dwu Oceanów'*, *Pisma*, Vol. 5, pp. 69–71.

<sup>8</sup> *Ibid.*

<sup>9</sup> Henryk Sienkiewicz, *Pisma*, Vol. 6, pp. 86–87.

<sup>10</sup> J. Szczublewski, *op. cit.*, p. 135.

Back in Europe, during his year-long stay in Paris, Sienkiewicz put his pen to the novella *Przez stepy* (1879). Described as the first Polish western, it presents the monodrama of Captain Piotrowski who, with loaded rifle, survives ambush by brigands and Indians as he crosses the prairies, rivers and rocky deserts of the North American continent at the head of a caravan of émigrés. The *fata morgana* offers prospect of mountains and forest where there are only dead lakes. The soil sweats salt, the ground is scorched to a black mirror glaze. The real contest is with climate and geology.

The year 1880 brings an acceleration of Sienkiewicz's creative process. *Niewola tatarska*, to quote Józef Szczublewski, marks the beginning of the most important journey in the writer's life – his journey into Poland's past.<sup>11</sup> It was also his first journey – albeit through the imagination – to the old South-Eastern borderlands of the Republic of the Nobility. Couched in a style imitative of seventeenth-century diction, it presents fragments from the diary of an old Polish warrior, who fought in Ukraine and was taken prisoner by the Tatars. Despite humiliation and persecution, like Calderon's *Indomitable Prince*, he refused to convert to Islam.

Written in August–September 1880 and first printed in the same year, the story was unfavourably received. Piotr Chmielowski commented, somewhat prematurely perhaps, that 'the field of the historical novel is closed to Sienkiewicz'. Sienkiewicz had recently been studying 'very many things of the Sixteenth and later centuries'. Early that year (1880) he had been planning a novel about Władysław Warneńczyk's romantic love affair in Hungary, only to drop the idea in favour of *Bartek Zwycięzca*.<sup>12</sup> A new, longer novel was, however, hatching within, a chivalrous tale of bygone centuries, 'full of adventures' from Ukraine to sustain the reader's interest. Sienkiewicz realised it was high time he went to Ukraine to see things for himself. He nevertheless regretted 'that is now impossible'.

His only option was to read the chronicles. Loose threads and strands came together when Sienkiewicz chanced upon Ludwik Kubala's *Szkice historyczne*, and wrote an enthusiastic review for *Niwa* in the autumn.

There was a time when historical books stirred far more interest in wider circles of readers. When the historical sketches of Szajnocha came out, they were not only read, but universally discussed. ... Even women used to read them. ... Those days are no more. ... the past sleeps forgotten. The reason is we have no writer capable of being both historian and artist.<sup>13</sup>

The dearth of creative historical works and the public's indifference to national history therefore entitled Sienkiewicz to devote special attention to Kubala's book.<sup>14</sup>

Kubala's book appealed strongly to Sienkiewicz's imagination. The defence of Zbarazh, he wrote, was epic, 'a great picture painted by the hand of an exceptional artist'.<sup>15</sup> The review contains lengthy excerpts. 'Kubala... is genuinely inspired. From being a historian he becomes a painter. His words assume colour

<sup>11</sup> *Ibid.*, p. 98.

<sup>12</sup> Antoni Zaleski, *Towarzystwo warszawskie*. In Julian Krzyżanowski, *Henryk Sienkiewicz. Kalendarz życia i twórczości*, Warsaw, 1956, pp. 136–37.

<sup>13</sup> Henryk Sienkiewicz, *Mieszaniiny literacko-artystyczne, Pisma*, Vol. 48, p. 7.

<sup>14</sup> *Ibid.*, pp. 9–10.

<sup>15</sup> *Ibid.*, pp. 18, 20.

and shape. Instead of reading about the siege, we see it as though we were eye-witnesses'.<sup>16</sup> Although the sketches deal with the distant past, 'our heart beats in anticipation at what will happen next, when the battle will start etc.'.<sup>17</sup> Sienkiewicz's effusions seem to anticipate reviews and reader perceptions of his own *Trilogy* a few years later. Consciously or not, the terms and categories of his Kubala review outline both an artistic ambition and an aesthetic method.

Be that as it may, in the autumn of 1880 Zbarazh and the battle of Berestechko formed the nucleus for a new novel. Fresh from the impact of Kubala's sketches, Sienkiewicz began to read all he could about Cossack affairs.<sup>18</sup> His historical studies lasted over a year as he perused every relevant, available item. During this period he also appears to have found some time for voracious pleasure reading. Ever since his student days he had been fond of Shakespeare, and kept returning to *The Tempest*, *Hamlet* and the *Henrys*.<sup>19</sup> He was 'in love' with Charles Dickens, and most of the English writers. His attitude to Alexandre Dumas was ambivalent: he remained critical of Dumas's alcove and eavesdropping technique, and the masquerading and disguises that form an inevitable part of his plots. Yet Skrzetuski and his friends are in many ways a Polish-Sarmatian reincarnation of the three Musketeers. In the intervals between writing, Sienkiewicz relaxed with travelogues, Stanley and Livingstone in particular. Throughout this period, to reattune his ear to the language and psychic rhythm of a bygone age, 'Sienkiewicz did not part with Pasek's text even on distant journeys. He was enthralled by the ancient classical Polish style. ...Indeed Sienkiewicz absorbed Pasek most intensely of all in the period of writing the *Trilogy*'.<sup>20</sup>

In February 1883, Sienkiewicz informed Stanisław Smolka of the progress he was making. 'As for my great novel, it will probably be entitled *The Wolf's Lair* (Wilcze Gniazdo). The action takes place under the reign of Jan Casimir, at the time of the Cossack incursion. I have sufficient sources – and I have been working on it for a long time. Perhaps I shall succeed'. Apparently, Sienkiewicz had the whole plan in his head before writing. He made no notes or rough draft, but produced a clean manuscript ready for the printers.<sup>21</sup> As Juliusz Kleiner explains, there is no way of surmising what Sienkiewicz initially planned. His original idea was to extract an episode from the wild romanticism of the Eastern borderlands, with its specific mixture of chivalry and banditry. Focusing on the wolf's lair, Rozłohi, he would narrate the love story and adventures of Helena, Skrzetuski and Bohun against the background of the Khmelnytskyi wars. Zagłoba was introduced to cheer up the gloomy atmosphere with his buffooneries. In the course of writing, the image of life in the steppe grew into an epic about the Khmelnytskyi era,<sup>22</sup> and a two-volume romance expanded into a four-volume opus.

<sup>16</sup> *Ibid.*, p. 19.

<sup>17</sup> *Ibid.*, p. 20.

<sup>18</sup> J. Krzyzanowki, *Kalendarz*, p. 136.

<sup>19</sup> Antoni Zaleski in *Towarzystwo warszawskie*, Julian Krzyzanowski, op. cit., p. 134.

<sup>20</sup> R. Pollak in Introduction to *Memoirs of Pasek*, Warsaw, 1955. Julian Krzyzanowski, *Pokłosie Sienkiewiczowskie*, Warsaw, 1973, p. 251.

<sup>21</sup> Antoni Zaleski in *Towarzystwo warszawskie*, Julian Krzyzanowski, *Kalendarz*, p. 134.

