



Український СВІТ

UKRAINIAN
WORLD

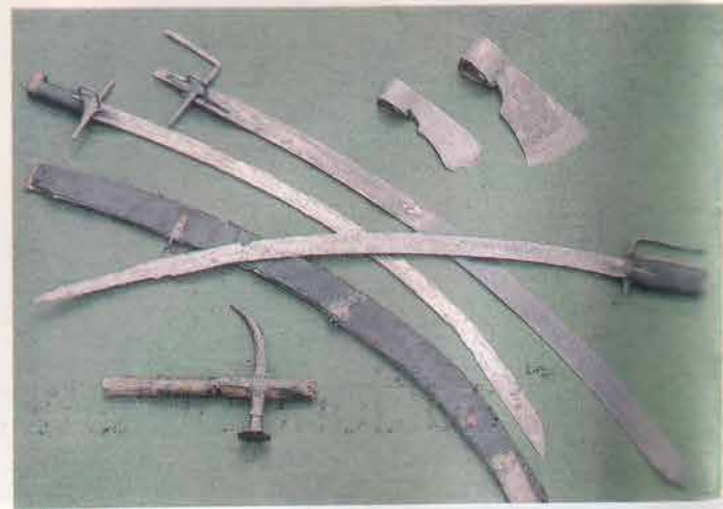
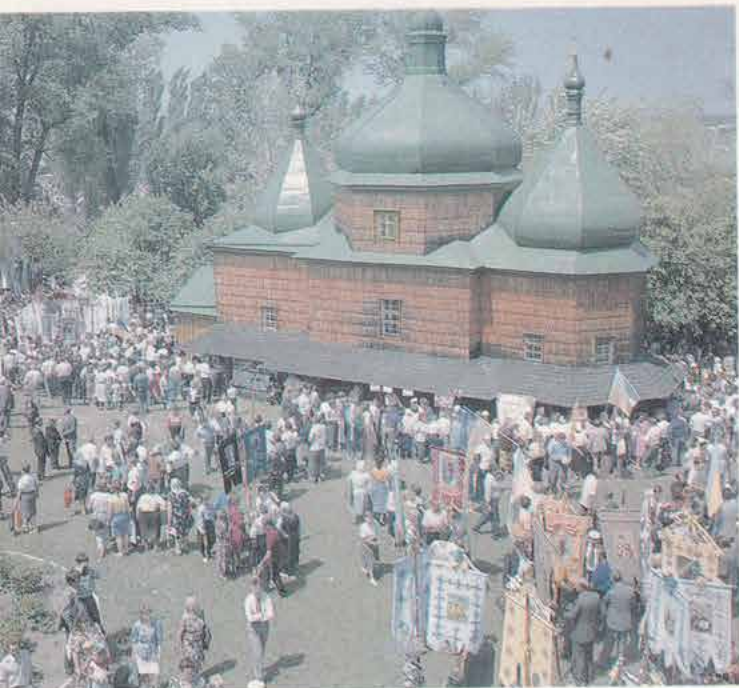


Traditions of Law and Social Harmony



"...FOR FREEDOM..."

(See text on p. 32).





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Copper kettle-drums; Weapons from the Cossack civilian army.

Back cover (inside and out) - Bohdan Val'ko: Tea sets "Celebrational"; "From the depths of
memory"; Decorative composition "Footpath".

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Pamfil YURKEVYCH

HISTORY OF THE PHILOSOPHY OF THE LAW



Pamfil Danylovych Yurkevych (1827-1874) is the most famous Ukrainian philosopher of the 19th century. However, his philosophical heritage is little known today. The works of Yurkevych were published in various editions during his lifetime and were the subject of many ferocious attacks by vulgar materialists, headed by M. Chernyshevskiy. So-called Russian revolutionary democrats persecuted Yurkevych and two other outstanding Ukrainian philosophers, Orest Novytskyi and Volodymyr Lesevych.

In our century, the works of Yurkevych were published for the first time in an addendum to the magazine "Questions of Philosophy" (M. 1990), and the first Ukrainian-language publication of his "Selected works" was printed in the magazine "Philosophical and Sociological Thought" in 1993. A complete edition of the thinker's rich legacy of manuscripts has yet to be published. His fundamental theoretical works "History of Philosophy of Law" and "Philosophy of Law", so needed in Ukraine today, are preserved in notes taken by Yurkevych's students. Below is an introduction to the "History of Philosophy of Law", as translated into Ukrainian by Candidate of Philosophical Sciences, Volodymyr Lytvynov. Read Yurkevych's philosophy in detail in articles by Dmytro Chyzhevskiy and Roland Pitch, published in issues 2, 3-6, 1992 and issues 1-2, 1994 of our magazine.

Editorial note.

In order to thoroughly examine a subject, one must combine historical interest with scientific interest. For example, when studying geometry, we proved the validity of the Pythagorean theorem. Everybody can certainly prove it by proceeding from the general origins of science, but a curious mind would ask how Pythagoras himself hit upon his famous theorem. That is why it is necessary to trace back the history of this theory. Hence, it is clear, that a combination of history and theory is a bright and high ideal, for which one should strive.

History tells us what was and what happened. And since students of history are reasoning human beings, it also discusses the reasons why something occurred this way and not otherwise, and why at a certain time and not another time. Theory, on the other hand, describes what is constant and invariable, the essence or a norm of activity. From this standpoint, all sciences can be divided into historical and philosophical genres. Let us take theoretical sciences, particularly mathematics. All of them are looking for the essence of something, which is why they have a metaphysical character.

Another group of sciences claims that other norms exist, for instance, aesthetics. This can be said about the philosophy of law. It deals with the norms of our relationships in various societies, as in families.

Neither history nor theory, when taught separately, is sufficient. Historical education, no matter how much it is respected today, has two shortcomings. First, historical education develops a (blind) habit of referring to an authority on a fact. A separate school exists in the juridical sphere, which submits to this influence, but the facts are not always worthy of influencing our understanding of the meaning of a norm, nor can it serve as an ideal for us.

Another drawback arises from constant contemplation of historical unrest, which leads one to an involuntary conviction that everything is changeable and there is nothing permanent. This is harmful skepticism. As a result, one forms

a thought - all principles can die, there are no firm origins, what was true yesterday will become a lie tomorrow. Because of this sense of impermanence, a lawyer finds no recourse, but to consider relationships, a useful and interesting foundation for our time, to be the only sacred object.

We can resolve these two shortcomings with the strength of a theoretical or philosophical education, which must be the norm of activity as it represents the essence of things. But a theoretical education would be one-sided, just as a historical one is, because philosophy discusses ideals in isolation from the relationships which interest us. Life's highest assignments are resolved for us when we become well acquainted with the insignificant conditions of life.

To see the necessity of combining history with philosophy, let us remember one of Plato's thoughts: an educated human being is juxtaposed between the changeable current of events and their essential basis, or between the sensible and ideal worlds. Thus, it is necessary to study both worlds.

To study law from both perspectives demands the peculiarities of the lawyer's practical occupation and the spirit of our time. We can master the endless tomes of legislative codes and the extreme diversity of the existing definitions of the law when, from one side, we find their highest unity in the philosophical teaching of law, and, from the other side, we know the historical conditions which caused the present condition of real diversity from an originally unified idea. A simple idea of the truth should be expressed in simplified forms. This demand becomes stronger under the circumstances of reforms in the modern system of societies: everywhere people try to liberate the law from uncharacteristic forms. But the strength and success of such reforms depend on the truthfulness and completeness of historical testimonies concerning the law, as well as on the proper juridical convictions, which must be formed by the philosophy of law.

Different convictions regarding the law are of great significance for a lawyer; he can no more renounce them as renounce his soul. His convictions will influence the particular direction in which he is guided by the instructions of a positive law. If, for example, he considers the law to be indifferent to a morally significant form of coexistence or an expression of the highest ideas, the positive law will gain both a corresponding significance for using a corresponding degree of interior approval.

Our era is also remarkable for the fact that problems of law have become popular. Everybody dreams of a legal education that will make him or her competent to ponder the best arrangement for different communities and the state as a whole. But it is crucial that such an education not be composed of random, thrown-together elements, and only a systematic, consecutive historical and philosophical study of the law can prevent this randomness. **The principles of the law should not change based on somebody's judgement, for if they can, they will cause political fanaticism, just as medieval education caused religious fanaticism.**

Thus, it is necessary to study the lawful relationships which mankind has known and experienced, and which are the universal subjects of history. For, **the subject of the history of the philosophy of law is the study of the legal relationships which the human race found to be the most ideal norms of life.** As to which lawful relationships should be recognized as a constant ideal, properly speaking, this also constitutes a subject of the philosophy of law. The unique difficulty in studying the philosophy of law lies in the fact that it is a science which is incomprehensible without the metaphysics to which it is bound.

THE PHILOSOPHY OF LAW IN THE GENERAL PHILOSOPHICAL SYSTEM

A philosophical system, like every positive science, has a starting-point - what is given; the subject of thinking would be just a fiction beyond the limits of the given. But the method in which it studies the given differs from the

study [method of studying] of the positive sciences. The latter studies the essence of the fact, the reasons and laws of its creation and development, or resolves the question: What is the fact? Why and how does it exist and change? These questions are similar for all sciences, which proves that they do not belong to any one of them, representing a philosophical side to science. Every science is based on society and its unavoidable, invariable suppositions, thanks to which it exists; to study these assumptions is the first purpose of philosophy.

Which assumptions, exactly, are at the foundation of the positive sciences? It does not matter how many there are, they can all be reduced to the two highest: the theoretical, which governs perception, and the practical, which governs activity.

The first theoretical assumption can be formulated as follows: There is a difference between our thoughts, not because they are thoughts, but depending on how true they are. Without this supposition no science is possible or true. To examine it is one of the tasks of theoretical philosophy.

The second supposition, which serves as the basis of moral life, can be expressed as follows: There is a difference between our actions not because we find them pleasant or unpleasant, but by their inner worth, or separately, between good and evil. Practical philosophy makes inquiries into this supposition. Theoretical philosophy can be divided into logic and metaphysics. Practical philosophy can be divided into aesthetics and ethics. The former talks about the beauty of things, and the latter about the beauty of free actions.

Let us turn now to practical philosophy where the law has its peculiar place: practical philosophy, or ethics, is based on a fact that aspiration and actions of a human being are liable to fleeting estimation. They are either approved or declined by mind. Presence of such a fact assumes that a human being as a clever creature can find or has a scale or norm for estimation of his own strivings and actions. Psychology proves that such norms of self-esteem of the deeds can be divided into two classes - action is either approved or disapproved, or is evaluated concerning something external for the man, according to its (action's) interior quality and without any relationship to something outside. The first class includes changeable norms that in their turn can be divided into two more classes - an external form consists either in the action, having a favorable or unpleasant impression on a person, or in the action, examined as a mean of casual mood and other circumstances.

To counterbalance the variable norms there are unchangeable and doubtlessly valuable ideas. That is why, estimating the actions here, we do not mean something pleasant or unpleasant, useful or useless, because if there had not been such unchangeable ideas, each of us, excusing his deeds, could refer to the fact that the actions are pleasant, useful for him.

What models do remain unchangeable? This is the question that philosophers differ on how to resolve it. Let us choose a more familiar method. The question concerns a human being and his essence: nature makes it so that a hu-

man being as an animal looks for something pleasant and avoids whatever is unpleasant; in the course of development, the human mind looks for the useful. It concerns self-preservation and corresponds to the idea of selfishness. Here, a human being considers both other people and everything around to be simply tools for achieving his selfish purpose. The second highest essence of a human being is revealed in that he should not be passive in this sphere of selfish existence. A human being chooses a certain thought not because it is pleasant or belongs to this person, but because the human consciousness says that this thought is true and the contrary one is delusive. A human being also chooses an action not because it is pleasant but because it is just and the contrary action is unjust. The morality of a human being is made up of a combination of the just and unjust, and is able to rise above the useful and act according to the demands of his sense of duty. One question arises: On what is this capacity of rising so high based?

Philosopher Adam Smith answered this question precisely: "A human being is able to contemplate oneself as an outside observer, other creatures are not able to do it. A human being can think about oneself as about an outside object; then prejudice to oneself disappears and a recognition of good and evil, just and unjust comes. According to this capability of the spirit, we can find words expressing honesty, justice, generosity and virtue in the languages of all nations."

The idea of law appears amidst these ideas also in the meaning of a certain norm of activity. What kind of activity is exactly meant? Let us cite three ancient expressions as answers:

1) *neminem laede** - a phrase which expresses the essence of the law; 2) *sum cuique tribue*** - a phrase that expresses the essence of the justice; 3) *immo omnes, quantum potes, juve**** - a phrase that expresses love. These three phrases express all moral relationships to a human being. These relations come from the idea *honestum*****. These three ideas should not be confused, especially in the beginning. The first expression *neminem laede* limits the actions of a human being or directs them so that one, contenting one's needs, does not break the prosperity of others. This is the idea of law. The second expression *sum cuique tribue* forces a person to rise above the sympathies to one and antipathy against another. This is the idea of justice. The third expression *immo omnes quantum potes, juve* demands to rise above favor to oneself, one's personal interests and satisfactions. This is the idea of love.

Thus, as we can see, law has its particular place in the circle of moral ideas, but when we resolve this question, we reveal all difficulties and obstacles in the way of law. It becomes clear at once that the moral dignity of the idea of law could be called into question, because this idea [does not] destroy selfishness, but only as if unites it with the selfishness of other people. Thus, appears one more question: Is the idea of the law as conditional and as indifferent as the idea of pleasurable and useful? Actually there were different opinions about the dignity of the law. It was affirmed more than once that a law is an order that puts our

selfish feelings in order. Shtal says that this order became necessary after the Fall, given to us with the purpose of making our hearts cruel, and that is a characteristic feature of the religion of self-pride. The law was often considered to be introduced by the Lord, for example, considering it to be characteristic of the Lord himself. If there is any difference in the evaluation of this simple concept, this difference becomes clearer in the developed philosophy of the law. Nevertheless, these remarks are sufficient to get an idea about the subject, which is being studied by the history of philosophy of law.

Going from the theory [of law] to [its] history we have to point to that degree of the historical development of mankind, which the idea of law reached for the first time in scientific form, just as it did in the Greek world. The idea of law and justice existed everywhere that people have ever lived, that is, in the East as well, but there it existed as a passive thought. Meanwhile, the societies lived and suffered under the oppression of institutions, not subject to criticism. These ideas have absolutely another place in the life of the Greek people, they are comprehended here by everyone as the sources of the best forms of mutual existence. The revolutions of Greek societies can be examined only as the attempts to found a society based on the idea of justice.

Mythological beliefs and peculiarity of the national spirit promoted clear perception in the significance of these ideas. A common legend concerning a human being on Earth and one's essence favored the very flourishing of social Greek life. According to the myth, the gods divided the Universe between themselves: Jupiter took the Sky, Neptune - Water, Pluto - Tartarus, and the Earth remained indivisible for common guardianship of the gods. Thus, the Earth is a place where the divine gifts are revealed in the largest plenitude, whereas the East it is the poorest part of the world, in which a human being is placed in a country full of expulsion and suffering. According to this last Eastern outlook, a human being can have here neither desire nor courage to study one's personality, meanwhile a Greek had a clear and courageous view on life. Another myth concerns the essence of a human being in comparison with the creatures of all other animals. When visible gods and stars, appeared, they created a mortal man and other animals and charged Prometheus and Epimetheus to endow them with necessary forces. Epimetheus asked Prometheus to entrust him this affair and the latter agreed, but Epimetheus spent all gifts of nature on the animals. Then Prometheus, intending to arrange business, stole fire from the Sky and gave it to people and Zeus gave them political and moral wisdom. An idea of the myth is that the gods communicated political wisdom to people as a means of self-defense. The peculiarity of the myth consists in that justice is not a subject of contemplation only, but in Greek society it turned into the active political art.

A peculiarity of the popular spirit, upon which it should be stressed here, revealed in the following: 1) *τὸ δίκαιον* - this main idea in the life of the science and law far from corresponds to the Roman *ius*. *Τὸ δίκαιον* actual-

ly means an example, following which a person, from one side, comes to perfect harmony with the whole, and from another side, gains that honor - τιμή, that belongs to one for one's merits before this whole; 2) in the case when we talk about this law, the Greek tells about honor - τιμή a way of expression, to which Solon's legislation partially held. When Achilles, infuriated by the unjust deprivation of his prey, asked his mother, Goddess Thetida, to incline Zeus to revenge himself upon the Acheus people, a request for vengeance in the divine manner of Thetida raised the idea of justice, and the Goddess asked Zeus to punish the Acheus people as much as was necessary to oblige them to respect Achilles and that way to renew a broken law. In this case, the idea of justice is a substance of the divine spirit and idea of law is joined with the idea of honor. In this sense, is the most progressive principle, the same as ius - the most conservative one. Here, right becomes the expression of honor which a citizen earned in society and in respect for society.

Conclusions are as follows:

1. If in the East a person is a matter of the state, in Greece a person is important as a organ and its harmonious part. The same is the spirit of the legislation of Likurg, Solon's law appeared from the same spirit, for a citizen, in case of political disorders, belonged to some party and had his own opinion about state affairs. That is, a citizen is not just a matter phenomenon in the state, but in the sense that the state is an object for the dignified activity of this person. The occupations of citizens not holding equal rights, slaves, bring no use.
2. Irreconcilability to the system of representativeness eliminates any direct personal participation in state affairs.
3. Absence of inclination for creating a great state, because it would not be perceived by the personal world outlook of a separate individual.
4. Insufficient development of civil law, because the initiative of using this law consists in the tyranny of a person, that begins (or does not begin) a certain activity.
5. If we add that the sense of this model - τὸ δίκαιον - was a well-developed humanity, we shall understand why the state is a big man for a Greek, and a large family in the East. As far as native convictions of the popular spirit led to that the state was perceived and understood not from the point of view of strength and state (status) but from a combination of the most harmonious actions of the individuals, the progressive principle in practice was easily turned into a source of revolutions, in which the history of Greece is so rich. This fact attracted the attention of philosophers, who elaborated and tried to introduce into life the most conservative origins of political wisdom.

* Do not harm anyone;

** Give what belongs to you to everyone;

*** Help everyone as much as you can!

**** Virtue.

Volodymyr SHAYAN

SACRED HEROISM

THE BASIS OF THE UKRAINIAN NATIONAL WORLDVIEW

(Fragments from a report pronounced at the 3rd Congress of the Branch of the Ukrainian Insurgents' Legion in Oldham, Great Britain, on August 24, 1957.)

The problem of the Ukrainian national ideology or synthesis of the Ukrainian spirituality is one that concerns the whole history of the nation. The analysis of this question based solely on historical materials of the days of the great Kyivan State - Kyivan Rus' - is beyond the limits of one report.

However, I would like to emphasize several facts that form the skeleton of our problem.

When Volodymyr the Great was asked why he so generously gave gold to his knights, he replied: "When you have a good knight armed force, you can win the gold of the whole world, but you cannot buy a good army for any gold in the world." This is true even today for Ukrainian nationalism, which puts a man's character into the basis of human values.

The statement of Volodymyr the Great reminds one of the myth of Plato, in which human souls were compared with metals. A man, whose character is gold or silver, belongs to the highest stratum in society or of the future ideal state.

The opposition of the outer world and the history of the Ukrainian knights resulted in the grandiose monument of state ideology known as "The Song of Igor's Campaign"...

...Thus, the state and character of sacred heroism, as the basis of the Ukrainian world view, were brightly marked and performed in the ideology of the Ukrainian knighthood in the times of Kyivan Rus'. Although, as I have already said, a detailed analysis of this question demands a separate work.

The period of the Ukrainian Cossack State is closer to our time, and we shall analyze the ideological problems of that time.