<sup>22</sup> Juliusz Kleiner, 'Ogniem i mieczem Henryka Sienkiewicza' in Tomasz Jodełka (ed.), *Trylogia Henryka Sienkiewicza. Studia, szkice, polemiki*, Warsaw, 1962, p. 467.

In April 1883 Sienkiewicz informed the editor of *Czas* that the title of his novel has been definitely changed to *Ogniem i mieczem*. He had already put the finishing touches to Volume 1, and was devoting his every moment to writing the second volume. One month later, *Ogniem i mieczem* began to appear in serial form in *Słowo* (May 2, 1883 to March 1884). In May 1883, only the first volume (85,000 words) was ready. For the next forty weeks, in order to keep his deadline, Sienkiewicz had to produce 1,000 words a day six days a week. Reception was euphoric. The first edition of 3,000 copies sold out in a couple of months; the third print-run was virtually sold out by 1886.

*Ogniem i mieczem* instantly commanded total reader involvement and total suspension of disbelief. It monopolised social intercourse and family correspondence.<sup>23</sup> The aristocracy organised *tableaux vivants* with mounted hussars, Cossacks, and Tatars on their drawing-room stages. Daughters of the nobility strove to emulate Sienkiewicz's heroines and took up fencing. According to Count Stanisław Tarnowski, it was 'not only a perfect historical novel, but – what no historical novel had been before – a heroic and perfectly poetic novel, which if it had been written in verse would be (...) an epos'. Tarnowski's eulogies provoked the caustic rejoinder of Aleksander Świętochowski that 'Ultimately Mickiewicz was only Mickiewicz. But according to the assurances of Count Tarnowski Mr Sienkiewicz is simultaneously Mickiewicz, Homer, Shakespeare, Dante, Tasso, and possibly even Edison and Bismarck, only the Kraków professor probably forgot these and other names during his lecture. ...No [European nation] possesses a giant capable of being Homer, and Shakespeare and Dante and Tasso etc. all in one'.<sup>24</sup>

Sienkiewicz's reliability and scholarship were also called into question. Critical complaint is best summarised by Piotr Chmielowski:

Sienkiewicz does not appear to know Ukraine. When planning to write *Salammbô*, Flaubert went on a special journey to Africa to have a look at the nature and places he intended to depict. Perhaps it is not too much to ask that a Polish novelist, who has chosen Ukraine as virtually the only stage for his large-scale novel, should first discover that country for himself. Sienkiewicz may have thought that meticulous knowledge of descriptions of Ukraine would suffice. In some ways he was right in this assumption, especially as he delves into landscape details with extreme caution. His steppe is very beautifully painted, but remains rather conventional'.<sup>25</sup>

Sienkiewicz was well aware of the critical opposition, he may even have anticipated it. Before the novel came off the printing-press, he wrote in April 1883:

Of my novel I shall merely say that I have prepared the groundwork thoroughly and conscientiously, and have read a vast number of contemporary sources, so that I have not taken even a single surname out of my imagination. I am also trying to give the colour of the epoch faithfully...<sup>26</sup>

Later the same year he told the prospective translator of *Ogniem i mieczem* into French '... I have had in my hand sources that were formerly not known even to

<sup>23</sup> J. Szczublewski, op. cit., p. 130.

<sup>24</sup> Article in *Prawda*, March 29, 1884. J. Szczublewski, op. cit., p. 132.

<sup>25</sup> Quoted (without further reference) by Andrzej Stawar, *Pisarstwo Henryka Sienkiewicza*, Warsaw, 1960, pp. 143–44.

<sup>26</sup> Julian Krzyżanowski, *Kalendarz*, p. 104.

historians, as they have only recently been published by the Archaeological Commission, both Polish and Ruthenian. Without prejudging its artistic merit, the whole thing is the fruit of studies that have cost me not a little work and time'.<sup>27</sup>

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For his homework Sienkiewicz had consulted the *Silva rerum* of the Wisnio-wiecki family, the registers of Polish ensigns for 1648, and sundry books of heraldry, not to mention contemporary monographs by living Polish and Russian historians easily available in libraries and book shops, such as Karol Szajnocha, and naturally Kubala, whose sketches had first fired his imagination. These and other sources are listed in a letter dated 18 June 1885,<sup>28</sup> and include Samoila Weliczko's *Kroniki rusinskie*, Kulisz's *Istoriya vozsoyedineniya Rusi*, and Glin-ski's *Opis Siczy zaporoskiej*. Wawrzyniec Jan Rudawski's (1617–90?) *Historia Poloniae ab excessu Vladislai IV ad pacem Olivensem usque libri IX*, originally published by W. Mitzler de Kolof (Warsaw, 1755), was available in a Polish translation by Spasowicz as *Historia Polski od śmierci Władysława IV aż do pokoju oliwskiego* (2 vols., St Petersburg, 1855).

Descriptions of the siege of Zbarazh were to be found in Kubala, in Samuel Twardowski's verse epic *Wojna domowa* (between 1651–55) and the *Annalium Poloniae ab obitu Vladislai IV Climacter primus* (Krakow, 1683)<sup>29</sup> of Wespazjan Kochowski (1633–1700), poet and historiographer royal, who fought at Berestechko in 1651, and spent the ensuing ten years at war. Mention is also made of Jakub Michałowski (1612–62 or 1663), who fought at the side of Jan Casimir in the Zboriv and Berestechko campaigns, and the collection of documents, letters, poems, and diaries concerning the Cossack wars that was published under the title *Księga pamiętnicza J. Michałowskiego* in 1864.<sup>30</sup> Further background knowledge of the battlefield of Berestechko is supplied by Mikolaj Jermiolowski (died c. 1693), who served under Krzysztof Tyszkiewicz, castellan of Chernihiv, and fought also at Chudniv, and others. Written in 1683–93, by which time he was established as a gentleman farmer, his *Pamiętnik* covers the period 1648–79, and was published by A. Bielowski in Lviv in 1850.

In weaving the atmospheric backcloth of *Ogniem i mieczem*, Sienkiewicz borrowed numerous details from the *Latopisiec albo kroniczka roznych spraw i dziejow* of Joachim Jerlicz (1598–1673 or later), published by K.W. Wójcicki in Warsaw in 1853. Born near Ostrih, Jerlicz served as a soldier under Stanisław Żółkiewski in 1617, was wounded at the battle of Khotyn (1621), and gave up wars for farming. When his manor-farm was attacked by the Cossacks during the Khmelnytskyi uprising, he escaped with the manuscript of his memoirs from the village of Kocheriv to Kyiv. There he found refuge in the Pechersky Monastery and proceeded to commit the greater part of his chronicle to paper, only to return to active service under Stefan Czarniecki in 1660. His chronicle deals with the period 1620–73, and

<sup>27</sup> Julian Krzyżanowski, op. cit., p. 106.

<sup>28</sup> Julian Krzyżanowski, op. cit., p. 105.

<sup>29</sup> Sienkiewicz could have used the eighteenth-century abridged Polish translation by Zabiełło, published by E. Raczyński as *Historia panowia Jana Kazimierza*, Poznań, 1840, 2 vols.

<sup>30</sup> According to *Nowy Korbut*, Michałowski's *Diariusz wojny pod Beresteczkiem* remains unpublished in the Michałowski family archive in Dobrzechów in Małopolska.

is an invaluable indicator of prevailing Sarmatian attitudes in counter-Reformation Poland. Underpinned by a peasant philosophy of nature, it is laced with superstition, comets, ghosts, and all the paraphernalia of mysterious signs both natural and divine. At the same time his insights are often ironic and snide.

Further source material was supplied by Bogusław Kazimierz Maskiewicz (1625–83) in his *Diariusz z lat 1643–1649, 1660*.<sup>31</sup> Maskiewicz had been in the service of both Bogusław Radziwiłł and Franciszek Zebrzydowski, castellan of Lublin, before enlisting with Jeremi Wisniowiecki in 1646, in whose detachments he took part in the expedition to Zaporizhzhya. He fought at Nemyriv, Makhnivka and Konstantynovskiy. Subsequently he was to recall the pathos of the Zaporozhian foray, the dread inspired by the rapids on the Dnipro, and the dangers and luxuriance of the steppe landscape. He likewise documents such symbolic deeds as the building of stone mounds and carving of princely coats-of-arms on old oaks to signify taking possession of territory ‘in everlasting memory, as no gentleman of our nation has ever been so far on that side before’ (‘na pamiątkę wieczną, gdyż tamtą stroną żaden jeszcze pan naszego narodu nie bywał tak daleko’). Maskiewicz clearly points to 1647 as the last year of the great Polish-Lithuanian Commonwealth. The first news of major historical change is that ‘Chmielnicki jakiś zebrał kupę hultajstwa’.

One of the potentially more objective sources used by Sienkiewicz was the work of a French military engineer, architect and cartographer, Guillaume Le Vasseur Sieur de Beauplan (c. 1600–73), employed in the service of the Polish Kings Sigismund III, Władysław IV and Jan Casimir. Beauplan spent several years in Ukraine, where he visited the mouth of the Dnipro as companion to Cupbearer Michał Ostroróg, took part in an expedition of Mikołaj Potocki, Great Hetman of the Crown, against the Tatars (1646–47), but was mainly occupied in founding *slobody* to facilitate defence against the Tatars. He also fortified several localities on the Dnipro, and helped rebuild the famous forts of Kudak and Bar.

The upshot of Beauplan’s experience was a book entitled *Description d’Ukraine, qui sont plusieurs provinces du Royaume de Pologne. Contenues depuis les confins de la Moscovie jusques aux limites de la Transilvanie. Ensemble leurs moeurs, facons de vivre, & de faire la guerre* dedicated to King Jan Casimir, and published in Rouen in 1660 in a first print-run of one hundred copies. The work enjoyed considerable success. It went through three editions and was translated into German and English, and into Latin by Mitzler de Kolof (1705–70), court doctor and historiographer of King Augustus III. It contains a wealth of information about landscape, customs, folklore and ethnography. More importantly, perhaps, in commenting on the social and political set-up in Ukraine and Crimea, he highlights the growing discontent and ascending power of the Cossacks. It was Beauplan, besides, who drew up the first detailed map of Ukraine to the scale of 1:450,000. On this the spatial layout of *Og-niem i mieczem* largely hinges.

<sup>31</sup> The diary for the period 1643–49 was published by J.U. Niemcewicz in 1830, the second part (1660) came out under the title *Dyaryusz moskiewskiej wojny w Wielkim Księstwie Litewskim będącej i uspokojenie onej przez... Pawła Sapiebę* in 1840. A critical edition of both parts was edited by A. Sajkowski, Wrocław, 1961.

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The stage and scenery of Sienkiewicz's created world are vast, the background being 'too wide' for Bolesław Prus's liking.<sup>32</sup> Ukraine was not only a territory to be defended against the inroads of Turks and Tatars. It was also a broad gateway to the East – offering the risk of Tatar captivity and life in bondage to the infidel, and a rich array of Levantine fashions in garments and in arms. The borderland of nations, religions and cultures, it was enshrined as a place of historical and existential initiation and inspiration. A playground for military adventure, it provided first intimations of infinity. A dedicated traveller and passionate hunter, Sienkiewicz apparently always regretted not being a painter.<sup>33</sup> Ukraine provided him with unprecedented scope for kinetic effects, and the broad sweep of panoramic vistas portrayed as it were through a wide-angle lens.

The long list of real and putative mistakes of which contemporary critics accused Sienkiewicz included a number of geographical errors. Compared to the descriptions of the steppe in *Letters from America*, on which the landscapes of *Ogniem i mieczem* were based, the latter were found to be more literary, and less immediate.<sup>34</sup> Yet even the censorious Aleksander Świątchowski was prepared to admit, in grudging backhanded praise, that the strongest side of Sienkiewicz's talent was undoubtedly his descriptive power. 'His landscapes are full and expressive, not a single bush or animal is missing in them'.<sup>35</sup>

By birthright and by literary practice Józef Bohdan Zaleski, co-founder of the Ukrainian School in Polish Romanticism half a century earlier, had credentials that the other critics mainly lacked, and he gave unstinting praise for the authenticity of *Ogniem i mieczem*.

Undeniably he is a first-rate novelist and poet! What creative power! What a solemn, chivalrous mood, sustained in such masterly fashion. What depth of national feeling, what a diligent and sensible study of a most confused and cheerless period of history. His imagination is truly magic. It mirrors and projects localities, customs, and the characters and personalities of our famous old warriors quite magnificently. ...I personally owe Sienkiewicz many sweet and blissful hours. It thrilled my soul to pore over his novel. It gives such a living reminder of Ukraine – the Arcadia of my young years. The charming and faithful descriptions of my native realm... filled me with delight. ...May God repay him his good deed! I bless him with the tender melancholy of an old man standing above his grave!<sup>36</sup>

Zaleski's opinion may be partly invalidated by the all too natural nostalgia of an ancient émigré whose poetic expression even half a century earlier had erred on the side of the mawkish and picturesque. Yet a latter-day Polonist and author of an English-language monograph, David Welsh, is prepared to place Sienkiewicz's descriptive talents on a par with other major Western novelists.

Sienkiewicz possessed the faculty (which he shared with most of the major nineteenth-century novelists) of evoking a strong sense of place: his vision of the steppes and forests, castles, palaces and churches, battlefields and towns is as vividly sum-

<sup>32</sup> J. Szczublewski, op. cit., p. 138; cf. Lech Ludorowski, *O postawie epickiej w Trylogii Sienkiewicza*, Warsaw, 1970, p. 195;

<sup>33</sup> Antoni Zaleski, *Towarzystwo warszawskie* in Julian Krzyżanowski, op. cit., p. 134.

<sup>34</sup> J. Fałkowski quoted by Andrzej Stawar (without further particulars), op. cit., p. 144.

<sup>35</sup> J. Szczublewski, op. cit., p. 135.

<sup>36</sup> J. Krzyżanowski, op. cit., p. 108.

moned up for the reader as the London of Dickens, Balzac's Paris, or the St Petersburg of Gogol' and Dostoevskij. ... Sienkiewicz's concern was with the remote past of the seventeenth century, and a sense of physical environment was even more important in historical fiction than in fiction with a contemporary setting.<sup>37</sup>

On this point too Sienkiewicz provoked the ire of the Positivist camp. Bolesław Prus complained that he had devoted 'dozens of pages to describing the Ukrainian steppes' at the expense of sociological background and political motivation, without which there can be no historical novel. More recently W. Doda has done his literary sums, and come up with the conclusion that Nature plays only a small role in the narrative.<sup>38</sup> Over the *Trilogy* as a whole (97,872 lines), only 1.81% of the text (1,776 lines) refers to nature at all. Within this scheme, *Ogniem i mieczem* and *Pan Wołodyjowski*, the two 'Ukrainian' panels of the triptych, contain almost double the overall average of nature description. Nature in the *Trilogy* is thus 'a secondary element in the gushing torrent of action.'<sup>39</sup> It is curious to note that Sienkiewicz devotes twice as much space to the Ukraine he knew only from poetry as to the geography of places with which he was well acquainted in real life.