Unlimited and unsurpassed in history, heroism and sacrifice of the knights form the peculiar features of the national-liberation movement of Ukraine in all times.

No historian can begin to evaluate approximately the number of victims of all battles, but the number of killed in the massacres and tortures of the Ukrainian insurgents in the days of Bohdan Kh-

melnitskiy liberation movement is very high. A dense whirlwind of violence over the peaceful and freedom-loving nation should force the historians to re-think the philosophy of Evil in history.

...Hundreds of thousands of people perished, and ... a miracle happened: new hundreds of thousands went to the battle. A storming sea of the all-Ukrainian rebellion consisted of 300,000 armed people.

Who can calculate gallows and torches of living people? Who can tell the truth, which sufferings are stronger - on the rack, tearing the entrails, or on the cross?

The humorist Dante wanted to invent a description of Hell in his "Divine Comedy." Who could invent more awful sufferings and tortures, than those made up by the Polish and Russian gentry?

... Hetman's Sulyma corpse was quartered on the market in Warsaw, for he had captured the fortress Kodak. In court Hetman Sulyma showed his order, with which he had been awarded by the Roman Pope. The gold order was inscribed with a miniature of Pope Pavel V. Sulyma received it in recognition of his heroic services, when he captured a large three-storied galley with 300 prisoners. On that galley he sailed to Rome and presented it to the Pope. But even such heroism of the Great Knight of Christianity did not save him from the shame of quartering his corpse on the market in Warsaw...

Were not the knights saintly?

Why do we need alien examples of holiness?

Why did only other church authorities recognize the sanctity of our national heroes?

Were not the Good, Truth, Freedom, Mankind and Justice the highest ideals of both our nation and the whole world?

Why do we look for holiness only among old monks, having taken vows of schema, and ascetics?

Why do not we see the holiness in the Knights of the Cossack Order, who were full of life, blood, joy and living forces?

They had put all their values: life, blood, joy and living forces, on the altar of the ideals of their nation.

...Even the enemies of Ukraine bowed their heads before the grandeur of the Cossacks, who showed so many grandiose and bright figures of the saint knights, without a shadow of untruth, vice and blemish, for all their history. Although somebody tried to depreciate their value or consciousness, to reduce their struggle to a limited social basis, no one can assert today, that the case for which the Cossacks were fighting, was not good or fair.

Today we know (and this truth becomes even more clear in the perspective of history) that the Cossacks' struggle for a Free Ukraine was the sacred fight for natural rights and the holy duty of the nation. They created their own State on their own land given to them by God since time immemorial. That was the case of Good and Justice for the whole of mankind. Thus, the heroism, that serves the highest ideals of the Nation and Mankind simultaneously, can only be called a sacred heroism.

Having discovered and determined its nature, we find it in the history of Ukraine as its moving force, the main feature of the Ukrainian national character and world view, that stipulates the grandeur of the history of Ukraine and its tragic character in the struggle against superior neighboring forces, who accepted the state of hate, untruth, harm, slavery, despotism, lawlessness, murders and all other crimes against Mankind.

...Although historians did not think up to the present with the categories of Truth and Justice, many thinkers already know that history is a development of ideas, expressed either in religious systems or in the ideal-moral values of the nation.

The real forces, that create history are ideas or based on the values of character, will or action, brought into history of mankind by separate nations.

The struggle of Ukraine against its enemies can be understood only in the light of this difference of the character and ideal-moral values of the Ukrainian nation. This is its moral dignity, glory, the source of its tragedy, and the origin of its future history-creating force, as well as its grandeur in history. The Ukrainian nation has not been looking for the Promised Land in hungry deserts during forty years, did not slaughter with a sword all living creatures that happened to be on its road.

The land of Ukraine, blessed and fertile, was given to its nation by God from time immemorial.

...History is the process of self-understanding of the nation, through this process the nation performs its predestination.

In the days of slavery, forces of Evil and Violence awoke the Ukrainian nation to the historical deeds, using its tender and peaceful nature. Cruel patience drove the nation to defend itself. The self-defense awakens and then, with the course of time, becomes the problem of existence of the nation in an alien encirclement. The question arises, how can a nation exist in the world, and this is the problem for all mankind.

... In this struggle, outer and inner, the nation finds itself for itself and for history, finds its historical world view, forms its historical experience, and thus, as we say, - matures in its national self-consciousness.

It is a strange miracle. Understanding of the deepest essence happens under the circumstance, which are described by the existentialist philosophy called a "frontier situation," that is, the threat of death or a meeting with death.

The Ukrainian nation found itself under the same circumstances in the days of Bohdan Khmelnytskyi.

... Spirit of the nation after its awakening in the battles under the leadership of Bohdan Khmelnytskyi needed person-

ification in the soul of a thinker and messenger of the Truth, whom became Hryhoriy Skovoroda in the following century.

We are not surprised with the fact that Skovoroda himself formed the philosophic system of self-perception, experience and task of the nation on its way to self-understanding.

Skovoroda's attitude to the military, particularly to the duties of a soldier, is the brightest example of the heroic understanding of the world. In his work "Alphabet of the World" Skovoroda proclaims the main truths, which will become the alphabet of the world.

One can fulfill one's task only by being in accordance with one's inner nature. Skovoroda forms the laws of the heroic ethic for the born knights.

Quotes:

"The born soldier should behave bravely, and be always armed. He should protect the grain-growers and merchants from the domestic robbers and foreign enemies. This is your joy and happiness. Keep your honor as your eye. Military business is the sweetest one for the born soldier. To repay for the offense, to protect the bases of the society and truth, - this is his breakfast, dinner and supper. Do not be afraid, God will help you to stand hunger, thirst, cold, heat, insomnia, bloody wounds, and fear of death. This war against unhappiness would be more pleasant for you, than any ranks and profits. Everybody can receive high ranks, but only the born soldier can perform heroic deeds."

And further:

"Do not be scared with the death of your body, you would die in your soul every minute. This is a cruel death. I know that protecting the body, one kills the soul. I do not know why to wear the sword if not for the fight. I do not know why to protect the body if not to sacrifice it for one, whom it belongs."

Following the further thoughts of the philosopher, the life of a soldier is a pure sacrifice to God. That is why the soldier should courageously fight and consider it to be a sacrifice to God. Fulfillment of the soldier's duties is closely connected with his rescue.

Skovoroda's activity falls on the time of the deepest slavery and, simultaneously, the deepest moral and ideal decay of Ukraine.

That was a time, I would say, of the lethargic dream of the nation after the superhuman efforts of the 17th century.

Skovoroda is the man who awoke the nation from this coma. He himself used a turn of speech that "he was as if awoken like a drunken Turk from a dream, shaken by his shoulders."

Skovoroda wrote:

"The world is in a deep heavy sleep, God's shepherds do not awaken it, but on the contrary rock to sleep with a song: Sleep, do not be afraid, it is a secure place."

The world is asleep, - this is the truth if one is to talk about the spiritual state of its contemporaries.

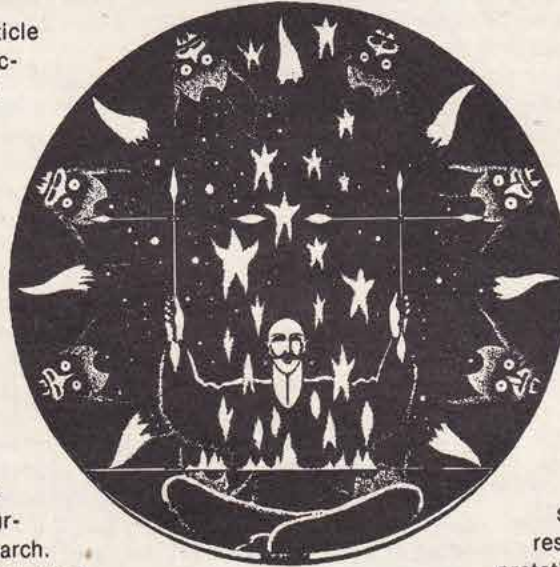
The real rebirth of Ukraine began from the spirit of Skovoroda. He armed the nation with his teaching for long ages of struggle. Skovoroda emphasized that the knight's duty is to fight for the happiness and salvation. Treachery of the heroic ideals is the same as spiritual death, the cruelest and the only real death. Human death is in every man. The history of the liberation movement gives too many examples of what happens with a man when he allows shameful fear to capture his soul. The man becomes an awful and damned instrument of Evil. The man stops being a human being. Just think for a minute about the servants of the KGB.

This teaching of Skovoroda, his ethics of the heroic knight-hood fits well with the national-liberation struggle of our time. It would be even more correct to say that this struggle comes naturally from this teachings. And the teachings come very organically from the whole historical experience of our nation.

Yuriy SHYLOV

ARIAN MILITARY DOCTRINE

I am certain that the title of this article will provoke among some readers recollections about the Second World War, the Third Reich, "Arian" race, and such-like... But the issue here is about something else: about the real Arians, who lived in Ukraine 6 thousand years ago, about their burials in the steppe graves-barrows in Ukraine, about the sacred books and rites of far off India, where some of the Arian tribes moved nearly four thousand years ago. Based on these facts let us consider the principles of war and peace among the Arians, who were proto-Ukrainians.



1. PAGAN PRIESTS AND SOLDIERS — WHO WAS ON TOP?

Who are the Arians from the Ukrainian steppes?

There is no agreement among specialists concerning the meaning of this ethnic name. Some translate the word "Arians" as "aliens," but it is improbable, that any people would adopt such a self-identification. The translation "shepherds" is also uncertain.

The meanings "unrestrained" or "nomadic" are more probable. But the accent here should be placed on spring land, plowing, furrows: they correspond to the most authoritative interpretation of the "Arians" as "plowmen."¹

I recall one of the numerous barrows or steppe pyramids, that I excavated during my many years of archeological research. The Great Mohyla (grave), the largest, is located near famous and notorious Perekop. It was a large mountain nearly eight meters high and over one hundred meters in diameter. It is a *hora* in both senses of this word in Ukrainian, a mountain and a sorrow because the last war left on it scars from trenches and fragments of rusty arms, and a hole, where dead cattle and people were thrown.

Here is a story of a witness: "They tied them, the prisoners, to a tank and dragged them through the villages. And then they threw them, still alive, to the grave for cattle. The people groaned there all week long. And nobody dared to rescue them..."

It is one of the terrible tragedies of our history. Fascists, "Arians," can be accused of it. But I have to be honest: "our liberators" happened to be so cruel there, and the tormented were policemen, left by the Germans to shield their retreat...

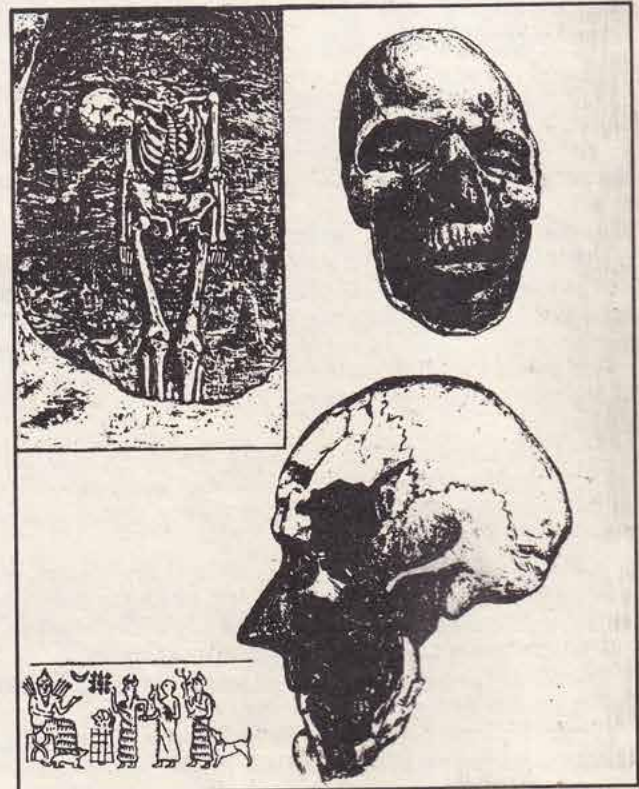
Later a chain reaction of inhumanity overtook us, archeologists as well because, excavating the Great Mohyla (near the village of Pershokonstantynivka, Chaplynskyi district, Kherson region), we destroyed in it a post-war cemetery with the remains of those who perished in the famine of 1947. And I shall never be able to forget two women in mourning, who walked along the plowed land to look at their children's graves, destroyed by a bulldozer...

And when after 17 years (in 1986) we came to excavate that grim barrow to the end, near the village we saw a new road, built out of soil from the Mohyla, covered with human bones. Thus, the chain of inhumanity, like a venomous snake, crawled out of the past and reached into the present. But perhaps the war was provoked by the heartless and unscrupulous?!

I must relate about the most terrible thing: the Great Mohyla, built and revered by Arians almost four thousand years ago, had the look of a pregnant woman. It was one of the manifestations of Mother-Earth...

What have we, "civilized mankind," done to you, Mother?! Who were we and who are we now?

Sacrificial burial of a warrior-shaman with a mace and mask. (Lower Dnipro basin, 2nd century B.C.)
Lower left — Shumer seal depicting a scene of human sacrifice.



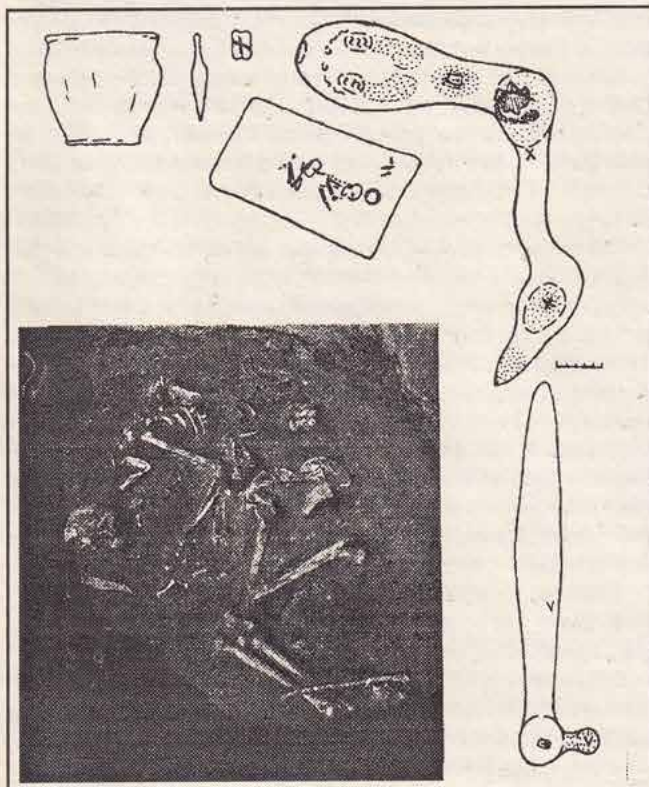
Thus, the Arians were farmers more than six thousand years ago, and cattle breeding also occupied an important place in their world. The Arian-cattle breeders thought of themselves as plowmen perhaps because farming was sacred to them. The lands of the cattle breeders were situated mostly around barrow-graves in dales rich in moisture, formed after building steppe pyramids... Bread from the field near the burial places - holy communion from their ancestors! ²

However, the Arian graves served not as cemeteries, but as peculiar temple-observatory complexes, intended for stargazing and compiling a calendar in order to fix the times of agricultural tasks and holidays. Certainly, the pagan priests were concerned with this. They also regulated social-economic relations and ordered the mythology — "ideology of the primitive communal system."

One of the most distinguished complexes of Arian monuments was researched on the peninsula Chonhar (known to the readers as Perekop from the history of the Civil War). One great grave — the largest of those ever excavated in the world, 500 meters long — stood out among the dozens of half-plowed graves. It looked like a snake. The snake's head was greatly damaged by trenches, dugouts and pill-boxes, as well as a cattle grave and other holes. But all the same we succeeded in discovering that a building (over three priestly burials) embodied a myth about Shesha Snake, the



Harman burial mound and Brahman sacrificial burial found near Syvasha поблизу Сиваша. 2nd century, B.C..



Master of the Universe, and Vishnu, the God-traveler. They are honored in India up to the present day. It is thought that the world will burn down, when Shesha wakes up, and then with the help of Vishnu he will construct the "Fiery Germ" of a new Universe...

This unique grave kept the ancient Arian name — Harman. In Southern Ukraine and in India and other countries, where the descendants of the Arian live, this word means "threshing floor," that is, a place for threshing and sifting grain. Grain sifters are also called *chanhari* in Punjabi, probably after former settlers of the Ukrainian Chonhar. Perhaps their ancestors migrated from the great settlement near Harman. But another, more ancient settlement belonged to the Arians' relatives from the Middle Dnieper river region. This clan came to Chonhar from the farmers' country — Aratta.

Thus we approach the eternal secret of the formation of the Arian community! Linguists still provisionally call this the "Indo-European community of languages." And it was formed not in the course of military campaigns, as false "successors of the Arian race" believed. Nearly ten thousand years ago "Indo-Europeans" densely populated the Asia Minor.

A demographic explosion occurred as the result of an increase of producing economy, farming and cattle breeding, instead of hunting and gathering, etc. The population rose in fifteen to twenty times in a thousand years. More than eight thousand years ago the center of the Indo-

European community moved to the Balkan peninsula and formed the most ancient state in the world — Aratta — in the Middle Danube River Basin. New, significantly militarized waves of the tribes from the Indo-European proto-motherland caused that initial kernel of Aratta to move to the region between the Dnipro and Dnister rivers nearly seven thousand years ago. Today's Cherkassy region — like a gigantic island between the Dnipro, Irdyn, Ross, and Tyasmyn rivers — became the center of the Farmer's Country.

Aratta's Arians built gigantic towns there, with an area of up to five hundred hectares (the world metropolises Babylon and Rome would reach only 150 and 40 hectares several thousand years later), with concentric construction, two- or three-story houses, with economy and everyday life put in good order. Sacred places were not only indoors; the structure of the towns and settlements themselves resembled various divine symbols: Visha's foot (near the villages of Talyankiv and Usatove, Shesha's serpent (near Petren), the universal Pre-egg (near Maidan), and others.

Aratta cannot be considered a classical, slave-holding country, there are no traces of social-economic division, tsar's palaces, fortresses or fortifications. Instead of that there is a well developed system of observatories-sacred places, spread from the English Stonehenge to the Ukrainian village of Kozarovychi near Kyiv, and further - to the Kazakh Arcaim, and even to Tibet. The Southern branch of this system needed much more efforts, according to the calculations of specialists, than the modern space program (!), it goes through the graves of the Azov-Black Sea steppes and reaches the North of Mesopotamia. The world's most ancient inscriptions of Aratta testify about the respectful attitude to the Spirits of the Sky Anu, Venice-Inanna, and Creator of Miracles Enlil, which became the main Spirits in Shumer much later.

Data about pre-Sumerian and pre-Egyptian Aratta have been collected by archeologists of various countries for the last fifty

years. They demonstrated the error of the Marxist scheme, according to which the passing from primitive communism (primitive communal system) to the slave-owning states evolved through a "period of military democracy" with its robber detachments and dominant influence of the chiefs. Now it is clear that "military democracy" was preceded by a more or less significant "period of sacred democracy," when not the soldier but a pagan priest was the main figure in society. It is also becoming clear that Aratta appeared just at this time and was a primitive communist state. The Arian peoples kept the memory about it, as a Golden Age (Arta of the Iranians and Arabs, Oratania of the Ukrainians and Slavs, Bharata of the Hindus, the Greeks' Orthopolis, the echo of which was perhaps retained in the town of Artoplot, Poltava region).