In discussing Sienkiewicz's artistic workshop, W. Doda distinguishes a range of different devices. Two major hallmarks of his method are the dynamics of description, and his use of animism. This functions on two planes. On the one hand, Sienkiewicz harnesses the power of natural elements to activate the scenery. According to the demands of epic as a genre, motion is of the essence, and constant scenic change the order of the day. To quote Ludorowski, 'The phenomenon of night and day, the mood of seasons, the poetry of the steppe and the virgin forest (*puszcza*), the element of water, the climate of the mountains and plateau, the wind, sun, rain, moon and clouds, purvey a constant and varied impression of movement'.<sup>40</sup> The landscape in *Trilogy* is in a permanent state of flux.

'Intensified by the world of marvels and magic spells, spirits and vampires ... appearing just as the peasant imagination of the time conceived them',<sup>41</sup> animism in Sienkiewicz's Ukrainian landscapes documents post-Reformation superstitions and beliefs prevalent among the Polish nobility. It also relates to the fairy-tale element that pervades the epic narrative, represented by the personages of the Witch Horpyna and the Dwarf Czeremis.

Vibrant with air, light, and motion, the vast spaces of Sienkiewicz's borderland country are intersected by numerous river beds, ravines and gullies. Populated with mobile human figures, the permanent contours of the land are caught in fleeting moments of change. The background of *Ogniem i mieczem* is never gratuitous, but closely woven into the narrative. Upon the map of basic geographical outlines and well-worn Tatar routes Sienkiewicz has superimposed the treks, marches, missions, pursuits, and escapes of countless characters and supernumeraries. The territory is thus carved and criss-crossed by the movement of

<sup>37</sup> David Welsh, 'Sienkiewicz's *Trilogy*. A Study in Novelistic Techniques', offprint from *Antemurale XV*, Institutum Historicum Polonicum Romae, 1971, p. 263.

<sup>38</sup> W. Doda in *Przyroda w Trylogii Sienkiewicza*, Kraków, 1927. Quoted in Ludorowski, p. 158.

<sup>39</sup> *Ibid.*

<sup>40</sup> *Op.cit.*, pp. 158-59.

<sup>41</sup> Ignacy Skorochowski, 'Ogniem i mieczem', *Przegląd Powszechny*, 1884, Vol. II, p. 426. Quoted by Lech Ludorowski, *op.cit.*, p. 37.

armies, proceeding largely East-West or West-East on an axis between Bazavluk and Zamość during the campaigns of 1648, 1649 and 1651.

Put in the simplest terms, the landscape is marked by the passage of the joint Tatar-Cossack forces along three itineraries: registered Cossacks, main army, and the detachments of Kryvonos. Polish forces comprise the army of the Great Hetman of the Crown, Mikołaj Potocki, subdivided into the main corps, the registered Cossacks, and the detachments of Stefan Potocki; the private army of Jeremi Wisnio-wiecki; and the army led by the Deputy Hetmans. The main Polish forces describe an anti-clockwise round dance: from Pereyaslav, across the Trubizh, via Basan and Kozelets to Chernihiv on the Desna, then westwards to Lyubech through Brahyn and Babčyn, across the Prypyat river, the Slovechna, the Noryn to the west of Ovruch and the Uzh very closer to Iskorostyn as far as Zhytomyr.

The loops, ellipses and circles of military campaigns and marches are pre-ordained for Sienkiewicz by history. Skrzetuski's return from his Crimean mission is also largely dictated by historical verisimilitude. Leaving Perekop, he crosses the Dnipro at Tavan, where the road forks out into the Wallachian, Kuchman and Murakhfa tracks. When the novel opens, we meet him on his way to Chyhyryn. As he proceeds east, then north, to Pohreby, Rozlohi, Semymohyly, Vasylykiv, Khorol, Solonytsya and Lubni (where he is within striking distance – some 35 km – from the literary county of Gogol's Myrhorod). It has been claimed that Sienkiewicz's heroes in *Trilogy* are not depicted in great psychological depth. Yet Skrzetuski's return from Dzikie Pola is full of subtexts. He has returned from way beyond the three Tatar Routes, from the other shore of old battlefields. He has beheld weird and awesome places – *loci horribili* – that were largely mythical for his contemporaries. He has returned from a place whence only a few ever returned.

Four other trajectories in the novel – Helena's escape, her abduction, and the ensuing quests, pertain chiefly to authorial imagination. A certain topographical logic underlies Zagłoba's escape plan for Helena as they proceed from Rozlohi along an East-West line almost as straight as an arrow flies, past Brovarka, Demyanivka, Kavrayets, Chornobay, Kropivna, Zolotonosha, Prokhorivka, Shelepukha, Derenkivtsi, Korsun, Stebliv, then cross the Hnylyi Tikych and via Vinnytsya finally reach Bar.

Following her disappearance, Skrzetuski partakes in his second great landlocked odyssey. Sienkiewicz forebears to give all the minutiae of an ordnance survey map, and focuses on main halts and landmarks. Using the map which the Russian censor would not allow to be printed with the book, the reader can follow the wide loop executed by Skrzetuski in his role of enamoured knight errant in search of his lost beloved. From Voronkiv, the first lap of his romantic pilgrimage takes him through Pereyaslav to Kyiv, then across three rivers: the Irpin, Zdvyzh and Teteriv, as far as Zhytomyr. Thence through Korets, Slavuta, Lyashkivka, Yampil, across the river Horyn to Zbarazh, then south to Kamyanets-Podilskiy on the Smotrych, via Zhvan, Yaruha, Busha, Yampil, Volodynka, Rashkiv, Yahorlyk on the Dnister, which is the southernmost point of his expedition.

Skrzetuski then veers virtually north, north-north-east, crosses the Kuchman Track, the Boh and the Black Track to Uman. Next he crosses the Hirskiy Tikych and the Hnylyi Tikych, the second loop of the Black Track, and the Rastavtsa to Novosilky. From Novosilky, like a dog chasing its tail, he describes an anti-clockwise loop, a small orb inscribed within the vast circumference of his wanderings,

northwards via Hvozdiv, Bilohorodka, Khvastiv to Trypillya – which by steppe-land standards is but a stone's throw from his starting-point at Voronkiv. By comparison, Zagłoba and Wołodyjowski's search party encompasses a narrow strip of territory, describing a knotted route from Bar, south to Sharhorod, Yampil and Volodynka, up to Studynka, north-west to Mohyliv and Sharhorod, then through Barok, Yaltushkiv, then north-west to Ozhyhivtsi and Zbarazh.