It is necessary to investigate what was the relationships between the Farmers' Country in the Dnipro River region and Sumer in its formative period, but that such a relationship existed is beyond doubt. This is attested, in particular, by two burial places of the Sumerian and Aratta's pagan priests in the Velykooleksandrian temple — observatory (in Kherson region), decorated with astrological symbols of Taurus and Canus, which drove out the fierce Wild Boar (Scorpio and Sagittarius). Similar pictures correspond to ancient Greek ideas about dog-bulls, cinataurus, protecting the city of the dead. Two other mythological symbols come from the above-mentioned, half-horse — half-men — cinataurus (Greeks) and the bird-like khundkharves (Arians). They reflected the first impressions of the settled farmers of Aratta and form the most ancient cavalry of the Arian cattle breeders.

In the next chapters we shall examine how pagan priestly farmers tamed that nomadic element. And here we shall dwell on how the community of the Arian tribes was conceived.

The process of the formation of the Indo-Europeans, Arians in particular, unfolded as an immense spiral around the Black Sea. Nearly nine thousand years ago the center of this process moved from Asia Minor to the Middle Dnipro River region and thence to the lower reaches of the Tigris and Euphrates. On the examples of the Velykooleksandrian grave and one of the Chonhar settlements we can see that only small groups of priests and their retinue directed this process: the fixing of the calendar, geography, the search for raw materials, trade routes, etc., were held. The roads led through the territories of tribes which spoke different languages. Probably at that time Aratta's pagan priests established interethnic sacred language, Sanskrit, in which the sacred hymns of the Indo-Arian Rigveda were later written down. They also introduced the institution of the Brahmin confessors.

Thus, it was precisely the Brahmin priests (first of other ethnic groups, then Aratta's, and at last, our own) who became the organizing force in the formation of the Arian community. Their purpose was to put in order interethnic relations on the territory between the Danube, Dnipro, and Mesopotamia, where temple-observatories and important cultural communications were being built.

2. HANDKHARVA — ARIAN SAVIOUR

In the previous chapters we touched upon two important circumstances. Firstly, common origins of Indo-European cunotaur, ancient Greek centaurs and Arian handkharvas. Secondly, how

priests of Aratta and Shumer formed a caste of brahmans, that became the catalyst of formation of the Arian community.

A lone person preceded Handkharva. It is said about him in the Arian hymn about gaining "alive water" from the heavens:

Handkharva roused up to the heavens,
Directed to them, bringing his motley weapon...
With the eye of kite observing the space around,
Like a sunny ray, rejoiced at the bright flame,
He found immortal names in the third space.

In contrast to related ancient Greek half-horses — half-men, Handkharva is represented here like a bird.

Mention about his "motley weapon" gives a key for understanding this difference — a hint of hammers, like bird beaks, with which the first cavalry was armed.

But matter is not as much in the weapon, as in the similarity between horse run and bird flight. Offerings of red paint, muslin, harpoon, two horses, two dishes, two spoons in the form of connected heads of horses and ducks, turned to the opposite sides were found in one of the burial grounds between the Ural and Volga rivers, where, maybe, the first horsemen appeared. Similar figures, already not sacrificial spoons, but stone sceptres, signs of priestly-military power, were spread very quickly by the horse-cavalry round the Black Sea. The described complex corresponds completely to "Those, who possess horses" — Ashviny, brothers, Gods of dawn

and sunset, who fly like eagles over the waters of the other world (night waters), rescuing those, who are in mortal danger. Their "flying horses are red birds." This fact, as well as relationship with the "door of life" (sacrificial post, Universal axis), connects Ashviny with Handkharva. They are doubtlessly priestly deities, with very inexpressive military signs. Comparing these mythological images with their archeological origins, one can make a conclusion, that priests, taming spontaneous manifestations of "military democracy", accentuated especially their peaceful disposition (in particular, gave the name "Saviours" to Ashviny). We shall obviously find traces of this taming in the myths about Greek centaurs — sometimes cruel and insidious, sometimes kind and wise.

Although how clever and benevolent Arian brahmans and their Aratta's mentors had been, they could not avoid, maybe, the main universal law — unity and struggle of opposites. And they became more and more horrible. Because achievements of reproducing economy (crop cultivation and animal husbandry) broke more and more relations between man (former hunter) with nature. Although there was not a hint of class struggle in the pre-class, primitive communist Aratta, personality more imperiously stood for collective "freedom, brotherhood and equality of ancient families," the main contradiction of all times and peoples — between existence and non-existence — became more and more terrible for a man. And in addition — horse cavalry from the depth of the Arian world...

It was not possible to control such forces only with mythology — "ideology of the primitive society," acts were also necessary. We got acquainted with one of the acts in the previous chapter: recurrent burning of Aratta's towns and settlements (as fields exhausted themselves, and necessity of resettlement appeared). Obviously, it helped the priests-rulers to regulate social-economic relations, return farmers-stock-breeders to the mother-nature. But



what about development of a person (and, correspondingly, destruction of the bases of eternal collectivism), struggle between death and life? The most effective means was also found here: self-sacrifice of rulers-priests.

We read on the clay tables, found near one of the Aratta's offerings: "The 40th reign. According to the order of God Shaue the elder is ritually burnt. It is the tenth (sacrifice)." Ritual burnings of warriors are also mentioned: "The Priestess of Warriors glorified the soldiers of the fire sanctuary, having not permitted them to come out of the (burning) sanctuary." Is it antihumane? Yes, from the point of view of modern development. But let us try to be carried away seven thousand years backwards, and to see the chief, changed by the implacable old age on the eyes of the people from the symbol of force to the symbol of... what? - No, let he remain a hero and connect the earthly and heavenly worlds, existence and non-existence; and the elder stepped into the sacrificial bonfire voluntarily (but according to the custom). Such a custom was studied in details on the example of the Slavic Masnytsya (in particular, on the bases of excavations of "Calvary" near the village of Pozharna Balka near Poltava; this altar is 600 years older than Christmas, and 1500 years older than the Christening of Rus). Or let us imagine the excess of the army in time of peace - where should it be placed, not to undermine sacred bases? Thus, let the Priestess of Warriors send some of them to the Heavens (similar traditions existed for thousands years: as ritual duels during funerals of the priests; peasants in the military detachments, gladiators; killing-sacrifice of prisoners...). Thus, even Aratta - State of the Mankind's Golden Age - did not managed without violence (because struggle of contradictions is a struggle all the same, and any state cannot exist without the machinery of violence). It is like death, that accompanies any life.

If we remember that Aratta's priests, and later Arian drahmans, discovered the secret of IMMORTALITY, we should appreciate the "anti-humanism" of our ancestors in a different way.

Ancient Gates of IMMORTALITY can be examined on the example of Handkharva, Arian Saviour. Indo-Arian texts, pictures of sacrifices of the horse-men from the Stone Grave near Melitopol', and corresponding remains from the sanctuary Chaush over the Novosilka crossing across the Lower Danube are used in the described below reconstructions of the ritual and idea. (see "Ukrainian World", 1992, N 3-6).

3. ARIAN WARRIOR - ASSASSIN OR CREATOR?

Summing up the previous chapter, we can make some conclusions, that 1) not warriors, but priests laid the basis of the Arian military doctrine; 2) not assassin-destroyer, but SAVIOUR became the main (cherished by priests from the most powerful at that time military force cavalry) figure of the doctrine; 3) essence of the doctrine was in possessing by priests the sector of IMMORTALITY (or, according to up-to-dateness, the ability to elicit a lasting biofield from a perishable body).

Let us begin with Indra - the main character of Rigveda, Indo-Arian collection of sacred hymns, whom scientific tradition (supported by the ideologists of the "Third Reich") considers to be the ideal warrior.

The reasons for such understanding seem to be quite obvious. Let us take, for example, a hymn about the birth of this half-hero - half-God:

I do not want to come out here.

It is a bad pass.

I shall come out across - through the side, -

he says in the mother's bosom. And right after his birth he killed his father, and then - Viansa and Vritra. Although there was a reason to kill the last: those serpentine creatures of the other world were able to destroy the new-born themselves, and Indra

only protected his life and his honor. But all the same, his mother and father!..

However the myths cannot be interpreted as a modern short story. One should always look for their mysterious essence. It, the essence, even in the hero of Handkharva, is hidden deeply in the sub-consciousness.

Let us begin the search from the meanings of Indra and his parents' names. Indra means *Man's Kernel*. In this meaning it is close to *the Fire Germ* of the Universe, that contains *the Father of Beings Pradhapati*, who, coming from this Pra-egg, creates the Heavens and the Earth of the halves of the eggshell. They are rather close to the parents of Indra: *Diaus - the Heaven*, and *Aiti - the Earth*. It is clear that, coming from them, the hero had to damage that *eggshell*. Especially as his closest according to the name brother was named *Martand/r/a - the Dead Egg*. Thus, Indra was, probably, *the Egg (Reviving)*. Here one cannot do without fighting with the other world demons in any way.

These demons were called *the living forces - asury*. Indra, in his turn, on the contrary headed heavenly, *shining*, demons. Such was a "unity and struggle of opposites..." The main myth of Rigveda tells how Indra won *Asury Vritra - the Obstacle*, who defended the embryo of a new-born World *Val - the Receptacle*. This was the tale. But F. Keiper, a well-known specialist in the Arian heritage, taking into consideration the latest data of medicine and psychiatry, came to some extraordinary interesting conclusions. It was revealed that the myth about the fight between the hero and a dragon meant not an annihilation, but the creation of the World. And the creation of the World was connected with conception, combination of male and female origins. "Can the fight between Indra and a "mountain" correspond to the impregnating activity of a spermatozoon? In this light it would not be difficult to explain *vadzhra*, that pierces the mountain and opens it..." It is a rhetorical question. Because the specialists know very well that the hero's favorite weapon - a stick-*vadzhra* - comes from the bull genitals and according to its meaning is close to the *sperm*.

Here is "Vritra's Killer," and "personification of the Arian warrior!" It turns out that he is considerably closer to the yogi, which has to waken the serpent Kundalini with his meditation, and to force it to rise along the spine from the first to the last chakra (energy *circle*, as one of the kinds of the Arian weapon was also called).

The essence of Indra's image is very important for understanding the traditional military arts and concept of the fight. The most important thing was to reveal one's sub-consciousness and to accumulate psychic and physical energy with its help. But one had not to kill his adversary, as to revive him, take off his force:

Legless and armless, he fought against Indra.

That stroke him with a stick on the back of the head.

He wanted to become like a bull, -

Vritra lay, thrown about different places.

Such traditions were carefully kept in Tibet, China, Japan and other countries of the East until today. They were also inherent in the Cossacks of the Zaporizhska Sich: let us remember their characters! Numerous legends about the grave of Ivan Sirko are rather close to the image of the reviving warrior Indra.

How do the under-barrow embodiments of Indra look like? Do they have signs of revival and immortality?

The most ancient traces of the corresponding pictures were traced back in a burial ground near Mariupol. This burial place was founded in the mid-fourth millenium B.C., yet before the appearance of barrows and formation of the caste of brahmins. The majorities of the buried lay stretched and in the general hole, former half-earth house, imitating the communal dwelling. The last buried in the burial ground testified distinguishing the personalities and essential change of the ritual: the deceased were buried in the huddled, embryonic position (that confirms mentioned above hy-

pothesis of F. Keiper). Items also changed a bit: fighting maces made of stone were put into the graves together with the hunting implements. Their magic destination is quite obvious: head of a mace lay on the chest, and its hilt set against the groin, imitating this way the male organ in the state of erection. This is the most ancient embodiment of vadhra – Indra's stick. It is important that the head of the mace was cruciform: a symbol of the Sun, sacrificial fire, and four parts, in which Indra clave Valu, won over from the other world forces (Valu is an analogue of the Slavic Veles and German Valgala, etc.). The latest burial place of the Mariupol burial ground contained remains of two men in the stone trunk, that was recovered with an anthropomorphic stab, on which the ritual of body-burning was held. There were conformities here with the myths about some heros' birth from the stone (hence – tradition of the gravestone). The priest influence of Shumer is traced in the mentioned maces: they come from the Northern Mesopotamia.

The later development of the Rigveda's main myth can be traced back in the barrows near the village of Starohorozhen on the Inhul river (see part 1). According to Rigveda, all gods and maruty, *the Dead*, turned away from unhappy Indra, and only majestic Vishnu hastened to his help from the other world. Thus, it is not strange, that numerous burial places near the village of Starohorozhyn are recovered with two man-like stabs. Indra is pictured without weapon. Such attributes as a serpentine belt (Sovereign Shesha's sign, that served as a couch for Vishna in the other world), a crook (known to us as to Harman) and a pair of feet ("three steps of Vishnu," with which he created the Universe) indicated at Vishnu. The union Indra-Vishnu, biunited being, as Arians sometimes imagined them, is the union of warriors and priests. The last occupy a honorable place in this tandem:

Glorify thou drink to the great Her and Vishnu,
Who, resisting delusion, are standing on the high
Peak of the mountains, like riders on the fast horse!..
We glorify his male force,
Him, who step over the Earth
Only with three steps – for the sake of wide-going life.

Thus, it turns out that the hymn begins with the mention about Indra, but glorifies almost exclusively Vishnu, and the same happens in some more hymns. There are remarks about "defence from robbers" in them, etc., but magic deeds in the name of peace are first of all and above all... Here, as in the case with Handkharva, it is quite obvious the priority of the "sacred democracy" over the "military democracy". Priests-brahmans ("the primordial intelligentsia") suppressed destructive manifestations of the human essence with the words of sacred hymns, thanks to which they could reach subconsciousness of their compatriots. It is worth to remark that this possession of subconsciousness was gratuitous and in the name of common welfare. Because how can people be mercenary if they sacrifice themselves (coming to a certain age) for the sake of strengthening the Universal relations?

There is completely or almost completely no things in the burial places of brahmans. But their tombs are covered with pictures of extraordinary complicated calendars and other magic formulas, characteristic of human sacrifices. We considered the essence of the last in the previous chapter at the example of Handkharva, SAVIOUR of the Arians. It was traced back that victim together with the deceased had to stay in the other world ensuring future resurrection of the hero (the deceased), who was to win the other world forces, rise to the Heavens, and provide from there timely rains, warmth, health and well-being for the people... Destination of the victims (which, by the way, were worshipped by the Arians) is absolutely different from the killed slaves of the dead or perished in the fights masters from the Scythian and later burials.

Destination of the weapon in the burial places changed correspondingly, we shall dwell on it below. And now let us remember symbolism of the maces from the burial ground near Mariupol:

they are not implements of killing, but of revival. This tradition was also kept by the Scythians-fighters.

Delighted with the Arian culture specialists spare neither their mental nor spiritual forces to comprehend its essence, veiled with time and magic. And it is quite clear that the halo of spiritual deeds of our ancestors is still over their graves and needs careful treatment with it.

And we destroy those graves and pave our roads with their bones... We abuse the spirit of the people, real existing spirit, spirit of our ancestors! Is not this the original cause of today's misfortunes?

4. THE WEAPON OF TITANS.

Much archeological and other research has been devoted to primitive weapons. The general conclusion is that the more arrows, axes, and so forth in a burial place, the more warlike the given tribe was. And if we also consider calculations of chest wounds and fractured skulls, the picture becomes truly horrific!.. But such is not really the case. To be sure, there were conflicts and killing, but this conventional scholarly wisdom is derived not from the indigenous features of the Arian culture but projections upon it from later – especially the Scythian slave-owning – states and societies.

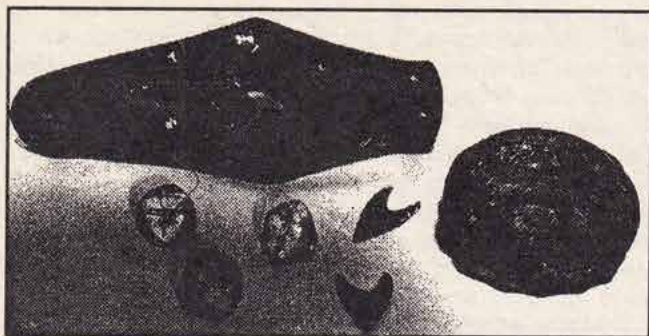
Some counterarguments to those mentioned above may be cited. Twelve arrows (most probably at least some of which were for hunting), nine axes (mainly of ritual character), fifteen knives and no maces (even the most simple, perhaps, ritual weapon) are found in one thousand Arian burial places located between the Danube and Dnister rivers, and no signs of injuries were noted. Moreover, injuries could also be ritual-derived, received during the funeral feast. Only several common graves, where battle victims are buried, are known among the tens of thousands of Arian burials excavated from the Lake Baikal to the Altai mountains. But ritual seems to have been indispensable even here. Thus, warriors from the Pepkinsky barrow (Middle Volga region) were headless, "there were no skulls near their skeletons; they were probably taken by enemies."

Thus, ideas about the warlike character of the pre-Indian (partially Indian) Arians used by Third Reich ideologists do not correspond to reality.

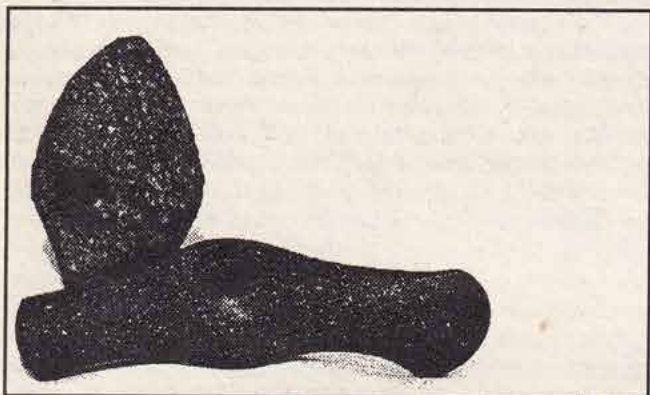
Now let us consider some concrete examples.

I shall begin by establishing the fact that in the burial places there is no weapon with an obvious personification of the "Ideal warrior" Indra. This image is represented in the most expressive way in the pre-Scythian (Cimmerian) burial sepulcher at Kayir, near Kakhovka. Three figured ditches, signifying Valu, situated between the serpent Vritra and Indra, were dug at the beginning of the formation of the cemetery. The fates of these mythological characters were marked by the most expressive adjoining burial places. Children's graves are concentrated near Valu, an embryo of a new world view. The death of Vritra is indicated by human sacrifice: headless, kneeling, pressed down with a stick-like boulder. The only one weapon near Indra's symbolic personification is a flint... But there is a dog with two pots above the head of this human personification of the heavenly dog Sarama, who found "the water of life and death" for his master on the eve of his fight with Vritra... Thus, the Indra personified is here a priest rather than a warrior.

"Maces" without holes should be also considered priestly, sometimes they were batons for the Brahmin's tambourines. The bows without arrows bore a similar meaning. But arrows without bows (often even without arrow-heads) were known as *brasmans*, magical instruments for astral projection or telekenesis. Four gold and silver figurines of bulls, personifying of four annual places of Taurus in the Zodiac, were pierced by such arrows in priestly grave of the Maikop Barrow.



Magical Aryan weaponry of the beginning of the 2nd century B.C.: arrow heads, "money axe", mace with ritual symbolism (Universal law), dice, which were also considered weapons in combat with otherworldly forces.



Aryan battle-axe heads. 2nd-3rd centuries B.C.

The archer (together with an arrowsmith) from the grave No. 1-2 near Kayir is researched best. He was not a warrior but a priest.

It is difficult to believe, but according to much evidence these burial places are extraordinarily close to the most archaic proto-Greek images personifying Apollo Targelius (see *Ukrainian World*, 1993, No. 1). Later similar images corresponding to Apollo's brother Dionysius have also been found in several burial places near the Stone Grave near Melitopol and in other places.

Linguists know that a so-called "Greek-Arian-dialect group" existed at a certain stage of the development of the Arian community. Archeologists found evidence of this near Kakhovka on the Lower Dnipro basin. It turns out that Greek colonists, who came there over a thousand year period simultaneously with the Scythians (direct descendants of the Arians), resumed the ancient relationship. This resumption occurred, in particular, in the legend about the origin of the Scythians from the Greek Hercules and a Lower Dnipro serpent-like Goddess. In the Kutarevi Graves near Kayir researchers managed to trace back the origin of this legend from the main myth of the Arian Rigveda... But let us return to the question of the weapon.

I have not called the part "The Weapon of Titans" without reason. The issue is the following. First, the Greeks considered Apollo (a direct relative of the Arian Hopalan, Scythian Hoitosir, and Slavic Kupala) the only one of the titans whom Zeus did not cast into Tartary but joined the Olympian Gods. Secondly, *titan*, translated from the ancient Greek, means *lime* or some lime rock. The monuments of heroes (who, as was mentioned above, "were often born from stone or revived from under blocks") and maces

were mainly made precisely from such rock. Thirdly, the most commonly found weapon in the steppe pyramids of the pre-Scythian period belonged precisely to the very specific group, to which the above mentioned personifications of Apollo and Dionysius belonged and which can be assigned to the period of the "Greek-Arian dialect." In fact, in the Apollo Grave there were both limestones, extracted from the same rock silicon, and instruments from every stage of its processing, up to the wonderfully made arrowheads. Thus, the priest-master-warrior "Apollo" can be easily considered a titan, who was born from the stone of the other world and as a fire arrow flew to the heavens." In this way the myth of this burial place can be deciphered.

Is this a fairy-tale? No! For a quite real GATE OF IMMORTALITY stands behind the lime.titan's weapon.

I understood this, analyzing the symbolism of the marble maces. Taking into consideration their appearance and already knowing the symbolism of the maces from the Mariupol sepulcher, it was not difficult to come to the conclusion that they personified the idea of the universal Primal egg, the "Fiery Embryo" of Chiraniagarvha, and were simultaneously connected with the subconscious embryonic and genetic memory, with striving for revival of the soul. The latter, as all modern reanimators and psychologists know, is quite real, belonging to the sphere of biofields.

But let us return to the marble maces. In ancient Greek and some Slavic languages similar words mean "to shine" and "to go out." These meanings coincide in the images of the Goddess of deception and death, the Arians and ancient Slavs (and now by Hindus and Ukrainians) identically called Mara.

In contrast to other Arian tribes, the representatives of the "Greek-Arian dialect" (or, as archeologists call it, the "Inhul culture") did not trust to Mara, did not overstep the border of the soul's existence in the other world. They made truly titanic efforts to return from the "Black tunnel" to the Earthly life. It was unrealistic, because it contradicts to the universal bases (fields, biofields, or soul). Thus, Western European civilization began to reduce the issue to the matter, the sense of existence to physiological needs, future perspectives to the life time of a person or generation... until it rested on a chosen idea, logically perfect after its fashion, of "building a bright future." No, only through the "Black tunnel," only having trusted in the "White Light"! Along this latter path, albeit considerably slower, the whole East goes.

Thus, the weapon in the Arian sepulchers was most widespread in the "Inhul culture" and was intended primarily for struggle with the forces of the other world. This weapon required both physical strength and courage along with enormous mental and psychic force. It was especially evident from the stone axes, which were often decorated with depictions of lightning, heavenly bodies, and ears of grain. The dead heroes fought death and otherworldly demons precisely with these universal sources of their tribal welfare!

One's individual fate, the possibility to be resurrected and reborn, was at stake in this superhuman, titanic struggle. This idea is obvious in the burial places where dice are placed together with the weapon. For example, in one of the burial places near the village of Mykolayivka, Donetsk region, there is a knife, ax, five arrows, and dice. And in the burial place near the village of Novokayir near the Dnipro river, the dice were laid in place of the head of a decapitated body.

The Arians considered the patron of gamblers to be the sun of the other world "Reviver" and Bchaga, "God Luck" or "Fate." The latter was preserved as Slavic *Boh* in the Arian and later Ukrainian primal Motherland. Why did our ancestors choose precisely Bchaga (rather inexpressive in the Rigveda), one of Indra's brothers, to represent the heavenly Lord?

Here there is plenty to think about and to research!..

5. IN LIGHT OF LATER DOCTRINES.

What are the main bases of ancient Arian military doctrine?

The primacy of priest over warrior, spirit and mind over malice and force;

ideas and real ways to attain IMMORTALITY and SALVATION, the priority of the social over the private;

the dedication of main effort to overcoming universal evil, a partial manifestation of which was considered to be the enemy;

the purpose was not the enemy's destruction, but rather his revival.

This formula can be broadened or altered, but the essence will remain the same... Now, let us see what was left from this doctrine and in what direction the later doctrines evolved.

Around 1700 BC significant changes happened in history. Two important cosmic eventstook place: the configuration of the planets and change of the main zodiac constellations fell at this time. The former caused changes in solar activity and catastrophes on Earth (tremendous earthquakes and volcanic eruptions, climatic changes, which, in their turn, stimulated migrations). The second event seemed unable to influence the planet in any way, but moved enormous forces of spiritual and material culture. For over three thousand years all civilizations had honored Taurus (i.e., a bull), dedicated temples to him and identified him with the highest gods, and suddenly (according to the laws of the heavenly mechanics) everything had to be changed to the ram Aries!

From the example of the unsuccessful reforms of Akhnaton and more successful ones of Moses we know how difficult were the changes in Egypt and Judea. The archaic Greeks had first to leave Crete, which had been destroyed by terrible earthquakes, and then fought for it with other tribes. As a result of this struggle appeared the cult of a new god, Dionysus (torn to pieces by Bacchantes and revived by Zeus), where the honoring of the "perished" Taurus, who left to Aries primacy in the Zodiac, and where the echo of heavenly and earthly catastrophes of the 1600-1300 BC were observed. But how did Arians act in this situation?

Considerable changes took place in their ancient Motherland of the Lower Dnipro region (broadly from the Danube to Yenisei rivers). Some of the tribes of the "Greek-Arian dialect" or "Inhul archeological culture" moved along the ancient routes around the Black Sea and undoubtedly took part in the events on Crete. Others, who built the great Molochansk sanctuary near the Stone Mohyla, went to the Ural mountains and joined the formation of the so-called Petrovsko-syntashtynska culture, which can be considered the kernel of later migrants to India. The remaining representatives of the "dialect" in the Lower Dnipro region mixed with other Arian tribes and created a new, but also Arian culture, in which the priority of the Brahmin priests over chatria warriors was preserved. The spread of sanctuaries-observatories of the Molochansk type amidst the Petrovsko-syntashtynska culture points to the same conclusion. But in unprecedented fashion, fast fighting chariots with archer and spearman-driver were invented here, and the military caste asumed great importance virtually for the first time. In Iran and soon in Scythia, it crushed the priests. But, as for India, the ancient traditions were preserved until today.

The ecological, economic, demographic, and socio-cultural changes forced the Brahmins on the Dnipro River to prepare the people for possible new catastrophes. The formulation of the teaching about the Day of Brahma-"Prayer," during which the Universe appears from the "Fiery Embryo" and also disappears/renews in fire, is well observed in the graves between the villages of Mala and Velyka Bilozirka, near the villages of Satrosilya and Skvortsovka, Harman on the mentioned above Chanhar peninsula. In the Bilozirka graves there were, for example constructions of different times in the form of a cross with a bonfire in the middle (symbol of the "Fiery Embryo" of Chiraniagarvha), a bird with a burning corpse on its back (SAVIOR Chandigharvha, who raised to the heavens

with a prayer about the welfare of the people), a man with flowing sperm (Vadzha "sperm," which personified the life force, and in this case a favorable answer of the heavens to the message of the SAVIOR), and, finally, a serpent in the combined form of the Milky Way, Sun, and Moon. The latter is the ruler of the Universe Shesha, who, waking from sleep, during the next Day of Brahma, revives the very Universe... The construction of Shesha's symbol was adjusted to the new catastrophes, which occurred in 1400-1300 BC. After that both Bilozirka, and all the above-mentioned, and many other graves were left. The population moved partly to India and other countries (having left the legends about the migrants-(b)rahmans and the holiday of the Rakhman Easter in Ukraine), and partly settled on the land, built many settlements of farmers and animal husbandmen and almost ceased to build mohylas (until the Scythian period).

Later some of the Arians, who remained in the Motherland, took part in the military campaigns of the "sea peoples," known as biblical Philistines and from Homer's *Iliad*.

The siege of Troy and other deeds of the "sea peoples," creation by the Aryans of the Cimmerian union of tribes, and the Scythian invasion greatly changed military doctrine. We can see this clearly in Homer's *Iliad* and Herodotus' *History*. Beginning with the Greeks and Scythians, in Europe (and not only there) the warrior became higher than the priest; "the period of military democracy" took root and fostered the formation of slave-owning and feudal states. IMMORTALITY was considered a terrible boredom (the Greek Aid) or an honorable banquet of the battle dead (the German Valhalla); the SAVIOR turned into a Knight-errant; fine priest art of a real exit to both these phenomena of culture was discarded or lost. Personality began to rise higher and higher over society, in the form of the rich, kings, slave-owners, and masters of serfs. No one only linger paid heed to the struggle with universal evil, which was overshadowed by the image of a concrete enemy, deprived (by new ideologists of the military doctrine) of the right to the human status and life. The humanitarian aim at the revival of an opponent turned into the torture of prisoners. All these formed the bases of the military doctrines of class states, up to the modern states.

The traditions of Arian military doctrine were preserved in its ancient Ukrainian Motherland. Read carefully the *Lay of the Host of Igor* who is primary there: warrior or priest? And what did the people honor most of all in the outstanding Zapozhzhia Cossack chieftain Sirko, valor or character?

We must preserve our peaceful nature and humanity in the military doctrine of Ukraine. And fearlessness and valor will come, if it is necessary, in battle; then IMMORTALITY and SALVATION will lead the soldiers into battle.

¹ It is necessary to remark: the least number of Arians as a great ethno-cultural community has a divine origin from the Spirit of Light — Ora, and already from here, from the spiritual type of the ethnos, comes the type of economic activity of Arians — plowmen, that is, inspiring the Earth with farming.

² The ritual character of farming among the Arian cattle breeders testifies to the ancient tradition in Ukraine: In every type of economic activity the Arians retained the spiritual genotype of their farmer ancestors, and thus the genetic fund of grain crops.

³ At that time the Arians of Ukraine lived mainly in towns.

Editor's notes.

SOCIAL ORDER AND ETHICS IN ANCIENT UKRAINIAN SOCIETY ACCORDING TO THE SCRIPTURES OF OUR ANCESTORS

We continue our publication of excerpts from Nadiya Denys'uk's systematic investigation into Ukrainian ideographic writing.

The leaders of human society are able to maintain order through physical, spiritual or intellectual strength. In the pre-Ukrainian civilization, (also known as Trypillian culture) which existed over much of the territory of present-day Ukraine during the first half of the 3rd millennium BC, the leaders were called *kyvy*, *kymy* and *demy*. While they divided among themselves the spheres of accumulated knowledge, they were united by the incarnation of their rule - their native society, to which they strove to pass on what they knew. They were united also by a single goal to make their society, their nation, as perfect as possible; that is, to make the people in their society perfectly suited for living in harmony with nature and among themselves. In practical terms, this aim was realized through a lifetime of mandatory rituals and rules of behavior, to deviate from which meant religious treason (*zyrado vira*).

Kymy controlled the watery elements and navigation. *Demy* were in charge of various technologies and materials, and *kyvy* managed the humanitarian fields - medicine, astronomy, astrology, philology, etc. *Kyvy* had a keen, flexible and ingenious intelligence, a great deal of intuition and a profound, yet unusually practical base of knowledge. The *kyvy* were responsible for simultaneously inventing a system of writing and a Book of Life, in which they marked the holy days for ritual, and via which they established a system of social training and education. They worked at continually perfecting themselves, and from the modern perspective, moved toward self-sacrifice, although they considered their actions quite ordinary. Here is the text of an oath (*tosto*) to the *kyvy*:



Kyvi, vybry vidkuly,
rado rika ratsvy vyky.

Kyvy, receptive from the lune,
joyfully prophesy the eternal
ratsva (narration of the stars.)

In every city (*mysto*), it was the *kyvy* who, gathering (*kupy*) with the *demy* and *kymy*, elected the *vida*, the town's main administrative and spiritual body. The *vida* was responsible for maintaining order as defined in the sacred texts embroidered on linen towels (*rushnyky*). The code of law, which took into account social and individual psychology, the natural environment, social changes and the status of neighboring civilizations, was determined strictly and in great detail.

The overarching idea of the organization of ancient Ukrainian society lay in the understanding that every member of the society held a certain place within it for the duration of his or her life. One's house (*domy*) personified one's title (*tytry*) or the

social class of one's family or clan, as for example in a house of a fisherman, or a tailor or a *kyvy*, etc.



Stozy chyny stozychy rysto.
Storychy my story mysto.

Tailors sew quickly.
Builders construct a city.

A person knew what to do every day, because no one else in the society would do his or her work. Accordingly, one had to plan one's work and make improvements in one's tools and techniques, for the general well-being. A general rule of the culture was "On the table place abundant food." (*Stovu do stoly zyzha dosto.*) Further, people in this culture were not afraid of death, a feat achieved by their religion, which taught that death is the prerogative of the latter.

If a society has enough food, a general feeling of individual indispensability, continuous activity, an absence of the concept of death, and a peaceful psychological climate (*myry sto domu* - there must be peace in the home or homes hold on to peace, *myry nysy di storony rydo* - carry peace to your birthplace) - then it truly becomes the earthly paradise which this people considered their homeland. In heaven there is no war, and for this reason, there were no weapons, army or corresponding expenditures. There also was no death penalty, although punishment (*na kona* and *na stydy*) did exist. *Na kona* was the penalty for the greatest sins (*dovika vyny*), which included betrayal of the faith, or attempts by an uninitiated person to catch a glimpse of the map of the stars in the sky with the original sacred text (*papyra*.) Other serious transgressions (*vyna volo*), such as beating a pregnant cow or allowing your cattle to trample a field of rye, were punished by one of two penalties, depending on the number of misdeeds. For minor misbehavior (*vyna molo*), such as tearing periwinkle or linden leaves for amusement, etc., the sinner was led into the *stydyna kolo*. By the way, no trees were ever chopped down for firewood (*zystopu*); rather, once a week, all came out and gathered brushwood. We can judge their moral foundation by regarding, as an example, some of their commandments: move quietly when next to a sleeping person; care for the elderly; wish good health to those who sneeze; wish health and peace to your native land. And most importantly:



Myry sto, doko stylovo
navyky vi do my.

Peace will reign as long as the word
we follow for ever after.

Kyiv

Nadiya DENYS'UK

TRADITIONAL UKRAINIAN INITIATIONS AND RITES

Vasyl Hryhorovych Balushok was born in Lokchvitsya, a town in the Poltava region. He graduated from the History Department of Kyiv University in 1980. As a candidate of the historical sciences, he was junior research associate in the Department of Folk Observances and Rites of the M. T. Rilsky Institute of Art, Folklore, and Ethnology of the National Academy of Sciences of Ukraine. His main scholarly interests include the rites and customs of craftsmen and the traditional initiation of ancient Slavs and Ukrainians.

In traditional society the coming of age and adulthood were accompanied by ritual. In official Soviet historiography it was generally accepted that such initiations were typical only of primitive periods and to so-called "primitive" peoples of the present day. At the same time European ethnography long ago proved the existence of initiations in the feudal period and even later.

Soviet historical and ethnographical materials also show that initiation customs and rituals existed in the feudal period among various social and professional groups of Ukrainians, such as the prince's retinue, the Zaporizhian Cossacks, peasants, craftsmen, students, kobzars, lyrnyky, beggars, thieves, witches, and warlocks. Special Ukrainian initiations, connected with women's groups and wedding rites are also well-known in Ukraine. But because of their specificity and distinction from male initiations rites the woman's rituals require are worthy of separate examination.

Every initiation is divided into three consecutive phases: I) the separation of the initiate from society (clan, community, corporation); II) a more or less prolonged period of different stages during which an initiate is trained, educated, and examined with physical and moral tests; III) return of the initiate, his initiation into full fledged membership into society and his admittance into the collective with new status. Traditional initiations usually possessed special mythological content: during these consecutive stages an initiate experienced ritual death, i.e. his old status "was destroyed" so that at the end of the initiation he was reborn into a new capacity.

The beginning of the initiation of peasant boys began with their separation into young herdsmen (at six to eight years). Later, with the transition from childhood to youth, he gave up the pasture and began to walk the streets, and his real initiation began. At that time young craftsmen entered an apprenticeship and went through the rite of admittance. For the kobzars and lyrnyky, slightly older boys were taken. This also occurred with the prince's retinue and with the Zaporizhian Cossacks.

In the military aristocracy, cossacks' separation from society was accompanied by rituals, special incantations, and mantras, whose purpose was to see into the "other" world.

In the feudal period society was divided into numerous social, class and professional groups, dependent on the social division of labor. In consequence, initiations varied among these groups.

One trait of the initiation is training. In fact, the professional training of young people and their mastering of the traditions of their professional group were some of the most important functions of initiations at that time. This phenomenon distinguishes feudal initiations from those of the primitive period when initiations were connected with the natural, sexual generational division of labor.

One can see quite well the role that initiation played in the professional training of youth by looking at urban shop craftsmen. To be a master, a young man had to pass a long period of apprenticeship and a period of studies, lasting a number years. During these periods, education played quite an important role as training in particular skill. The training of young people among craftsmen and other professional groups also had a well-defined corporate.

The corporate mode of life characteristic to European culture in the feudal epoch demanded that young people be trained in a spirit of unconditional obedience to the collective in the form of the guild. For personal liberty, rights, freedom, and often his life depended on his membership to a certain self-governing guild.

The instructional and educational moment is obvious in the initiations of youth among the peasants, Zaporizhian Cossacks, and the feudal and military aristocracy, among others. In particular, the initiations in peasant communities always included teaching 16-18 years old boys how to mow (the ritual of "barbering" in Galicia) and other agricultural subtleties. Those who enlisted in princely retinues in Rus and later in the Zaporizhian Sich also had a period of training. They served for a fixed period under noble warriors and commanders as pages and squires; as boys in the armed forces and as youths under the Zaporizhian Cossacks. Such an order of training was, as is generally known, typical of European knighthood. In other social groups there was also, without fail, a period of teaching. For example, the Kobzars and lyrnyky underwent periods of training. And, for that matter, beggars and thieves as well.

The teaching and education of youth during initiation was accompanied by ritual actions. The very admittance of the novice as a pupil, boy or youth was accompanied by the solemn order of a guildmaster, chief mower or cossack otaman, the commander of the retinue.

In this way the ritual and symbolic moment of initiation became stronger. Even simple practical actions, like the mere waiting of the pupils, for instance, contained a symbolic meaning.

Initiation was interpreted as death and new birth

This was connected with the idea of passing on a new status in which the old quality of the individual is destroyed. A definite mythological interpretation of the place where the initiation took place was also obligatory. As a rule, a novice passed a stage of teaching and corresponding rituals and traveled beyond the limits of his established world and community. Sometimes this isolation from the collective was merely symbolic, but it was obligatory. Transcending the confines of the commu-

nity developed territory was equated with death. This was especially the case with beggars and robbers who led an initiate to the forest. Among craftsmen the hard lot of the apprentice mastering a profession in distant lands was treated as theft of the necessary knowledge in the "other" world. The same notion was maintained by the Zaporizhian Cossacks and feudal military aristocracy, where young people were obliged to take part in distant military campaigns in order to obtain necessary knowledge and habits.