'Dzień sądu idzie już przez Dzikie Pola' – Doomsday is also on the wing. The characters riding through the Ukrainian steppe in *Ogniem i mieczem* create the same effect as landscape seen from a train – the illusion of landscape on the move. Even the cattle betrays its usual literary vocation of grazing statically in quiet pastures, as it trundles along the road on the way to the abattoir at Korsun. The infinite horizon of Chekhov's novella *The Steppe* is characterised by monotony and boredom. Sienkiewicz's method of dynamic cartography has opened up and interconnected Ukrainian scenery and locations to an unprecedented extent within the Polish tradition, charting for the benefit of prospective visitors a number of literary itineraries in the wake of the armies, Skrzetuski, Bohun or Zagłoba.

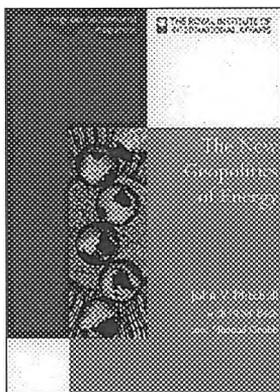
In poetising the topography of Ukraine in prose for the consumption of the common reader, Sienkiewicz largely supersedes the older texts, making Zaleski, Goszczyński, Wincenty Pol and others redundant for all but the aficionadi. He wrote to escape from the tedium of contemporary life, to raise the spirits of his contemporaries in a time of political and ideological doldrums by reminding them of a valiant past – 'dla pokrzepienia serc'. Herein lies an awkward paradox of reader reception. It was obvious, and not only from Maskiewicz, that the events of 1648 were but the first scene of a long drawn-out tragedy. Annihilation came from the steppe. Yet Sienkiewicz could feel its irresistible lure, and in *Pan Wołodyjowski* reverted to his fascination. In counteracting infinity one might argue that he had effectively deromanticised it. In his obsession to map and tame the land we should perhaps see a propitiatory gesture of ordering the wilderness from which had come the beginning of Poland's end.

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## Reviews



**The New Geopolitics of Energy.** By John V. Mitchell with Peter Beck and Michael Grubb (The Royal Institute of International Affairs – Energy and Environmental Programme – London, 1996), 196 pp.

This study analyses the various factors which, over the past two decades, have caused a major shift in how the world views the concept of ‘energy security’. These include, in particular, the expansion of non-OPEC oil production, market liberalisation in most sectors and continents, market competition in the Middle East, the mushrooming of the East Asian energy demand, and the new political clout of Russia as an oil and gas exporter. At the same time, another dimension is added by growing concern world-wide about related climate change, and the problems of nuclear power.

The authors of this work consider that traditional, OPEC-focused thinking about energy supply and energy security is outmoded and irrelevant to the 1990s, and propose a new approach to energy security. They consider that

‘[t]he conditions which propelled the policies and attitudes of “energy crises” into international geopolitics no longer hold [since] governments almost everywhere have withdrawn or are withdrawing from detailed economic management including management of energy demand and investment’.

From this point of view, they analyse the world’s main producers of fossil fuels (non-OPEC countries, the Middle East, Russia and East Asia) and the global problems of the nuclear industry (in particular, safety and the disposal of spent fuel). The chapter on Russia (which will be of particular interest to our readers), is well-researched, and – in addition to graphs and statistics of reserves, consumption and exports – also deals with the all-important political and quasi-political issues, including the power of the energy ‘giants’ Lukoil and Gazprom, the possibilities and problems of Western investment, the need for foreign aid to render its nuclear reactors safe (and the fact that, for such limited aid as is available, it must compete with Ukraine, and other CIS and East European countries) – and the ‘criminality and corruption’ permeating Russian life today. The importance of Ukraine to the Russian energy industry, both as a major consumer and for the transit of oil and gas pipelines to the rest of Europe, is well brought out.

They suggest that, in the ‘new geopolitics’, energy is becoming a vehicle for wider policies – foreign and security policies on the supply side, and environmental objectives on the demand side. They propose several major energy ‘projects’ which could contribute to wider cooperation, and put constraints on the development of conflicts. Two of the examples mentioned specifically relate to the former Soviet space, namely ‘A multilateral effort to stabilize the transit conditions for Russian energy exports to western Europe and to enable the development of Central Asian oil and gas for world markets’ and ‘Intergovernmental cooperation to develop a framework for the investments necessary to expand potential gas supplies to East Asia, including pipeline gas from eastern Russia’.

How far Russia's leaders, and its 'energy giants' – Lukoil and Gazprom – would be interested in such schemes is, for the moment, an open question, granted that, as the authors graphically put it the 'Russian polity and economy have been moving forward like a football team crossing quicksand' and will be unable to 'play as a team until all the players have got through to the other side'.

Nevertheless, even if viewed only as academic desiderata rather than – for the moment – practical policies, the authors' proposals – and, indeed, the whole thrust of their analysis – bring an important new dimension to discussions of the international energy market.



**The Ukrainian Greek Catholic Church and the Soviet State (1939–1950).** By Bohdan R. Bociurkiw (Canadian Institute of Ukrainian Studies Press, Edmonton–Toronto, 1996), 310pp, illustr.

This is, beyond doubt, a study of major significance, not only for the history of religion in Ukraine, but also for twentieth century Ukrainian history in general. For, as the author stresses in his introduction, this is not a 'martyrology' of a persecuted Church but an analysis of the interaction between that Church and a state authority which intended to destroy it not only because the fundamental ideology of that state was atheistic, but also because it perceived that Church in particular to embody and fan a political concept –

Ukrainian independence – incompatible with its own imperialistic ambitions. For Bociurkiw maintains, as he states in his opening paragraph:

Soviet policy toward the Ukrainian Greek Catholic Church cannot be explained in terms of Marxism or Leninism alone. For the models and precedents for Stalinist church policy in Western Ukraine, one should also look to the treatment of the Greek Catholic Church during centuries of tsarist rule and to the traditional, caesaropapist pattern of relations between the Muscovite/Russian state and the Orthodox Church.

For, he says:

Russian hostility toward the Uniate (Eastern Catholic) Church goes back to the church's inception at the Union of Brest (Berestia) in 1596, when the majority of Orthodox bishops in Ukraine and Belarus (then part of the Polish-Lithuanian Commonwealth) recognized the primacy of the pope in return for Polish promises of equality with the Roman Catholic Church and for papal guarantees that the Uniates would retain their Byzantine-Slavonic rite, the Church-Slavonic liturgical language, Eastern canon law, a married clergy, and administrative autonomy. Coming only seven years after the establishment of the Moscow patriarchate, which claimed jurisdiction over the Orthodox in the Commonwealth, the Union of Brest was viewed by the Muscovite state not only as a Polish-inspired ecclesiastical obstacle to the realization of the idea of Moscow as the 'Third Rome', but, even more importantly, as an attempt at permanently separating 'Little' and 'White' Rus' from 'Great Rus'' – that is, Ukraine and Belarus from Muscovy – while setting the spiritual foundations for the Polonization of the Ukrainians and Belarusians.

Therefore, although this book, which the author tells us, was originally conceived many years ago and its first draft completed in 1989, has obviously benefited enormously from the opening up of the former Soviet archives, unlike, for example, Felix Corley's *Religion in the Soviet Union – an Archival Reader* (see *The Ukrainian Review*, No. 3, 1996, pp. 92–95), it is not simply a presentation or appraisal of hither-to classified Soviet documents. It is also based on a careful reassessment of source material already published in the West, which, on occasion, leads to the explosion of some cherished myths, without the need of invoking the new source material. Thus the often repeated 'fact' that Khrushchev (then First Secretary of the Communist Party of Ukraine) participated in the funeral of Metropolitan Andriy Sheptytskyi in November 1944, bringing with him, according to some accounts, a wreath and/or a message of condolence from Stalin is, Bociurkiw points out, effectively repudiated by a letter to the Pope from Archbishop Yosyf Slipyi, Sheptytskyi's coadjutor and successor, describing the funeral ceremonies in considerable detail. This letter was published in 1967, in Vol. 3 of Pierre Blet's *Actes et documents du Saint Siège relatifs à la Seconde Guerre Mondiale*. Yet Khrushchev's 'presence' at the funeral was cited as fact as late as 1981, in a work which ought not to have taken account of the Slipyi letter – Hansjakob Stehle's *Eastern Politics of the Vatican, 1917–1979*.

(Incidentally, one should perhaps point out at this stage that as far ex-Soviet archival material is concerned, Bociurkiw appears to have consulted only the holdings in Lviv – the Central State Historical Archive of Ukraine, and the State Archive of Lviv Oblast. The four-page-long 'Acknowledgements' thanks the various scholars for materials from other archives in Ukraine, either for searches made specifically on his behalf, or for transcripts of materials, presumably made in the course of their own work. The materials from Russia, relating to what one may call the Kremlin end of the interaction, seem to have come largely via the US Library of Congress, in particular its 1992 exhibit 'Revelations from the Russian Archives'. Moreover, as Bociurkiw himself observes, the study is not a balanced one of all the Eastern-rite Catholic eparchies in Galicia, not only because 'most of the available materials for it originated from or focused on L'viv archeparchy' but also because

the relevant Vatican archives remain inaccessible at the very time when the most secret documents pertaining to the Soviet treatment of the Greek Catholic Church and its hierarchy and clergy in the former Soviet Party, state, and even NKGB-MGB-MVD-KGB archives in Ukraine have recently become accessible to scholars. This new access should have corrected the imbalance mentioned above, were it not for the similar focusing of classified Soviet reports on the centre of the Galician metropolis and the logistical difficulties I experienced in trying to see, let alone read or copy, documents from the state oblast archives in Ivano-Frankivsk (formerly Stanislav), Ternopil', and Uzhhorod and from the former Drohobych oblast archive, which had been incorporated into the L'viv oblast archive after the abolition of Drohobych oblast in 1959.

Moreover, '[s]ome relevant archives still remain classified in Ukraine', including the records of the uncanonical 1946 Lviv 'Council' which voted to 'reunite' the Ukrainian Greek Catholic Church with the Orthodox.

Nevertheless, in spite of all these difficulties, one may say with confidence that Bociurkiw's study represents a major advance in the field. One feels that

even if more archive material is eventually released, the new revelations are far more likely to augment, rather than contradict Bociurkiw's picture.

Proceeding from his thesis that Soviet policy towards the Eastern-rite Catholic Church in Ukraine was simply a continuation of that of the Tsars, Bociurkiw begins his study with a brief but informative account of the formal abolition of that Church (then termed 'Uniate') under the Tsars, an event conventionally dated to the 1839 Polack Council, but which, in reality, as Bociurkiw shows, was an eighty-year-long series of repressions from the liquidation of the Lutsk, Brest and Pinsk eparchies under Catherine II in 1795 until the abolition of the Uniate Church in its last remaining eparchy – Kholm – in 1875. This 'reunification with the Orthodox' in both the language used, and also some of its logistics, including the secret preparations for the 'reunification' council, were to serve as direct models for the events of 1946.

The repression of the Uniate Church within the Russian empire meant that it could survive openly only in Austrian-ruled Galicia, the area which, incorporated into the Soviet Union during World War II, is the focus of this study. Galicia's first experience of Russian rule came with World War I, when the Tsarist armies invaded, suppressed all Ukrainian institutions except the Greek Catholic Church, assailed the latter with a campaign of 'Orthodoxization' and arrested its head, Metropolitan Andriy Sheptytskyi, for having in a sermon compared the Greek Catholic Church and the Russian Orthodox 'state' faith in terms which the Russians deemed 'subversive'. After the end of the War, and the brief period of Ukrainian statehood, in which the Ukrainian Greek Catholic Church 'gave its full support to the new state, staffing the newly born Ukrainian Galician Army (UHA) with chaplains and instructing the clergy and the faithful to pray for the Ukrainian authorities', Galicia experienced a new version of Russian rule – the short-lived Galician SSR, whose ruling Galician Revolutionary Committee immediately introduced a 'decree on the separation of the church from the state and of the school from the church', which 'eliminated all privileges for the clergy and all forms of state assistance to the church and provided for the nationalization of all property owned by churches and religious societies'. Although the Galician SSR was wound up on 23 September 1920, the decree provided a foretaste of what was to come, and it seems somewhat remarkable, therefore, that in 1944 the new head of the Ukrainian Catholic Church, Archbishop Yosyf Slipyi, could propose to the Soviet authorities a *modus vivendi* which would not only allow that Church to carry out charitable work among wounded soldiers and war victims, but would replicate the Polish Vatican Concordat of 1925, by granting the Greek Catholic Church such rights as

The enjoyment of full freedom, the independent exercise of its authority and jurisdiction, the free administration of its affairs and property; the church's free communication with the Apostolic See ... the freedom of bishops, in the exercise of their duties, to communicate with their clergy and to issue pastoral letters

and other privileges, including the right to own land and property, the exemption of clerics and theological students from military service, religious instruction in state schools, and the 'inviolability of churches, chapels, cemeteries'.

Perhaps, however, Slipyi was not so much making a demand which he expected to have fulfilled, as drawing up, as it were, the battle-lines for the future struggle.

And, of course, in one respect, the Soviet attitude to religion had changed since the time of the Galician SSR; under the pressure of the Nazi German invasion, Stalin had allowed the Russian Orthodox Church to re-emerge from the catacombs – as an encouragement to patriotism and the war effort. Slipyi may have felt it at least worth a try that, in Galicia, the traditional majority faith – Greek Catholicism – could be allotted the same role that the traditional Russian faith – Orthodoxy – was now playing in the rest of the Soviet Union. But such hopes were, of course, vain. ‘It is clear’, writes Bociurkiw,

from the now available secret Party and KGB archives that Stalin’s regime never contemplated a lasting *modus vivendi* with the Ukrainian Greek Catholic Church. Instead, it viewed the latter not merely as a part of a united anti-Soviet front in Western Ukraine, but as its spiritual core.

It deferred its attack, however, until its annexation of Western Ukraine was accepted by the Western Allies, and the Red Army firmly in occupation of Central and Eastern Europe.

Until then, Stalin’s government staged the elaborate deception of a ‘new’ policy towards the Greek Catholic Church. It helped to neutralize the church’s traditional defences against the combined attack of Moscow’s imperialism and revived Russian Orthodox expansionism, and prevented the Greek Catholic leadership from preparing for more than half a century [sic] of illegal existence.