Staying in this "strange" space put definite demands on the initiate, in particular on his appearance and conduct. A number of limitations and prohibitions were placed on the initiate as a creature who was outside the social world and connected to the other world. For example, boys had no right to take part in the meetings of the collective/guild, shop or Cossack kurin.

They could not wear adult clothes or use either tobacco or alcohol. Among beggars a novice did not shave and could not laugh. As a rule, prior to the end of rituals of initiation, young men were forbidden to marry.

According to the rules of the initiation, young people were the objects of mockery and hazing which had a particular ritual character. They accentuated a symbolic death of the boys, yet they also emphasized the limbo-like state the initiate was expansive at the time. No longer a child, the initiate still had to become an adult. Thus in mechanical shops, among the Zaporizhian Cossacks, students and boy's communities gave novices offensive nicknames, beat them, shaved them with painful wooden razors, and threw them into water, among other things. Peasant movers in Galicia did not allow a young mover to rest during a job. They put him among the best movers who mowed with such speed and purpose that the boy could not keep up.

Among craftsmen there was the "planning", "cutting", "sharpening", "forging" by the craftsmen of his pupil.

In some Ukrainian cities, in the last stage of the initiation, a pupil was whipped as a custom by a master. Beggars were also put through physical and moral tests during the initiations of warlocks and witches. They had to eat disgusting food, renounce their mother and father, take an oath of faithfulness to the devil, clamber head over heels to the "figure" (a high cross at the parting of the ways).

The obligatory constituent elements of initiations was the examination of initiates. The examiner determined how successfully an initiate had mastered the habits, the skills, traditions, and rules of conduct elaborated within the collective.

Among peasants, great significance was placed on a ritually arranged examination of the boy's knowledge, habits and physical staying power, which were necessary for peasant labor, in particular for mowing.

An examination of the professional habits and knowledge of the guild traditions was revealed by the craftsmen during the graduation ritual of the pupil and his initiation into apprenticeship.

The examination of apprentices was obligatory during trips when they studied a craft from a master visiting various cities. And a journey man had to pass a particularly strict examination to be a master, a full member of the guild.

At this time the initiate made a set article (Masterpiece), which in Ukraine was named a piece or group. An examination of the physical and moral qualities and professional habits necessary for an initiate into future life took place among the princely retinues and Zaporizhian Cossacks.

For example, they tested the wits and inventiveness of the young warriors, their powers of endurance, physical strength and skill in wielding arms. Among the Kobzars and lyrynkiv beginners demonstrated their skill to play the Kobza or lyre, their

knowledge of the repertoire, and the norms of the "elders" like etiquette, and secret language.

Among beggars initiates were tested on their knowledge of their "rules" and secret language, their skill in acting the fool, and their ability to beat and steal.

Passing the numerous physical and moral tests and rigorous examination of skills and professional habits, the initiate was then welcomed to the community as a member enjoying full rights.

This initiation was accompanied by a number of the rituals and was understood as a new birth.

For example, the beggars and thieves gave the initiate a drink which caused unconsciousness. And when the initiate regained consciousness, it was like he had been born again. Among princely retinues, Zaporizhian Cossacks, and guilds, the new birth of the initiate was symbolized by the ritual of renaming. Among craftsmen this ritual was carried out in the form of christening, corresponding to the familiar church ritual.

A new physical appearance played a part in this "rebirth" as many began to wear new clothes and grow moustaches and beards to affirm the adult role.

The old haircut and appearance of the initiate underlined his "underdevelopment" and unfinished nature of his socialization, henceforth, with a fresh appearance, he became a mature man, a member of the community, who could enjoy full rights.

The ritual regeneration of the initiate meant a rupture with his previous state, social status and environment. For the boy's initiations it meant full and decided liberation from the feminine element and strengthening of the masculine one, emphasized by the clothes and hair-cut of the initiate. He received all the rights of an adult male: the right to take part in deciding the affairs of the collective (community, shop, Cossacks' kurin and so on), to marry, smoke tobacco, and drink, among other things.

A horse symbolized the initiate's journey to the "other" world and back as well as his ritual regeneration.

Thus, the ritual of placing a young prince on a horse was well-known in Kyivan Rus.

Folklore materials testify that the horse also played an important role in the initiation into the Old Rus' retinues. The initiation of new recruits into the Zaporizhian Cossacks included galloping on a "wild horse". The initiate's symbolic placement on the horse of the initiate also took place in Ukrainian boy's communities. And among the trials through which the future master craftsmen passed a number of lashes from a whip corresponded to the number of the symbolic horse, previously established by the shop.

The initiative rituals of various social groups of the feudal epoch evolved from Old Slavonic initiation rites, and they preserved many elements from their ancient counterparts. The Old Slavonic initiation has been reconstructed as multifaceted ritual on the basis of archeological and folklorist evidence. It included leading the boys to the forest camp, where they passed the rigorous physical tests and experienced ritual death. Then the initiates "were transported" into the wolves, living in special houses for some time as "wolves", fighting and robbing and thereby demonstrating their courage and physical powers of endurance. The entire process was completed by solemn initiation into the tribe as members enjoying full rights and correspondingly, by their ritual transformation from wolves to the human-beings.



Element of the Ukrainian fighting art, performed by the author.

Oles BADIO

THE TRADITION OF THE UKRAINIAN ART OF FIGHTING

Oles Badio lives in Kyiv, Ukraine. He graduated from the Ukrainian Academy of Arts, Faculty of Sculpture. He is currently reconstructing the fighting art of the Cossacks, using his knowledge gained during his tenure studying the Eastern fighting arts.

My comprehension of the historical image of a fighter in the battle of Berestechko (1651) compelled me to reflect the invincibility of human essence in sculpture. The Battle of Berestechko was a fight between the last Cossack knight and a group of Polish hussars and German mercenaries. It represents the culmination of the terrible tragedy of Ukraine's volunteer corps. After several unsuccessful attempts to kill the Cossack, the Polish command promised to save his life because he personified a never before seen warrior strength. However, the Cossack knight chose death in battle over freedom of this sort... We could not help remembering here an old Ukrainian proverb: "Slaves are forbidden to go to Heaven."

This fact is far from being unique in the battles of Cossacks. Thorough intimate knowledge of their military endeavors, they became masters of unique fighting methods and possessed the most varied collection of weaponry.

Historical sources report that Cossacks easily turned the weapons of their enemies into weapons of their own. The Indian-Iranian Saber design was the classical weapon of Cossacks. It is interesting to note that local examples saber design and form were transformed by Cossacks and more closely resembled the Chinese variant.

In battle, Cossacks employed the toughest systems of secondary defense as efficiently as Roman legionaries - and could engage a second counter-attack spurred on by a spontaneous group of nomads. Incredible events occurred during sea battles when Cossacks on small military boats, called "chaika", gained a victory over the larger ships of their enemy.

Historical facts testify without any doubt, that Cossacks had an integral complex of military knowledge and made fighting an art. Understandably, such a perfect art could not have been created over several centuries. Its tradition reaches into the depths of the thousand-year Ukrainian history: times of the Scythians, Sarmatians, and further into the past - including the pre-Arian epoch. Archeological monuments preserved by our land confirm this as does the

archaic character of the fighting art of Iranians, peoples of India and China... World historical sciences prove that people originating from the Near-Dniipro and Northern Black Sea regions, migrating to Iran, Northern India and Central Asia, and in particular Tibet, brought with them their perfect fighting art. Signs of the Arian tradition can be traced back in the military art of Europe (such as fighting customs and methods of Balkanian soldiers, called "haiduky", Carpathian warriors, named "oprychniky", as well as the various Western European knight orders). As to its essence, this art does not have an aggressive character, but rather, a protective one, which is the distinguishing aspect of the fighting art of Cossacks.

Freedom was the foundation of life for the Ukrainian knights living amidst aggressive neighbors. The Arian tradition in Ukrainian military methods developed on that moral principle, and partially came to our days in the form of ritual dances. In the history of fighting arts of the world, the evolution of ritual dances whose history is rooted in the military the Ukrainian example is not the only case, but it is unique.

The most popular Ukrainian dance, the "hopak," is the primary form used in our choreographic art. Although the modern choreographic interpretations have diminished the fighting elements of the movements, the military meaning of the dance is still evident, especially for people who are well versed in the Eastern fighting arts. Thus, our research deals with the military heritage of the knights of the Zaporizska Sich, whose genetic-spiritual roots reach the thousand-year depths of our history.

The Sich is a unique phenomenon of world history, philosophy and military methods, that came to represent the powerful military and spiritual achievements of Ukrainians. The Cossack Sich resembles the Western knightly orders and the laws of the Sich bear a strong resemblance to the regulations governing monastic brotherhoods. A strict professional-caste hierarchy coupled with democracy, unknown to the world at that time, was the basis of rule in the Sich. Cossacks in the Sich had their own state with their own regulations, worldview and customs. At the same time, they were organically connected with the whole of Ukraine defending their land and people.

So called "kharacternyky" (peculiar, special people) formed a special stratum in the Cossack society. Their life came to be celebrated in legends and stories. They could change the color of their eyes, disappear together with their horses from the enemy encirclement, turn into a wolf, falcon or any other animal or bird, could appear before the battle was begun - causing it to never begin... The "kharacternyky" could not be destroyed with usual weaponry... The Cossack Mamai personified the being of the "kharacternyky" whose vivid picture hangs in almost every Ukrainian house.

Considering both historical facts and fantasies, we can indeed conclude that in the Sich there were people who possessed mystic forces. Similar spiritual-fighting phenomena are also known among other peoples, for example, the Ninja clans and their monk-archaists teachers.

Instead of shields and heavy armor in their vestments, Cossacks-warriors had only small protective plates on the forearms and wrists made of rough leather with metal padding and wore a thin steel plate under their hats. Wide bright trousers made of thin and strong cloth were very deceiving in battle because they made leg movements less evident, and could easily conceal arrows. Red ribbons with yellow streams on the hat had also its secret: "chasnyk" (garlic) - a long ribbon with a small steel hedgehog, spread with poison - was sometimes fastened to it. Cossack mastery over the saber came to be known as "mirroring" and in times of battle made Cossacks inaccessible to the enemy from all sides.

But the most important aspect of the Ukrainian fighting art was the internal fighting mood of the Cossacks prior to battle: the Cossack perceived reality with a clear heart. Because of the unforeseen character of fighting battles, one could only "feel" his way out of the most difficult situation with his heart. The Cossack-warrior would first of all extinguish all the aggression of his enemy, then chose his methods of battle with the enemy, considering his behavior. In so doing, the enemy sentenced himself, and all that was left for the spiritual warrior-knight was to perform the will of God.

* See in details in the book: Володимир Пилат. Бойовий гопак. Львів, 1994.

Editor's note



Element of the Eastern fighting art, performed by the author.

O. Badio. Hopak.



Cossack's forelocks

Our editorial staff received many responses after this publication in our our second issue of Alla Bondar's article "About the Indians, the Hetts, and the Cossack oseledets about the ancient customs of how Ukrainians to wore their hair. Very useful information concerning this appeared in The Transactions of the Shevchenko Scientific Society nearly a hundred years ago. The author of that article signed with the letter "Z".



Almost all our painters, drawing the lower cossacks of Zaporizhzhia, do not know how to draw their topknots. Thus, for example, in the drawing of the painter Vasilivskiy, awarded a prize by the Russian magazine "Niva", a Zaporizhzhia cossack was painted such that his forelock and topknot turned out mixed: over the ordinary forelock combed on all sides there laid a topknot - a separate lock of hair, growing from the middle of the head. Repin's Zaporizhzhian cossacks that write a letter to Sultan have the topknot in the middle of the head, as it happens among Chinesees, Mykeshes, Slastions and others also painted the topknots on the middle of the head, and the Slastions even with braided ones as in girls that in reality were made only as a joke and even then very seldom. In theatres during make up topknots are attached to the middle of the head. All of this differs from the truth, that is why I am publishing this notice - perhaps someone will find it useful.



First of all I must state that forelock and topknot are not the same things as many believe. They are two quite different ways of wearing the hair. The forelock was cut in the following manner: over the forelock, on the temples and on the back of the head the hair was shaven or cut fully and only in the middle of the head they left a wide, round lock of hair the size of the palm of a hand. That hair was combed in all sides and cut around - it was higher over the forehead and lower on the back of the head. Thus, the bare places were covered with a forelock, and it seemed that the head was full of hair; only when the forelock fluttered in the wind, was exposed was opened and a person's face turned out wild-majestic and militant. Gentlemen, cossacks and pospolits wore forelocks; but gentlemen seemed to cut them higher, in the Polish manner.



The topknot was cut quite differently. The whole head was shaven or cut fully, over the forehead they left a round lock of hair the breadth of three fingers. In time that hair grew to a long plait which could be combed on the left, led round the head, wound round the left ear or simply reach it and wound round. More often, when it was not so long, it only lowered behind the ear and its end dangled on the shoulder. Such plait gave the face a very militant look and original beauty. The topknot of small boys was cut at the level of eyebrows not to get into their eyes. The elders did not always have their head clean-shaven, it was overgrown with short hair and it was left so for a long time; especially this happened to old men who did not like to smarten themselves up. Zaporizhzhian Cossacks and those people who, in any case had relations with them, such as tchoomaks and the peasants who lived near Zaporizhzhia wore the topknot. Under the Hetmanate area maybe only those cossacks wore it who lived some time in Sych and who came back. We must infer that and in Sych some Cossack elders (starshyna), such as clerks (pysars) etc wore the forelocks.



My father wore the forelock to his death, and in his youth he saw how the topknot was shaved and told me about it.



Heorhiy HAIDAY

THE COSSACK'S COURT

Heorhiy Fedorovich Haiday was born in Zolotonosha of the region of Poltavshchyna (today Cherkashchyna). He is a specialist of area studies and an historian. From 1973 he works as a general curator of the Pryluky Regional Geography Museum of Chernihivshchyna. He is one of the initiators to create of the V. M. Maslov Society of regional Geography of Pryluky as well as Organ of the Society of the newspaper "Skarbnytsa" (Treasury). He is also author of numerous publications.

The courts had a great importance in the formation of the Ukrainian Cossack State in the XVII century. The Hetman's administration, the Cossack leadership and the Ukrainian gentry gave special attention to it.

In the first place, they arranged for not breaking "customary rights and liberties in all agreements and treaties between Ukraine and Moscow". For example, the tsar's deed of 1654 communicated to the Zaporozhsk Army that the tsarist government agreed that Ukrainians could be at law with "their elders according to their former rules and our tsar's vovodes and boyars of the tsar's majesty would not join these military courts". But that was only a promise, because soon after that, and during all time, the tsarist government extended little by little the application of Russian laws in Ukraine. Together with customary rights the ancient juridical codes, such as the "Lithuanian" statutes were spread in Ukraine. By the way, the first (1529), the second (1566), and the third (1588) were written in Ukrainian. The Lithuanian statute of 1588 was the most perfect where the main bases of the ancient Ukrainian rights were kept to a considerable extent.

This document was of great importance and practically became the main juridical reference book for judges of Ukraine at the end of XVIII century.

In the manuscript department of the Russian state public library in Moscow, in the "Selected works of Lukashevich" (fund 159 file N 1157) the book "The reference Book of the Pryluky regiment of the Cossack's Army" was preserved. The affairs of the Pryluky regimental and municipal courts were registered in that book over twenty years (1696-1717). That book is an invaluable source to examine Ukrainian justice during the times of Hetmanshchyna.

Examining casually the materials of this "reference" book, it is not difficult to realize that judicial power, referred today as the "third" branch of power was in the hands of colonels and foreman in the territory of the regiment. A colonel saw the affairs beforehand, gave an order to hold an inquiry and examine this affair in the court.

The regimental foremen were obligatory members of the court. Sometimes there were cases when a regimental commander was at the head of the court and no regimental judge was available at the session which was inferior by rank to the judge. The local officials such as vyit, burmistrs, town council clerks, raitsi, shop-keepers and noble military comrades, the old grand Cossacks - "real personalities" also took part in the sessions of the court. There were cases when a representative of a general foreman, especially appointed by the Hetman was at the head of the session of the regimental court.

But in reality the head of the regimental court was a colonel.

Not a single affair was examined in the court without his permission and the same colonel passed sentence in all important cases and only a judge pronounced judgement for the court. Only all death sentences were liable to the Hetman's confirmation. In July of 1708 a colonel Dmitro Gorlenko heard a case regarding a thief, convicted by the regimental court to death. The sentence was confirmed by the Hetman: "his noble dignity, taking into account, that one villain did a great harm to the people, ordered to sentence him to death".

The records of the judicial book of the Pryluky regiment allows one to imagine the process of justice at that time. The first step was an "obvolania", that is communication about the fact of a crime to rural, sotnia's or municipal court or to "good people". They began the inquiry from interrogation, then investigations and searches were done. A regimental judge together with local officials or other regimental seniority (the regimental commander, regimental osavul, sotnik) held an investigation on the place of the crime.

After investigation, the accused and his accessories were taken into custody, put in wooden stocks and sent together with an "inquisition", that is, a document resulting from a complete investigation, to the regimental court which decided the case. The judicial sessions took part in the premises of local town hall of Pryluky "every day with the exception of Sundays". In the court, the accused represented his complaint, showing witnesses and providing material evidences. If the accused admitted his guilt from the very beginning, the court decided the case and passed sentence. If the accused denied his guilt, the court passed to examine the case interrogating witnesses, local officials and even those present at the session. Everyone had the right to express their opinion deciding the fortune of a person. Sometimes, the witnesses swore on the cross, brought to the town hall from the church. The unique case was fixed in Pryluky. One of the suspected, wishing to reject an accusation from himself, asked to dig up fresh earth and ate a whole handful of earth to confirm his words.

At the beginning, the interrogation was made as "voluntary confession", but if the accused did not confess voluntarily, the court took appropriate measures. "He was interrogated with the help of lashes".

Also, they used a burning hot fire iron and placed it on the breast of the accused, who was tied to a post.

There were even cases when they seared the accused times. In 1707, the Pryluky court used a corporal punishment tying the accused P. Mikitchenko to a wheel, who refused to confess for a long time. This was called "getting of the joints". The gentry, ecclesiastics, superior officials, infants and old were not liable to corporal punishment according to the Lithuanian status.

The judgements or sentences of the court were put down in detail in all judicial cases. They were always unanimous: "All agreed, everyone supported each other". Often the court, taking into account a frank confession from the accused and his appeal for mercy, passed mitigating sentences. For example, the death penalty was once substituted for expulsion: "He was sentenced to beating thoroughly with reins, in other cases - a villain

committed a theft was beaten well "with sticks" the first time. A sentence was mitigated when the accused pledged himself to recover the losses with interest. A victim or his relatives also could influence a sentence of the court. The affairs of the Pryluky court testified to that. In 1701, a peasant, Ivan Garkushenko grappled with municipal osavul M. Lastovskiy, which sent him to the "corvee" by force and killed a violator. The trial took part in Pryluky during a crowded fair. Garkushenko was condemned to the most terrible execution- quartering.

The news about this were spread quickly all over town and a crowd of people filled with indignation, moved straight from the fair to the court. The people pleaded for the condemned and the court was obliged to repeal it's sentence: " according to the common request of the people which were at the fair ,and many asked with ardour to save him from the death..."

There were cases that ended quite often with reconciliation...

Various types of death penalties were written in the sentences of the "Judicial Book". In 1707, P. Mikitenko, previously mentioned, was beheaded for violating an inhabitant of Pryluky Grebenichki, according to the sentence of the court (he was cut by sword).

In 1708, M. Sajnenko was hanged for repeated thefts and the " mutderer" of Taras was condemned to be quartered to teach others a lesson".