The preparations for the liquidation of the Greek Catholic Church – using the 1839 model of ‘voluntary reunion with the Orthodox’ – and set out in secret briefing documents and instructions to Communist Party propagandists, cast a particularly revealing light on the Soviet official mentality. All is seen in terms of the Revolutionary struggle:

... the Greek Catholic Church in Galicia, which in the past had aided the cause of preserving Ukrainians from Polonization and Romanization, had, after the October Revolution, joined the forces of the West Ukrainian ‘counter-revolution’ in their ‘struggle for the separation of Ukraine from the Orthodox East, for the creation of a so-called independent Ukraine, which would have meant the separation of Ukraine from the Soviet Union and its transfer into the hands of the capitalist West... Rather than fighting for reunion with the Orthodox East and breaking with hated Catholicism, the Greek Catholic Church is strengthening its ties with the Roman pope. In this lies the reactionary role of the Greek Catholic Church... The task now is to break the ideological ties with the Catholic West and to complete the union with the Orthodox East organizationally, i.e., to carry out the organizational break of the Greek Catholic Church with the Roman pope and to unite with the Eastern Orthodox ecclesiastical leadership in Moscow and Kyiv’.

So much for ‘voluntary’ reunion! The Soviet propagandists, through their puppet ‘Initiative group... for Reunion’, could, in fact, do little more than to try to persuade the Greek Catholic faithful that Rome and the West had ‘abandoned’ them – coupled with the blatant statement that this group had been formed ‘with the permission of the state authorities’ [i.e. with their active support]. Using the initiative group and its leader, Kostelnyk, as a front, the NKGB [the then acronym for the security police] put out a polemical pamphlet attacking the Union of Brest, which – according to a then-secret report from the NKGB chief in Ukraine, Serhiy Savchenko – had ‘for tactical reasons’ presented the late

Metropolitan Sheptytskyi as a 'forerunner of the reunion' (a blatant distortion of his true ecumenism), since he 'remains the great[est] authority for the Uniate clergy and believers'.

But right up to the uncanonical Lviv Council (sobor) which voted for reunion – and in which not a single Greek Catholic Bishop took part – the documents repeatedly bear witness to the fact that all those concerned in the campaign – including the members of the Lviv sobor and the Initiative Group – accepted it as a political decision. 'Reunion' with the Orthodox, says the petition for reunion drawn up by the Lviv Sobor, 'was made possible only through the great victories of the Soviet Union, which united our Ukrainian lands into a single Ukrainian state and *liberated all the historical territories of the Eastern church from oppression by the Roman church*' (emphasis added) so that the victorious Soviet Union 'became not only *the representative but also the liberator and defender of all the Slavic peoples*' (emphasis added), while the Vatican 'supported the policies of Fascism'.

Indeed, even the 'Message to the Clergy and Believers of the Greek Catholic Church in the Western Oblasts of Ukraine' which eventually emanated from the Lviv 'Sobor' implicitly admits that the Sobor was uncanonical – it describes itself as a 'sobor of the Greek Catholic clergy' not of the Greek Catholic Church. In other words, the very document which announces the decision of the 'sobor' to 'liquidate the Brest Union of 1596' tacitly admits that its decision had no validity. Were the members of the Initiative Group and the participants in the 'sobor', who throughout the whole process had repeatedly stressed the need for more time to overcome the psychological barriers to 'reunion', now making a last-minute attempt to clear their consciences?

Incidentally, although, a month before the 'sobor' the head of the Russian Orthodox Church, Patriarch Aleksiy, sent a telegram of blessing to Kostelnyk approving its convocation, and afterwards expressed his 'joy at the conclusion of the reunion' and made Kostelnyk an arch-priest (the highest dignity open to him as a married cleric), he had not, in fact, originally favoured the idea of 'reunification' being effected by the council, advising Georgiy Karpov, Chairman of the (state) Council for the Affairs of the Russian Orthodox Church, 'that the resolutions adopted by the eparchial conferences of the Galician clergy would suffice for their reunion with the Russian Orthodox Church' and urging 'a direct accession to Orthodoxy by individual Greek Catholic parishes' – in other words, the Kholm model of 1885. Even more significant, Aleksiy did not favour the sweetener proposed by Kostelnyk for priests who came over to the Orthodox – that those priests who had had the Roman rule of celibacy imposed on them should be allowed to marry when they 'reunited'. Aleksiy made it clear that

their ordination was recognized by the Orthodox Church, and neither the Orthodox nor Catholic canons permitted the clergy to marry *after ordination* (emphasis added). Moreover, such a concession to the former Greek Catholic clergy 'would give the Catholic Church the reason to discredit the act of receiving the Greek [Catholic]-Uniate priests into communion [with Orthodoxy] as motivated by political and not ecclesiastical considerations'.

Even Aleksiy, who in temporal terms stood to gain from the 'reunion', clearly discounted any genuine religious content.

What reunion was to mean in practical terms of church usage is contained in an instruction by Kostelnyk, which Bociurkiw summarises in a lengthy footnote (p. 174). Bociurkiw does not attempt to explain these changes. Some are obvious – ‘Greek Catholic’ is to be replaced by ‘Orthodox’ in all rubrics and documents, prayers for the Patriarch of Moscow are to replace those for the Pope and prayers for the Soviet state are to be introduced. But others will be obscure except to the specialist in Eastern Church history. The reader who is primarily interested in the political aspects of the story may well be left wondering why the cult of St Josaphat Kuntsevych was to be discontinued, or what is meant by ‘adopt[ing] the Orthodox liturgical practice as to the moment at which Transubstantiation takes place’. And even a reader fairly well versed in church matters may raise an eyebrow at the instruction to ‘discontinue celebrating the Immaculate Conception and references to it in sermons’, knowing that when the dogma of the Immaculate Conception was proclaimed in 1857, the antiquity of this doctrine was substantiated by the fact that it was also celebrated by the Orthodox Churches, and hence pre-dated the schism of 1054. One can only suppose – since the Orthodox term the relevant feast ‘the conception of [Mary by] St Anne’ that it was the actual words ‘Immaculate Conception’ which were henceforth banned.

This highlights one of the few short-comings of this book: it assumes either a considerable background knowledge of Ukrainian and Eastern European church history and practice, so that no explanation is necessary for such terms as ‘eparchy’, ‘antiminsia’ or ‘erectional land’, or else that the reader’s main interest is in the politics, and not the effect on church life. A brief glossary of those terms less familiar to the Western reader should perhaps be considered if this book runs – as it well deserves to do – into a second edition.

In his closing chapters, Bociurkiw deals with the aftermath of the Union – including such late spin-offs as the suppression of the Greek Catholic Church in Transcarpathia (acquired from the Soviet Union from Czechoslovakia) and under Bierut’s hard-line Stalinist regime in Poland. He also considers the Vatican reaction to the ‘reunion’ – cautious sympathy under Pius XII, who refrained from excommunicating those priests pressurised to go over to Orthodoxy, and in the encyclical ‘*Orientalis Ecclesias*’ of December 1952, spoke of the martyrdom of the Greek Catholic Church in Ukraine – and ‘practical steps’ of support under John XXIII. He also addresses the vexed question of the ‘martyrology’ of the Ukrainian Greek Catholic Church, suggesting that the reports given official credence by the Vatican over-estimated the numbers of imprisoned and persecuted priests, and under-estimated the numbers which had gone over to Orthodoxy. This was partly due to an incorrect base-line – accepting as valid for 1949 the pre-war figures for the clergy, and ignoring wartime losses and displacements, partly due to the difficulties of reporting, and also due to the need for security. ‘Even if the actual size of the [Greek Catholic] underground church was known to church leaders in the West, such information could not be made public during the forty-three years that the Greek Catholic Church was prohibited in the USSR’, Bociurkiw observes.