Perhaps, the most terrible punishment for the accused was to be buried alive. Such punishments were very rare but were used perhaps exceptionally for cases involving infanticide. Over 20 years in Pryluky only two mothers who comitted infanticide were condemned in 1707 and 1711 : "to be buried alive and pierced by a stake". Being burnt alive was an even more rare case of punishment. In one case, the court condemned a boy, Hritsko, for "sodom's sin" (extreme depravity) and was sentenced in the following manner: "because this is an abominable sin he has to be severely punished and this Grits has to be burnt".

In 1708, one boy was condemned to the same punishment for the same reason but the community asked to take into account his youth and the court "respecting the people's request, repealed " the death penalty but decided "to beat him within an inch of his life with sticks".

The affairs about punishments connected with defiance happened quite often. For this there was a post in the middle of the market square to which a condemned was tied. They beat a guilty with sticks, lashes, traces, whips and then left him tied for one , two, or even three days.

It was not often when the quantity of the blows was determined by the sentence, for example "hundredfold beating without mercy", " thirty butts and one hundred sticks", " about one hundred blows".

More frequently the court would issue the following sentences: " to kill within an inch of his life", " to beat a naked without mercy" or " to beat with sticks without mercy". Such a sentence, for example: "they ordered to beat a villain Pavlo in public nearly to death".

There were cases when the guilty was sent away from the regiment, town or village putting a prohibition on his return. Prior to this event, the accused marked, for example, cutting slightly his nose (" nalichkovavshi") or cutting an ear or branding it.

Cutting of a hand or a leg was sometimes used. Condemning one to expulsion was called "shamefully beaten" or " expelled from society".

The threat of severe punishment prohibited the inhabitants of the land to help or give refuge to a person condemned to expulsion.

Imprisonment was used as punishment in many cases. In Pryluky, the prisoners were kept in the town hall. Perhaps there was a small prison there. The guilty were put in tight and hard stocks or put into irons. Sometimes he was chained to the gun, that is, punished by "putting on the gun".

As mentioned above, the tsarist government began to gradually spread the implementation of Russian laws in Ukraine already by the end of the XVIII century.

However, officially the order not to interfere in Ukrainian justice was given repeatedly to the russian voedodes.

At the same time, Hetman had to coordinate with Moscow all the most important judicial sentences, particularly service crimes of leadership and officials, treachery, and espionage. Cases of direct interference by russian officials into the justice system of Hetmanshchina became particularly frequent after the Poltavka tragedy (1709). One typical case which took place here in Pryluky confirms this development.

In autumn of 1710, Turkey declared war on Russia, deamnding the return of the fortress of Azov and the liquidation of the russian fleet on the Azov sea.

A conflict followed between Russia and Turkey, but Ukraine suffered first of all.

Tatar detachments moved by "black cloud" to Slobozhanshchina and then to Pravoberezhia. Moscow did not hurry to take decisive actions and only when the threat of a tatar seizure of Livoberezhia was imminent did Moscow react.

In summer of 1711, an army of forty thousand soldiers under the cimmand of Field- marshal B.P. Sheremetiev, began the campaign against turks and tatars. The march was unsuccessful: the Russian army together with Cossack regiments were surrounded, and Moscow signed the disadvantageous Prussian treaty.

Following this, Peter the First ordered to leave the greater part of the russian army, which returned from the march on Hetmanshchina, for "winter quartering and feeding". This was a real misfortune for Ukrainians, one worse than invasion because they have to feed dozens of thousands of parasites.

"The guard-house" of the army commander B.P. Sheremetiev, general headquarters and office, the serbian company, "court general's squadron", in all more than 300 persons were quartered in the town of Pryluky by "disposition". The corps of Sheremetiev were in Ukraine from September of 1711 to the summer of 1713.

In 1712, a terrible villain and robber, Havrilenko, was caught in Pryluky, which for many years inspired fear on the inhabitants of Pryluky by his reckless villainous tricks. This cunning and incorrigible villain robbed many people. That is why the regimental court sentenced him unanimously to the death penalty. Although the sentence was coordinated with the Hetman, and a "gibbet" was already prepared for the condemned, something unprecedented happened - the sentence was not executed.

That is what the same " Judicial book" says: " soon one villain was led out of the town hall, but his excellency county Field-Marshal, and his worship Mr. Boris Petrovich Sheremetiev, who were billeted at that time in Pryluky, ordered to liberate the condemned without punishment".

The count did not stop at that. He visited the prison attached to the town hall where the villains, robbers, violators waited for a just trial and "ordered to liberate the prisoners forunately for the villains".

The court and the regimental seniority protested, their authority having been damaged by such unheard of tyranny. However, the tsarist official could do as he pleased, because behind his back were not only the " squadron" of moscovites and Serbi-an company, but stood the whole russian army.

This is how the russian expansion began in Ukraine from isolated cases. The total lose of statehood and sovereignty for centuries were not far off.

THE REGIMENTAL ORDER IN UKRAINE

Among the greatest phenomena of the historical era of Ukrainian Cossackdom was the military-territorial order, the existence of which was warranted during the entire period of the Hetmanshchyna (Hetman Order); that is, for over 130 years (1648-1782). During this extremely difficult time, our nation managed to create the optimal form of government for itself - a regimental administration. This enabled the colonels in charge to centralise power over not only the military, but also over the civil, judicial, and financial sectors, since the administration ruled the Cossacks, and also the general population.

The military-territorial regime in Ukraine was formed in tandem with the establishment of the Zaporizhzhian Cossackdom. In order to maintain the vitality and safety of the Sich, it was necessary to develop the economy of the surrounding areas, and to set up security checkpoints. For this reason, a part of the Cossacks lived permanently outside the Kish (camp) as farmers, working the land and raising livestock. However, they had no special privileges regarding their duty to the Sich and their House (Kurin'), and every winter were required to once again serve in the Army - standing on guard duty, tracking the movement of the enemy near the border, and making the rounds of the region to control the behaviour of travellers.

While at first the winter Cossacks were located only in areas near the Sich, as time went on they settled farther and farther away because of economic and military necessity. The area of the Zaporizhzhia volunteer Army expanded in all directions to the Sea of Azov, the Northern Donets', Orel, midstream of the Southern Buh and the lowlands of the Dnipro river in the vicinity of Islam-Kyrmen (present day Kakhovka).

This territory, upon which thousands of winter Cossacks were stationed during the middle of the 18th century, was divided into counties, called palanky. These palanky were ruled by senior Cossack colonels. In this way, a military-territorial organisation developed side by side with the purely military body of the Sich, continuously influencing the development of economic and eventually political life within the territory of Zaporizhzhia.

At the same time, the Polish border administration was lobbying to persuade its government of the expediency of helping to strengthen and further develop the Zaporizhzhian Cossack organisation because of their effectiveness in defending the nation against the Golden Horde. These Polish border sergeants were the first to understand the value of the Ukrainian Cossacks who, given the historical environment, were called to protect their native land. Even in 1524, the Polish king Sigizmund I, taking into consideration the thoughts voiced by Ostafiy Dashkovych, elder of Kaniv and Cherkasy at the Diet of Horodniansky two years earlier, suggested sending "a decent and good man" to Kyiv, in order to gather the Cossacks together, prepare clothing and money to pay them, and later to place the gathered companies at ferry points along the Dnipro as defence against Tatar attacks.

The fate of the first registered detachment of 300 warriors, who were assigned with both subduing Cossack "high-handedness" and protecting the borders from Tatar raids, proved hopeless from the very beginning, and soon fell apart. Nonetheless, from the early 1570's Cossack registration took a significant step forward in formulating Cossackdom as a separate, legalised level of society, according to researcher Liubomyr Vynar. The release of Cossacks from punitive sentencing by local administrations provides a vivid example of con-

cessions granted at this time by the government, which was being forced to reckon with the demands of the Ukrainian Cossacks.

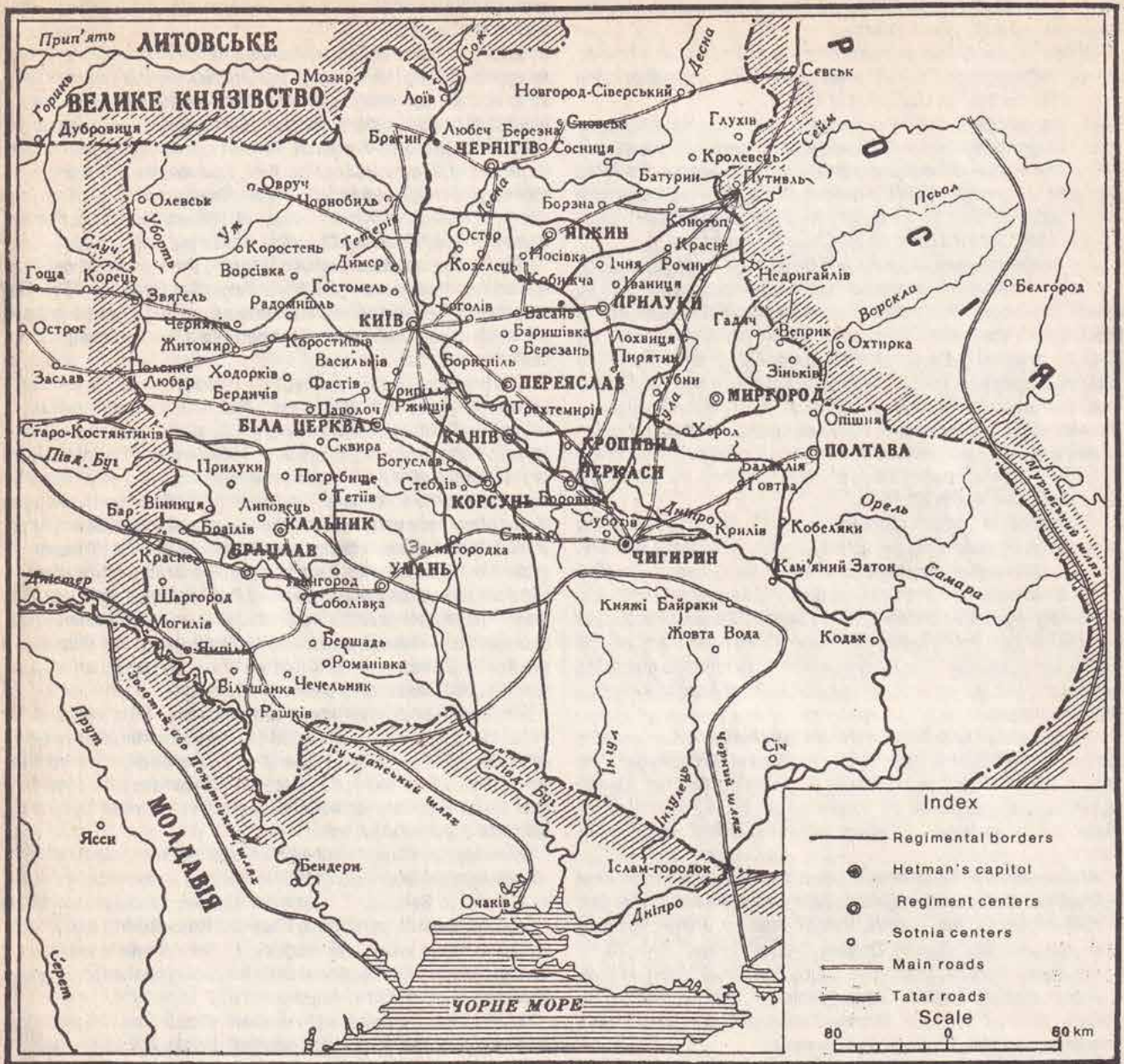
Once again, Cossacks were conscripted into service, this time by Stefan Batory, the new Polish king. Even though he hated Cossackdom and would have striven to destroy it, he was forced to free the registered Cossacks from taxes, exaction and feudal services, and to release them from obligation to officials of Polish nobility within specially designated lands ranging from Terekhtemyriv to Chyhyryn. Payments from the state treasury were an additional source of income. Further, the Cossacks received their own court of law, and established a hospital for the wounded and sick at Terekhtemyriv monastery. It is clear that Stefan Batory was compelled to grant the registered Cossacks a degree of autonomy, but the structure was not his own invention. He copied it from the Zaporizhzhia Sich. The Ukrainian Cossacks themselves created a unique political, administrative, judicial and military order, which the Polish State had to acknowledge within its borders, and which served as a model for organising the registered Cossacks. Although the government of Poland hoped to end the sovereignty of Ukrainian Cossackdom, it had no choice but to preserve elements of autonomy in the registered armies, and to legalise and officially recognise the Cossacks' military and political organisation which arose as a result of Cossackdom's internal development.

Beginning in the last quarter of the 16th century, the idea of spreading the military and territorial divisions from the lower reaches of the Dnipro into urban Ukraine became an obsession. Registration records from 1581 show 500 men enlisted, a number which had grown to two regiments of 500 Cossacks each by 1590. Under the leadership of Krysztof Kosynsky and Voitech Chanovytsky, they expanded into Rokytne and Volodarka on the right bank of the Dnipro, as well as into Ivankiv, Horoshyno, and Sniporod further in. This allowed the Cossacks the possibility of seriously expanding their influence over the territory of urban Ukraine.

Of course, the Polish government wasn't even considering allowing this to happen, but, taking into account the fact that it was constantly utilising the Cossack's military power, it concentrated on how to isolate the Cossacks from the civilian masses.

As far as the regimental organisation of the Zaporizhzhian Army is concerned, we have interesting eyewitness reports from the beginning of the 17th century. In 1601, the Cossacks were divided into four regiments of five hundred men. Every group of five hundred was divided into hundreds, and every hundred divided into groups of ten, of which there were 152 in all. The Cossack army was headed by the Hetman, the Obozny and the scribe; the regiment was led by the colonel, two esauls, four sotnyks (leaders of groups of 100) and 50 desiatnyks (leaders of groups of 10). The regiment also included three gunners, one ensign, a trumpet-major, drummer and four drivers. The entire register consisted of 2,032 men. In December of 1613, four regiments are mentioned - Putyvlets', Yats'ko, Mitla, and Topyha. Under Khotyn in 1621, we count 13 Cossack regiments; however, as in previous documents, not a single word is written about the territories to which they were assigned.

We begin to see pencilled in territories at the beginning of the 30's of the 17th century. In June, 1630, during negotiations with the nobility, the Cossack representatives note, "Levko Boot from Kaniv, Levko Bubnivskiy Kalenych from Cherkasy, Chechura from Cherkasy, Ivan from Kaniv, Zablotskiy from Kaniv, Yurko Lotyk from Chyhyryn." From this we can surmise that the centres of Cossack regiments at the



The Administrative Division of Ukraine in 1649.

time were located in Kaniv, Chyhyryn and Cherkasy. We do not have any more concrete information.

After the Taras Fedorovych rebellion, the register was increased to 8,000 men. This act was legalised on May 6, 1631, and widened the Cossacks' influence still further. At this time, we find mention of the Pereiaslav regiment. More concrete data follows the next year in a narrative in 1632 by Cossack Ivashko Pavliv from Putyvlits', who appeals to become a subject of Moscow. He writes, "Two thousand Cossacks from Cherkasy led by Hetman Ondriushko Dedenko gathered in Korsun' and there were more worthy people there such as: Colonel Datsko from Bila Tserkva, Colonel Tarasko from Chyhyryn, Colonel Mysko Pyvovarenko from Korsun', Colonel Olykhver from Pereiaslav, Colonel Lavrynko from Lubny, military Judge Hyria from Cherkasy, sotnyk Kyzym from Kyiv and more people from all the other cities."

In March of 1634, accompanying Hetman Illiash Boot, the following Colonels are mentioned: "Hryshko from Cherkasy, Colonel Danylo from

Kaniv, Colonel Yatsko from Oster, Colonel Yurko Latysh from Chyhyryn, Colonel Filonenok from Korsun, and Colonel Biletskyi." In the same group Colonel Olifir from Pereiaslav is named. At the time of the Smolensk war (1633-34), we are given slightly different information on the Cossack military organisation during an expedition. In this case, a German soldier from the Muscovite army who escaped from a Cossack camp, described the Zaporizhzhian Cossacks under Hetman Orendarenko in March, 1632. Located in Shchelkaniv (40 versts east from Kaluha), there were six regiments, each with six companies of 300 Cossacks each.

In 1637 the following colonels took oaths of allegiance near Borovytsia: Yatsyk Huhnvyvi of Cherkasy, Andriy Loboda of Kaniv, Hryshai Khomych of Chyhyryn, Maksym Nesterenko of Korsun', Illiash Karaimovych of Pereiaslav, Yashchyna of Bila Tserkva, Tereshko of Yablonivka.

From 1638 through 1648, that is, until the beginning of the war for liberation, six registered regiments existed in Ukraine in Bila Tserkva,

Kaniv, Korsun', Cherkasy, Chyhyryn, and Pereyaslav. Up to 1,000 Cossacks owed allegiance to each.

Of course, the Cossacks' autonomy was short-lived, but it paved the way for the declaration of the Hetmanshchyna, particularly in the first part of the War for Liberation of 1648-57.

At this very time, the newly-created Ukrainian National Army achieved glorious victories in Zhovti Vody, in Korsun', Pylavtsi and Zboriv. The number of insurgent regiments and the number of enlisted men greatly increased, while the territory on which the regiments were raised began to grow, until the rigid conditions of the Zboriv Agreement of 1649 clamped down on the Cossacks' freedoms.

The border between Ukrainian and Belarussian lands, upon which the Cossack regiments arose during the Liberation war, should be moved to the borderline determined by Bohdan Khmelnytskyi at his meeting with the Polish Commissars in Pereyaslav on January 25, 1649 (as opposed to the terms of the Zboriv Agreement). "Royal and Lithuanian troops may not cross the limits of Kyiv voivodeship (province) as marked by the Horyn and Prypyat' rivers, or the Podillia and Bratslav voivodeships over to the Kamyanets'. The Zaporizhzhian armies also may not cross the above mentioned rivers." The Polish King Jan Kazimir agreed to these terms of armistice, according to a document dated March 27, 1649.

The number of Cossack regiments created in 1648-1649 should be determined by examining the activity on this highlighted territory. Naturally, the number may have been higher than listed on the 1649 Register. In particular, the Cossack doctor Luka wrote in Putyvl'a in September, 1649, that in the march to Zbarazh 23 colonels accompanied the Hetman, not including those who stayed behind to guard the border from Lithuania. The Commander of L'viv affirmed that in the autumn of 1648, the city was surrounded by 35 of Bohdan Khmelnytskyi's regiments.

Finally, by late 1648, Bohdan Khmelnytskyi himself determined the territory of the Cossack state, as he describes in his message to the Turkish sultan: "As if in reward for all our suffering, God has allowed us to take under our power the greater portion of the Polish kingdom, Ukraine, Belarus, Volyn', Podillia and the rest of Rus', as far as the Visla."

After analysis of the various sources available today, the author believes that the following regiments belonged to the Army in the field in 1648-49: Bars'k, Bila Tserkva, Borzen, Bratslav, Brahyn, Vinnytsia (Kalnytsia), Hadiats' (Zinkiv), Zhyvotiv, Zviahef', Irkliya, Iohnia, Kami-anets', Kaniv, Korsun', Lokhvytsia, Lubny, Myrhorod, Mozyr, Mohylyv (Dnister), Nizhyn, Ovrutsk, Oster, Pavolots'k, Pereyaslav, Podillia, Poltava, Pryluky, Rechytsk, Romny, Torhovyts'k, Turivs'k, Uman', Cherkasy, Chernihiv, Chyhyryn and Chornobyl.

Analysis of the regiments' distribution shows that on the basis of the national Army's territorial system, six regiments were registered initially, and then new territorial regiments were established in proportion to the expansion of the people's uprising.

The foundation for creation of new territorial regiments in the Ukrainian National Army began as detachments of Zaporizhzhian Cossacks sent by Bohdan Khmelnytskyi to Podillia, Sivershchyna, Polissia, Volyn', and to Belarus. Experienced warriors, mostly natives of those areas where the people were to be raised in arms against the nobility, headed the detachments. There were plenty of Zaporizhzhian Cossacks amongst the chiefs.