Likewise, in his final pages, Bociurkiw addresses the ‘rewriting of history’ – not only by the Soviet propagandists but also by Fr. Volodymyr Yarema, a prime mover in the re-establishment of the (independent) Ukrainian Autocephalous

Orthodox Church in 1989 – and who attempted, in 1993, to present Kostelnyk as a martyr (he was eventually murdered) in the cause of Autocephalous Orthodoxy. But, says Bociurkiw, ‘the author of this new myth’ was not aware of the newly declassified material which effectively explodes this theory.

Bohdan Bociurkiw is a scholar of high repute who has worked for many years in the field of political science (with special emphasis on Soviet politics, Soviet Ukraine and church-state relations). This book – the fruit of many years’ endeavour – shows that reputation to be well-deserved. The many persons and institutions whose help he acknowledges likewise attest the esteem in which he is held by the learned community in his and related fields. But there is one curious omission. Nowhere does he mention the research institution founded in 1971 as the Keston College for the Study of Religion in Soviet Lands and now the Keston Institute, Oxford. Yet in the 1970s, Bociurkiw was, for a time, engaged on a research project for Keston on the problems of the Church in Ukraine. The book which Keston was expected to put out as a result of his research never materialised – and his statement that the current book was conceived ‘many years ago’ suggests that some, at least, of the material in it derives from the time of his association with Keston. The silence, therefore, is, to say the least, intriguing!

### **The Little Mermaid, Kherson Puppet Company**

Puppet theatres may take a number of forms – from the hand-manipulated ‘Punch and Judy’ show to string-pulled marionettes. The Kherson company, which toured England in October 1996, uses dolls about one-quarter life-size, which the presenters simply carry around the stage, beginning with them on their laps, like ventriloquists’ dummies, and then moving them around the stage, as required. They reject, in effect, the illusion, usual to such theatres, by which the manipulators remain unseen, and the audience is required to assume, for the duration of the performance, that the dolls are acting autonomously.

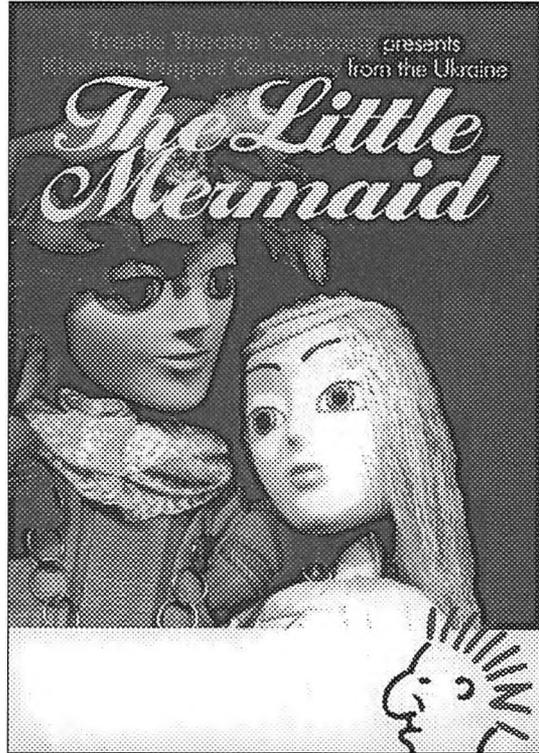
Such a procedure, one might think, would not give much scope for the scenic effects which are all-important to a children’s audience. The Kherson group, however, by means of subtle lighting and the skilful use of gauzes can create some remarkable effects – all the more remarkable, in that they are a touring company, giving single performances in small local theatres, with necessarily limited capabilities. The under-sea sequences with which the presentation opens, are particularly fine.

The company perform in English, accented – but clear, and causing no difficulties to their child-audiences. The presenters are, it would seem, Russophone, but in their opening remarks to the audience, make their Ukrainian identity clear. ‘The Little Mermaid’, now a part of the international treasury of world literature, is, of course, by a Dane – Hans Christian Andersen. For a foreign tour, the choice of a story already familiar to their young audiences, was perhaps an appropriate one; though it would be interesting to see them present a specifically Ukrainian one – on a return visit, perhaps?

The performance, lasting just under an hour, was clearly tailored to the limited time that the youngest members of the audience could be expected to sit still. It adhered closely, however, to Andersen’s original – the only major change was the elimination of the Mermaid’s five older sisters, and the early sequences of her

under-sea life. (The action begins on her sixteenth birthday, when she is permitted for the first time to rise up to the surface of the sea). Another slight variation from the original is that the Sea-Witch (a sinister octopus) does not render the Mermaid dumb by cutting out her tongue, but simply casts a spell so that the humans she encounters are unable to hear her. This not only eliminates a detail which many children find horrific; it also allows the Mermaid to continue to speak her thoughts aloud – ‘overheard’ by the audience, but inaudible to the Prince and his parents.

One of the major problems in Andersen’s story is the psychological motivation of the Prince. Too often, when it is retold in some simplified version, it is glossed over, by saying simply that his parents forced him to marry the Princess, so that (for a generation of children to whom filial obedience is no longer among the major virtues) he appears weak-willed or opportunistic. Andersen himself, writing in the nineteenth century, does not in fact, even have his Prince openly contemplate marrying the Mermaid, whom he considers to be an unknown foundling – he treats her rather as a beloved pet or a sister. (At the same time, however, Andersen provides extremely strong psychological grounds for the Prince to fall in love with the Princess). The Kherson company make no attempt to gloss over the difficulties. Initially the Prince does, indeed, love the Mermaid as a sister. She manages, however, to make known the fact that she is in love with him, and he decides that she is the one he wants to marry. This raises difficulties with his parents – the various kings whose daughters he has refused to marry will be insulted. Economic sanctions threaten! (‘The Germans will stop sending us beer and pretzels!’) At last he agrees to meet the Princess – and, as in Andersen, falls in love with her! For, when on her first trip to the surface, the Mermaid had rescued him from the shipwreck and left him unconscious on the shore, the first person he saw when he at last revived was – the Princess! And falling in love under these circumstances is an archetypal reaction. The story becomes tragic, not only for the Mermaid, but also for the Prince. If only – one feels – he had awoken a little earlier, while the Mermaid was still carrying him to the shore! (A point, one should perhaps stress, well appreciated by at least a sig-



nificant proportion of the child members of the audience – who referred afterwards to the ‘poor Prince’ – not the ‘wicked Prince’).

Andersen’s strange, philosophical eucatastrophe – by which, having failed to gain a human soul by marriage, and doomed by the Prince’s marriage to dissolve into sea-foam – the Mermaid, by refusing to kill the Prince and Princess earns for herself transmutation into a ‘Daughter of the Air’ and the chance to earn a soul and heaven by three hundred years of good deeds – is likewise not glossed. It is a difficult idea to put over in a few simple words at the end of an emotion-charged play (particularly as it is a surprise twist, for which no foundations have been laid earlier in the plot), and to many children today, the ending would be sufficiently happy if the Mermaid did not perish – it would be enough if she were given the chance to live on happily in some other form. The Kher-son company’s presentation, however, from the very beginning of the play, stresses, as in Andersen’s original, the ‘soul’ motif no less than that of ‘love’. In the context of today’s Ukraine, still scarred by seventy years of atheist materialism, this emphasis – and, indeed, the decision to present a story which involves the search for a soul – surely has a special significance. □