Information about army formations which existed outside the stated boundaries must be added to the territorial distribution list of Cossack regiments during the first stage of the Liberation war. This is because, according to the writings of Samovydet, "They called themselves Cossacks even beyond the Dnister near Halych... beyond Old Konstantyniv - in Shul'zhentsi, Hrytseve, Chortoriy.... In particular, in the Nebaba regiment we found many natives of Chudniv - Semen and Demyan, Yas'ko Tereshkovyi from Polonne." Once the Cossacks entered the city of Terebovlya, they divided it, according to custom, into companies of a hundred men (sotnias) with Fedir Boryslavskyi, Ivan Rudyi, Yats'ko Velykyi and Kyrian Shvets' chosen as sotnyks and Vasyi as cornet. In the Pokutia region, Semen Vysochan organised an

army of 15,000, which he divided into sotnias, each with its own banner and musician.

After the Peace of Zboriv, Bohdan Khmelnytskyi was forced to reorganise his regiments. Since the Cossack register was now limited to 40,000 men (keeping in mind that the army which near Zboriv had 360,000 rebels), the Ukrainian Hetman was obliged to reduce the number of regiments to sixteen. These were distributed across the territories of three voivodeships: Kyiv, Bratslav, and Chernihiv. The regiments were placed as follows: Bila Tserkva, Bratslav, Kalnytsk, Vinnytsia, Kaniv, Kyiv, Korsun, Kropyvyn, Nizhyn, Pereyaslav, Poltava, Pryluky, Uman', Cherkasy, Chernihiv, Chyhyryn.

The military-territorial partition following the Agreement of Zboriv was on the whole preserved until the Pereyaslav Council in 1654. The only change was within the Bila Tserkva regiment, where sotnias in the western part broke off and formed into a Pavolotsk regiment in 1651.

The hostilities of 1654 showed how unrealistic it was to try to limit Khmelnytskyi's army to 60,000 men. The Hetman himself explained the impossibility of even counting the Cossacks in a letter to tsar Aleksei Mikhailovich dated late July, 1654. It read, "Your Majesty's order to count your Zaporizhzhian Army and to send you a roll of the names of all the soldiers is impossible to fulfil, since the Army is divided into many parts. Some Cossacks are based in Zaporizhzhia, some in Kadok, some amongst us. Some, like the Uman' regiment, protect our land from the Tatars; some, like Bratslav, from the Volokhs; and some like the Vinnytsia and Pavolotsk regiments, from the Poles. The regiments which we were able to unite for a census have been counted, although we are hoping God's mercy and victory over the enemy... Another thing is that we have compiled a list of more than 100,000 Cossacks who are now in battle."

After the tsarist government confirmed the "March Articles" in 1654, the Cossack forces headed by Ivan Zolotareno travelled to assist Aleksei Mikhailovich in liberating Smolensk province from the Poles. During the ensuing battle, many Belarussians joined the Cossacks, and a military territorial order was established in Belarus, similar to the one in Ukraine.

Khmelnytskyi himself defined the Cossacks' terrain in Belarus, in his decree at the beginning of 1656 in which he appointed Ivan Nechai as Colonel for Belarus. "... from our side we send our man to be colonel for Belarus, to Mohylev, Chausov, Novo-Bykhov and Homel, and other towns, cities, and villages in the area, if only to keep guard over the border. The regiment must be grown on the frontier, and should be safeguarded for future service..."

And when the government in Moscow protested Ivan Nechai's fortification in Mohylev, the Hetman responded to tsar Aleksei Mikhailovich on 19 December 1656, that "we don't see any harm in it."

The Cossack territory kept expanding westward. In 1657, another regiment, the Piddnistrianskyi, was established near Mohylev. By this time, the Cossack state embraced Turov, Pynsk, Lakhva, Davydhordok, Yaniv, Liubeniv in Polissia region.

In November 1656, having taken the city of Slutsk under the protection of the Zaporizhzhian Army, the Hetman promised the inhabitants that if the need arose, he was ready to "provide another two regiments for assistance to the city".

Bohdan Khmelnytskyi issued a special decree in March, 1657, proclaiming that Staryi Bykhiv was under the protection of the Zaporizhzhian Cossack Army. "With God's will the nobility, landowners and others ... faithfully and truly have promised to become subject under our power and protection, and have sworn allegiance to us that they will not relinquish that fortress to anybody else, and will forever defend it for the rule of the Zaporizhzhian Army!"

This state of affairs becomes understandable when one reads a letter dated December 19, 1656, from the Hetman to Czar Alexei Mikhailovich which reads, "as soon as the Bykhiv natives heard about the Treaty they refused to go under the protection of Your Majesty."

From July, 1657 the district of Pinsk was annexed to the Cossack territory after their "ambassadors were sent to Chyhyryn to confirm

their eternal friendship, and were received in a pleasing and courteous manner."

This can be called nothing other than the process of embracing new territories into the Ukrainian state. And Khmelnytskyi achieved this through oaths of allegiance, essentially following the steps of his long ago hetman predecessors. In this very manner - by asking the residents of a city or town to swear loyalty - Krysztof Kosinsky consolidated the Cossack state.

Sending the Cossacks, under the leadership of Anton Zhdanovych, to the aid of Hungarian Prince Yuriy Rakotsiy, the Ukrainian Hetman simultaneously issued decrees to those "who must be sheltered by the Zaporizhzhian Army, in order to be protected from the slightest harm, and our appointed representative, sent out by us to control that nobody who is under our protection and that of the Zaporizhzhian Army be harmed; to those who resist or behave in an unfriendly fashion, or do not obey, the Zaporizhzhia Army is to battle them, and this command is final."

The territory of the three provinces of Kyiv, Chernihiv, and Bratslav, which according to the Peace of Zboriv were formally acknowledged to be under the protection of the Cossack Army, was undoubtedly limited geographically and historically. In addition, the Cossack state had no access to the sea, while the Dnipro - its main communications artery - was controlled by the Turks and Tatars in its lower reaches. This consequently forced the hetman government to expand its borders to its historic limits. Thereby, it is quite logical that given the situation, the most natural way for the Cossack leaders to resolve it was to annex the western Ukrainian lands: Podillia, Volyn', Halychyna, Kholmshchyna. These lands were twice as densely populated as Naddniproshchyna (the upper reaches of the Dnipro). In addition they contained ancient centres of culture, more highly developed farming, wealthy cities, and, of ultimate importance, a commercial route to the Baltic sea, the only gateway for Ukraine's exports abroad. These lands were of vital importance for the development of the young Ukrainian state. This embodied the idea Bohdan Khmelnytskyi stated in 1649 to Polish the commissars: "I will liberate the people of Rus' from oppression as far as L'viv, Kholm and Halych...". But the unexpected death of the Hetman buried his plans to revive the Ukrainian State within its historic area, that is, within the borders of Kyivan Rus' - "to the Visla river and the Hungarian border."

After the Khmelnytskyi State and especially in the period of Ruin, the regimental order on the Right Bank of Ukraine, which under the Agreement between Moscow and Warsaw belonged to Poland, began to gradually deteriorate. For instance, in the 1670s and 80's these military and territorial units basically ceased to exist. Yet in 1684-85, Colonel Semen Paly began to revive this administrative structure so habitual for Ukrainians, in conjunction with new immigration to the Right Bank. At the same time, regiments in Korsun', Bila Tserkva, Bratslav, and Bohuslav were being restored after which there was a similar revival in Chyhyryn, Uman' and Mohyliv. All the same, they existed only until 1712, when Russia and Poland entered into a new agreement under the terms of which the Cossacks were all deported to the Left Bank of Ukraine.

There, the Hetmanate was preserved in 10 regiments which lasted until the liquidation of Ukraine's autonomous status in the early 1780's. These were Poltava, Lubny, Myrhorod, Pryluky, Hadiach, Pereyaslav, Nizhyn, Chernihiv and Starodub.

In addition, it should be mentioned that with great effort, the Ukrainian Cossacks organised still another five military and territorial regiments on previously uninhabited lands, the so-called Wild Fields. These regiments were subordinate to Moscow, and were responsible for protecting Muscovy's southern borders as well as cultivating and farming the enormous local steppes. The territories of the former Kharkiv, Okhtyrka, Sumy, Izium and Ostroh regiments today are densely inhabited by a Ukrainian population including the Kursk, Belgorod and Voronizh Oblasts of today's Russian Federation.

GRANDEUR AND DECAY OF BATURYN — THE GLORIOUS CAPITAL OF HETMANS

The Ukrainian World Coordinating Council (UWCC) decided to organize its traditional annual meetings in all former Ukrainian capitals in turn and by this to draw the attention of large sections of the public to our history, its revival, the status of its monuments, etc.

Let us recall that the first session of the Coordinating Council took place in Kyiv, after the World Forum of Ukrainians, where the UWCC properly was founded. The next session was held in Chyhyryn, Hetman Bohdan Khmelnytskyi's capital; the third one took place in Baturyn, Ivan Mazepa's residence.

Old Baturyn happily received envoys from the various parts of Ukraine and many countries of the world: representatives of the Western and Eastern Ukrainian diaspora.

A ceremonial meeting, devoted to the 350th anniversary of the birth of the outstanding Ukrainian, the great hetman, Ivan Mazepa, was held in the Baturyn Palace of culture.

Many good words about Hetman Mazepa, about his outstanding role in the history of the Ukrainian people were heard that evening by representatives of various peoples: Ukrainians, Americans, Russians, Poles... A scholarly conference "Ivan Mazepa in the Context of the History of Ukraine" was held in Baturyn, in which historians from Kyiv, Chernihiv, antiquarians, and foreign guests took part.

A religious procession to the next village of Honcharivka was held. The fortress and residence of Hetman Ivan Mazepa were situated in the region of Baturyn. Not far away, in the forest, are the remains of the powerful ramparts and trenches, which made the fortress, in addition to being well-armed, practically impregnable. When in 1708 Peter I received the news of negotiations between Ivan Mazepa and Charles XII, the King of Sweden, he sent his favorite prince Menshikov to Baturyn. Having taken advantage of Ivan Mazepa's absence, Menshikov wanted to capture the fortress with his detachment, as it is said, straight off, by assault. But Mazepa's fortress was well fortified and armed with cannons. The inhabitants of Baturyn put up gallant resistance to the Russian forces. But, unfortunately, treachery was inevitable, and thanks to it Menshikov's soldiers burst into the fortress and made a bloody sabbath. The town was put to the torch. The residence of Mazepa also perished in the flames. According to the testimonies of eye-witnesses, it was a beautiful palace. Menshikov's soldiers violently destroyed not only Cossacks and military men, but peaceful inhabitants as well. That time historians wrote: horses went through the town knee-deep in blood. Thus, 28,000 inhabitants of Baturyn died, including 5,000 Cossacks. Virtually the whole town was levelled.

A memorial plaque was placed here, in Honcharivka. Hetman's portrait, cross, and coat of arms are carved in the granite. And the words: "Let us bow to this land. It gave inspiration to Hetman Ivan Mazepa, with whose name all that is glorious and tragic in the history of our Motherland is connected."

And not far away, in the center of large square, there is an improvised burial mound, crowned by the majestic wooden cross in memory of the bloody reprisals of Menshikov against the rebellious, proud, and freedom-loving inhabitants of Baturyn. A short church service was held for the repose of soul of the truthful son of the glorious Hetman of Ukraine, Ivan Mazepa, and for the victims of the tsarist genocide.

"The history of our Baturyn is very rich," the chairman of the Baturyn village council Olexander Zhurskyi said. "The names of many well-known people are connected with it. Our local museum, a branch of the Chernihiv Historical Museum, is situated in a house of the former hetman court, of which only one-third is left. There is no money to restore it in a worthy manner. Samiilo Velychko, chronicler of the hetmanate history, worked here. Later on, this house belonged to the Kochubeys. The life and work of the world-known beekeeper Petro Prokopovych is also connected with Baturyn. Our town was a residence of the last hetman of Ukraine, Kyrylo Rozumovskiy. He built a majestic palace complex, from which almost ruins are left, and a Church of the Resurrection, where he is buried, and in which, fortunately, services are held even today. It is good, that the Fund for the Revival of Baturyn is established, and attention of the world public is now focused on its revival. First of all we are planning to erect monuments to hetman Mazepa and the victims of tsarist genocide, and to restore Kyrylo Rozumovskiy's palace. In a word, we have much to do."

Yuriy VALUYEV,
editor for foreign affairs
"Вісник з України".

Baturyn — Kyiv

Olexander SHOKALO

COSSACK-MAMAI:

IMAGE OF THE UKRAINIAN KNIGHT

In traditional art, the image of Cossack-Mamai is of a meditating warrior. He sits on the ground like a Buddha and gazes into the face of Eternity, apart from this world, yet ready to jump to his feet at any moment to battle against evil.

The image of Cossack-Mamai is as popular in Ukraine as Buddha's image is in the East. Mamai is a Cossack-prophet, our national saint. His picture was once a necessary fixture in every Ukrainian household. Cossack-Mamai and Buddha share many similarities - they both feature an Aryan spirituality begun by Ram, the first Aryan prophet. In his way, Cossack-Mamai is even closer to Ram than is Buddha.

Mamai's way as a mythological model of the Aryan way of life combines the wisdom of sorcerers (*rakman-viduns*) with the warrior's (*kshatri's*) positive action.

Cossack-Mamai became a symbol of co-operation between the two leading strata of traditional Ukrainian society: the spiritual leadership and the military administration. He became a symbol of unity between *viduns* and the warriors who were responsible for protecting the major segment of the Ukrainian population - grain-growers and farmers - and sustaining the integrity and life force of their ethnic culture. Our people referred to this synthesis of military skill and mystical wisdom as "Cossack-kharacternyk" (the one who possesses these features). Cossack-Mamai personified these attributes.

Cossackhood is the vestige of an ancient Aryan tradition in Ukrainian culture. The essence of a Cossack knight is his sacred heroism in defending his homeland and his courage in the face of physical death. A *vidun-kharacternyk* embodied prophetic spirituality and the ability to heal people. A Cossack-kharacternyk, also called Cossack-Mamai, possesses all the features of a warrior-knight and *vidun*-sorcerer in the mythological and political consciousness of Ukrainians. Being immortal himself, Cossack-Mamai became a symbol of the Ukrainian spirit's immortality. The word "kozak" or "kossak" means "source of light," "heavenly warrior" or "descendant of a Sack". A lock of hair springing from the top of his head in the fashion of all Aryan nations, symbolised this light source.

The closest ancestors of the Cossacks were the Sacks (literally, "warriors of light"), also referred to as the Tsar's Scythians. Sacks belonged to the military and administrative class of Scythian society, which thrived on the territory of Ukraine more than 2,000 years ago, and wore their hair like

the Aryans. The Cossacks, as representatives of the military and administrative stratum of the new Ukrainian society, inherited the principle of military democracy from the Sacks. This principle was incorporated into the structure of the Ukrainian Cossack Republic in the 16th and 17th centuries. Warriors and bards (singing kobza-players) were the spiritual core of the Cossacks. Often, these two functions were combined in one man, as in the case of Cossack-Mamai who was both warrior-kharacternyk and bard. Always at his side were his sword and kobza or bandura (Ukrainian national instruments). The name of the ritual instrument "kobza" - meaning "singing, enchanting" - was derived from the spiritual role of the kobza player/singer/*vidun*, carrier of blessed wisdom. Kobza players were singing prophets, interpreters of the world and messengers of the Vedic world view, as well as the guardians of their genetic heritage.

An analogous spiritual function was performed by *kabi* or *kavi* (singers-veduns) in early Indian society, *rhapsodys* (composers and performers of epic poems) in ancient Greece, *philids* (poet-sages and national genealogists) in Ireland, *skalds* in the Scandinavian tribes, *gekuoks* in Ossetia, *geguakos* for the Kabardians and *hafizy* for the Tajiks. Singing tribal oracles, divine wise men called *rishi*, acted as spiritual prophets in ancient Aryan society. The second names for the kobza player and his instrument - *bandura* and *bandurist* - are derived from this primordial root.

As carriers of the Vedic spiritual tradition, Ukrainian kobza and bandura players - Cossack-Mamais - composed our national historical epics, Cossack ballads and heroic songs, which remain unsurpassed creations of the Ukrainian people's poetic genius and which should be studied for clues as to Ukraine's true ancient history.

The tradition of the kobza is a profound spiritual phenomenon of Ukrainian culture that is difficult to fully comprehend today. All traces have virtually disappeared. Unfortunately, the contemporary image of the kobza player is of the blind old men who roamed Ukraine until the turn of the 20th century and sang about past glory. Even these were destroyed by the 1930's by order of Bolshevik ideology.

Today, only Cossack-Mamai's picture remains in the ethnic consciousness of Ukraine. He is an archetype of idealised freedom and immortality. His knightly spirit is the source of Ukraine's endurance. The union of spiritual and military forces, of wisdom and action are embodied in the revelation he brings.



Ukrainian folk picture: "Cossack-Mamai". Early 19th century.

"Cossack-Mamai". Signed and dated: Painted by Cossack Rybka, 1834.





"Cossack-Mamai". Second half of the 19th century.

"Cossack-Mamai". Second half of the 19th century.



COSSACK- MAMAI *FROM* ST.-PETERSBURG

(See text on p. 31).



Viktor Tsapko. "Cossack-Mamai", 1993.

Anatoliy Druchylo. "Cossack-Mamai", 1993.



Mykola Domashenko. "Cossack-Mamai", 1993.





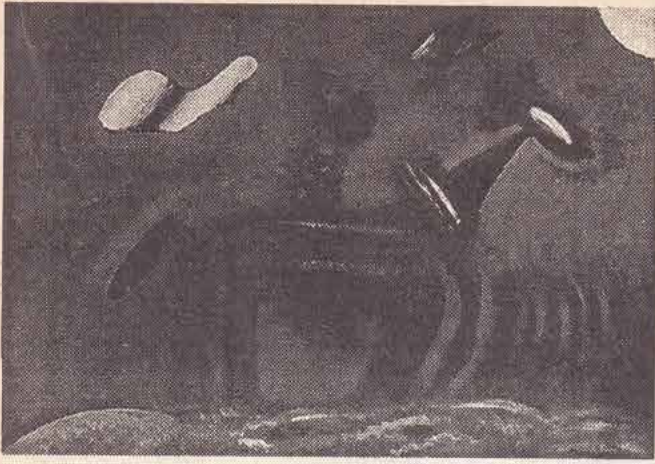
Serhii Tripak. "Mamai and Death", 1993.

Volodymyr Perhun. "Cossack-Mamai" under oak, 1993.



Olexander Dyatshenko. "Cossack-Mamai", 1993.





Olexander Dyatshenko.
Rider in the Invisible World. 1992.

Olexander Petrovych Dyatshenko was born to a wood skilled craftsman's family in Kremenchuk in the Poltava region. He graduated from Kharkiv State School of Art (1981) and studied at the Kharkiv Artistic-Industrial Institute (1983-86). From 1986 to 1994 he lived and worked in St.-Petersburg, from which he finally returned to his native city. He specializes in machinal and monumental painting, drawing and sculpting. The author's creations can be found in Ukrainian museums as well as in private collections in Ukraine, Russia, Germany, Switzerland, France and the United States. O. Dyatchenko has participated in over 30 exhibitions and is one of the participants and organizers of the exhibition "Cossack- Mamai from St.-Petersburg".

In the summer of 1993, in the "Ukrainskyi Dim" (The Ukrainian House), an exhibition entitled the "Kobzar" Brotherhood exhibition featured the works of Ukrainian artists from St. Petersburg. The Kyiv exhibition is a culmination of three years of work which began from the Brotherhood's exhibition in the USSR Museum of Ethnography, which aroused considerable interest in inhabitants of Petersburg.

"Cossack-Mamai" is a very interesting subject in Ukrainian literature and has not until recently been explored in Ukrainian art. There are several variants of the "mamai" composition, but its basis is always a cossack figure, seated in an oriental manner, with legs crossed. He is usually seated under an oak tree, surrounded by cossack equipment. Scattered around the ground and hanging from the tree's branches are all the items a cossack would need: bow, sahadak, musket, sabre, fur-cap, goblet, and sometimes, a "shtof". Standing beside the cossack is his loyal horse. Cossack-Mamai was represented not on horseback, but in this static pose, deep in thought. We find similar pictures in the ancient archaeological monuments of the Ukrainian steppe.

Thus, Cossack-Mamai represents the most specific Ukrainian character. The Cossack is a warrior, defender of the motherland, but at the same time he is a creator, and performer of ballads and songs. The Cossack is also the incarnation of an invincible people's power and their eternal struggle against subjugators. The picture "Cossack-Mamai", like icons, was a symbol of protection in people's home, and there-

Olexander DYATSHENKO

COSSACK- MAMAI FROM ST.-PETERSBURG

fore should be considered as more cultish than secular. The original combination of realistic and decorative styles of professional and national paintings borrowing elements from folklore give "mamai" renditions their distinct national peculiarity.

Ukrainian painters in St. Petersburg have not broken with the Ukrainian national and professional painting traditions. The achievements of great Ukrainians, which were created in St. Petersburg - Antin Losenko (1737-1773), Dmytro Lewytskyi (1735-1822), Volodymyr Borovykovskyi (1735-1825), Taras Shevchenko (1814-1861); of the first drawing academician in the Petersburg Academy of Arts, Porfyrii Martynowych (1856-1933), Hryhorii Narbut (1886-1920) - continue to this day to produce talented artists and teachers. Among them is Oleksiy Talashchuk - painter, Chair of the Monumental Painting Faculty and Dean of the St. Petersburg State Artistic-Industrial Academy. His works, presented at the exhibition "Cossack-Mamai from St.-Petersburg," are thematically diverse (though the Cossack-Mamai figures, interpreted in various traditional and modern ways). The "mamais" of Volodymyr Perkhun, Serhiy Tripak, Vitaliy Rypalenko are academic and traditional in colouring and composition. National and monumental forms are evident in the works of Leonid Kolybaba and Olexander Volodchenko. The landscape application techniques of Ivan Matiyash and Mykola Domashenko's book illustrations accompanying the writings of Mykola Gogol - one of the most experienced Petersburg pencil artists - are truly amazing.

This exhibition is an expression of the Ukrainian creative spirit residing beyond the borders of Ukraine. The exhibition "Cossack-Mamai from St.-Petersburg" became one of the most noted artistic events in the history of Ukrainians living abroad, in St.-Petersburg, and in the cultural life of Kyiv.

Kremenchuk

"...FOR FREEDOM..."

"...Why did you turn black,
Green Field?
I became black from blood
Shed for freedom.
Around the town of Berestechko
At four miles
The glorious Zaporozhians
Covered me with corpses..."

Taras SHEVCHENKO

People from different corners of our land continue to visit the picturesque island Zhuravlykha in the village of Plyasheviy, Rivne oblast. They go there to pay honor and homage to the brave men who fought against Polish oppression. They also go to bow their heads in respect for the warrior-poets, the Cossacks knights, who were killed in the bloody battle of Berestechko.

A hospitable museum-reserve "Cossacks' Graves", founded in 1966, hospitably greets visitors amidst sad willows and a well groomed garden. Since its founding, the museum has been replenished with numerous exhibits. The Heorhiyivska and Mykhailivska churches opened their doors once again after a lengthy restoration.

The Cossack defeat in the 1691 battle of Berestechko did not break the will of the Ukrainian people. They continued the struggle for liberation. The power of time razed all fortification camps and the battle field, once covered with the Cossacks' blood, turned into green fields again. Over three hundred years have passed, but the courage and heroism of the Cossacks live on in our people's memory, in legends and in songs.

An eye-witness to those events, P. Shevalie, wrote: "300 Cossacks gathered in one place and defended themselves bravely against a large number of attackers that pressed them from everywhere...Finally, completely encircled, all of the Cossacks perished but fought to the very end".

Only one Cossack remained who had been fighting straight for three hours. Having used all gunpowder he fought his enemies with a scythe, although himself wounded fourteenth times. The Polish king, astonished by the Cossack's energy and courage, ordered to spare his life if he could be taken prisoner. The Cossack answered that he did not care much about his life, and would rather die a real warrior. According to legend, the name of that last fighter was Ivan Nechai.

Special feelings overwhelm everybody who steps on this land, worn out with sufferings. The blood of 300 warriors was shed here. Further in the quagmire one finds a small lake called "The Cossacks' Hole", the place where the last Cossack-knight perished. There are two stone crosses on a small lawn amidst the pine grove. This

is the place of eternal peace of the slain Cossacks. The date "1651" is inscribed on one of the crosses. A scholar who researched the Cossacks' graves, Pavlo Yakovych Lototskiy, says: "Seventeen muskets belonging to the Cossacks were found on the river crossing. The archeologists from the Rivne Museum of Local Lore have been carrying out the excavations since 1970. To date, they found almost 5000 different possessions of the Cossacks."

The Heorhiyivska church was built from 1910-1974 by the architect V.H.Leontovych according to the plans of a student from the Petersburg Academy of Arts, V.M.Maxymovych. It is lacking in architectural analog. Large icons decorate the pediment of the cathedral. A second row is adorned with icons created by the famous Ukrainian artist Ivan Yizhakevych. Its lower part is made of red quartzite and black labradorite, symbolizing blood and sorrow. The upper part is covered by the painting "Calvary".

The Mykhailivska church is a masterpiece of Ukrainian wooden architecture from the mid-17th century. It was brought here from the village of Ostriv in 1912. According to popular legends, Bohdan Khmelnytsky sanctified his saber before the battle in this church.

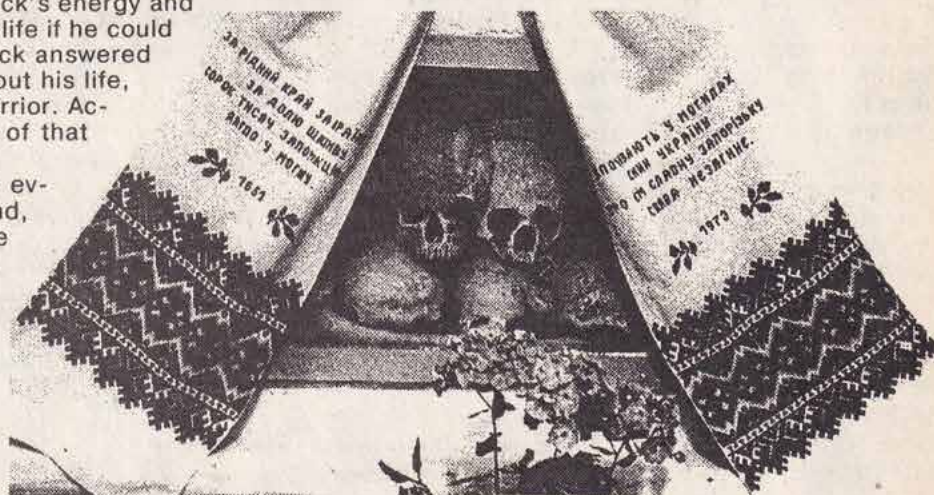
The caves, that connect both churches lead to a temple-musoleum, where the remains of the perished Cossacks are kept in a sarcophagus. Cut with sabers and ridden with bullet holes are skulls that testify to the price with which freedom was won.

The museum holds an exhibition of unique relics from Cossack times: Cossack sabers and muskets, coppers and kettledrums, fighting scythes and leather high boots, wooden boats and documents from the office of the Cossack Army are all situated in the former cells.

Since 1989, June 18 has been the day when Ukrainians honor the memory of those killed during the Battle of Berestechko and fought for Ukraine's freedom.

Kyiv

Mykhailo HOLIAK



"KOBZA-PLAYER, KOBZA-PLAYER, WHERE ARE YOU GOING?"

This line of verse by Oles Berdnyk was first heard at a concert two years ago and became an original "visiting-cart" of the Stritiv School of the Kobza-Player's Art, the only in the world (the village of Stritivka, Kaharlyk district, Kyiv oblast). The school's second recital took place in the Kobza-player Room at the Ukrainian House and confirmed strikingly that the young contemporary kobza-players do indeed follow the path set by their ancestors and confront the future under the leadership of their teachers.

The following is an interview conducted by musicologist Natalia ZUBKO-DOBROVOLSKA with Vasyl LYTVYN, Honoured artist of Ukraine who was named Laureate of the Family Fund in honour of Taras Shevchenko.

Natalia Zubko-Dobrovolska: Vasyl Stepanovych, tell me please, what influenced the creation of the Kobza-Players School of Art for Youth? You know that playing the bandura has been taught in higher educational establishments as well as secondary schools for a long time and, even recently, to the junior classes at music schools.

Vasyl Lytvyn: The creation of such a school is not someone's whim, but a natural necessity of our time. We must revive our national cultural sources. The song of the Kobza was ruined for thousands of years in our country. We were beaten and forced to stop singing and playing our native songs. I don't want to lay blame on others and don't want to talk about yesterday. The song is a flower of the human soul. And when this soul is mocked and ruined, the song disappears. The people become dumb and deadened. For this reason, to save the song is to save the people; to save tomorrow, is to save the life.

So I understood this, but unfortunately only as a result of this last "cultural thaw" have modern Kobza-players had an opportunity to work freely with sounds.

And then it occurred to me that it was imperative to revive this ancient source of our art, because only art truly survives.

So, it was my dream that such a future school be created where children would be taught not only the native culture but, more importantly, to love it. A love which is not abstract but a love to all that is real on Earth and associate that love with the help of the song. To create such school is very complicated.

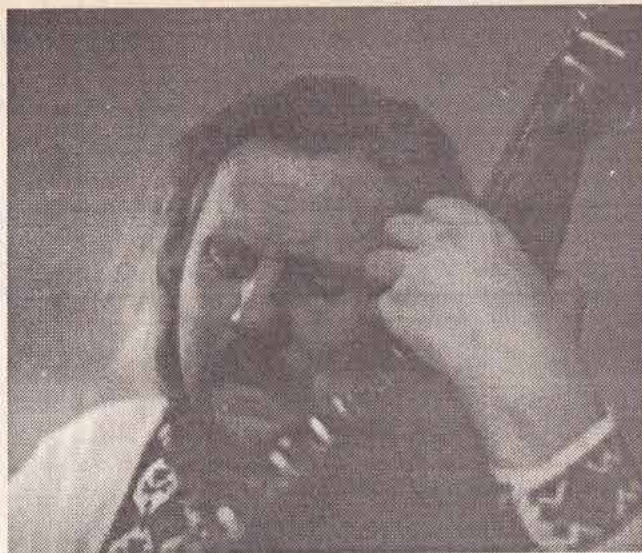
Nobody believed in my endeavor except my wife, my faithful adviser, assistant, poetess and artist Antonina Ivanivna Lytvyn. Everyone thought this was an invention or some kind of myth, particularly since we decided to create it in a downtrodden, distant, unknown village. Generally speaking, we were mocked by our peers. But I advise my children to read historic tales because I consider that the wisdom given to us by our great-great ancestors is hidden within them. It is necessary to recognize this and to believe in those forces and that the tales could come true. Hence, I knew my dream would be realized.

The Ministry of Education took under its wing the idea of this new school. The people who really supported us were of course found.

N. Z.-D. The present situation is quite complicated. Perhaps, the sceptics have every reason to think that we have indeed lost our deep roots and those forces of which you speak. With the help of this popular art, do you think the Kobza-player's spirit could be revived even though it was destroyed over the last years?

V. L. A current of historical events have directed us to the doctors of the human national spirit, which once were the Kobza-players. Historically they were beggars who wandered from one village to another. It was a miracle that this thread of ancient knowledge, song and art has survived to help us will help us arise again in this new land. Indeed, it will come to fruition with the help of God's Providence.

It is necessary to stir up our deep efforts and to touch our native land, because our salvation awaits us. When you associate with people and they listen to the Kobza-player's songs, you feel and see how marvellously the human soul blossoms. A certain assurance of life is felt, a pride that he, the Ukrainian, had such a glorious past and that he has such an incomparably rich Earth under his feet.



It is necessary to open the eyes of the people to everything because we are blinded, suppressed, mocked. And a song is the first breath of the human soul. The song awakens love and respect of everything, then of the song itself and, finally, of that to which it is close.

N. Z.-D. As it is known, folklore reflects the integral spiritual world of our ancestors in a poetical-philosophical form. An integral personality, a human-being as a spiritual creator, presents itself in the folklore through a special synchronicity which is characteristic of it.

Where does a contemporary juvenile obtain these qualities? Your entering students observe only small fragments of that marvellous phenomenon which is called the Ukrainian musical epos.

V. L. There is much talk about the new pedagogy today. It's a pity to feel that the education in a formally free national state is far from being Ukrainian in content and is low for its level. Where does our salvation lie?

It lies in the creative use of rich traditions of popular pedagogy. We try to help the boys penetrate the deep essence of native songs, into their cultural and ethical laws. We set forth the following purpose: that we will help foster the education of an individual, of an integral personality, a broad-minded musician with a broad, philosophical outlook.

That is why we create such conditions in class and out of class that a pupil can realize every creative dream, even the most timid ones. And we give preference to practical forms of work: elementary music creation; improvisation in the lessons of solfeggio; vocalization; bandura; mastering of the Word in the lessons of poetics, rhetoric, colour, line (through carving, drawing). We also focus students towards more complicated forms: creation of their own songs and of their own literary-musical and theatrical compositions.

Our goal is to synthesize all kinds of art and place them in the heart and soul of a child.

Because every human being is a great force, our task is to awaken, with the help of the song, that Giant spirit, that miracle for whose sake we came to this world. We have already achieved pleasant results: for some years our students have been named winners of the creative competition "Your's talents, Kyivshchina!" for brilliant renderings of their own compositions.

We have already established interesting creative relations, for example, with a famous bandura connoisseur and teacher, Professor Serhiy Vasyliovych Bashtan, the teacher at Kyiv and Rivne Cultural Institutes. Foreign specialists who often come to our country, have proposed interships for their students to work at the Kobza-players school. These people are, for example, representatives from Japan, Belgium, Canada, USA and Poland. Of course, there are also many problems for those who do not abandon their chosen path. Graduating students often lack even of the barest essentials - notes, books and banduras.

And the situation with the ancient instruments is even worse.

That is why we plan to create our own workshop, because every Kobza-player made his instrument himself, according to his taste and size since ancient times.

So, we have a lot of interesting work in store.

Rostyslav LASHCHENKO

THE MONUMENTS OF RITUAL LAW

Rostyslav Lashchenko (1878-1929) was a historian of law, Professor of the Ukrainian Free University and the Ukrainian Academy of Economy in the town of Podebrady. He was also the founder and head of the Ukrainian Legal Society in Prague. His main works are: "Lectures on the History of Ukrainian Law" (p.1-11, 1923-1924), "Lithuanian Regulations as a Monument of Ukrainian Law" (1923), "People's Courts in Ukraine" (1926-1927), "Manual of Civil Law" and other noteworthy publications. Here we publish fragments from an article about the dowry as a creation of Ukrainian ritual law and from a historical-legal essay detailing the activity of people's courts in Ukraine in the second half of the 17th century.

**THE MAIDEN "GARLAND" (CRINALE) AS AN
INSTITUTE OF LITHUANIAN-UKRAINIAN LAW**
(Fragments)*

In Ukrainian-Lithuanian law, as well as in the Czech, Polish and Hungarian-Croatian ones, we find the interesting institution of the dowry, i.e., the guarantee of the material interests of a woman after marriage in the case of her husband's death. The Lithuanian-Ukrainian dowry (known as "vino" in Ukrainian, "wiano" in Polish, "vkno" or "obvkneni" in Czech, and "heiratsgut" in German) in legal documents (for example, Statutes by Kazimir the Great) and in documents written in Latin ("dotalitium," "dos," "redotalitium," "superdotalitium," "auctarium," "contrados," and more rarely "donation propter nuptias") meant, as it is commonly known, a sum of money ensured for a woman.

This institution was created by the ritual law, which was included as a standard into the written law - the Lithuanian Regulations. The main meaning of the word "vino" (dowry) has been lost but there is a hypothesis that it meant a price: that is, a price for a garland as a symbol of virginity. "To give a dowry" meant "to buy" or "to set a price."

Nevertheless, a few perspectives in scholarly and literary sources (Orest Levitskiy) maintain that "vino" in the Lithuanian-Ukrainian law was an ancient Russian institution, whose original features changed during the course of time. According to O. Levitskiy, the ancient dowry had a similar meaning to that of a ransom for the bride. For this reason, the fiance gave the dowry not to his bride, but to her relatives, and only later having gained a more practical and wiser character, did it turn into a material guarantee of the woman after marriage and belonged personally to her.

The fact, that the dowry was mentioned as a very old custom in the civil law of the Lithuanian-Polish era, mainly in the acts of privileges (during the 15-16th centuries), testifies that the dowry of the Lithuanian-Russian law had ancient origins and later experienced considerable development in the ritual law. Thus, there are developed regulations about the dowry in the Horodel-

skiy privileges of 1413. For example, the Grand Duke established the right for Lithuanian boyars to set the dowry for their wives. Resolutions about the dowry are also well developed in the common privileges of 1457, issued by the Grand Duke Kazimir Yagailovych.

A widow had the right to spend only the rent or the profits, and was prohibited from selling or destroying the property or real estate of her husband.

If a widow remarried, she lost the right to live off of the belongings of her husband. His heirs could pay her an equivalent cash amount equivalent to the dowry thus depriving her of any rights to property.

But the widow also had the right (if she did not re-marry) to come to an agreement with her husband's heirs and, after receiving her dowry in the form of a cash equivalent, provided them with the right to possess other property holdings.

...The general Code of Laws of the Russian Empire were spread throughout the territories of the so called (according to the old Russian terminology) "Western" provinces. In so doing, the old Lithuanian-Russian law (the Lithuanian Regulations) was abrogated by a decree of June 25, 1840, and the resolutions of the latter code regarding the maiden dowry were included into the Code of Laws as acting standards for the Chernihivska and Poltavaska provinces (territories of the former Hetman's lands).

...Thus, the tradition of the maiden "garland" (jus crinile), as a peculiar juridical institution, remain rooted in the old ethnographic Ukrainian territory for all time.

UKRAINIAN PEOPLE'S COURTS
(Fragments)*

It is well known that the so called Ukrainian people's courts (in Ukrainian they were called "kopni" courts) existed on the territory of Ukraine and White Russian since ancient times. The court Xs decisions, preserved to the present day, left us with many interesting facts regarding their activity in the ethnographic territories of Ukraine and

Belarus in the 16th, 17th and the first half of the 18th centuries. The people's courts operated on the basis of the ancient people's legal traditions and employed some very original juridical methods.

To provide our readers with the chance to trace the course of the people's court on one example and to observe directly how some special regulations were expressively used in the court, we consider it to be not out of place to describe here the content and further development of one criminal case that was considered in the court in second half of the 17th century in Polissya region, Pynskiy district. The case was of special interest, because it clearly reflected the influence of Polish law, that was, in decisive opposition to the "chtlopskiomu sądu" - people's court.

In the second half of the 17th century when ultra-Catholic kings, such as Yan Kazimir, Mykhailo Vyshnevetskiy, Yan Sobilskiy the Third held the Polish throne, Polish influence spread considerably throughout Ukraine. Both the nobles and Ukrainian petty gentry began to lose contact with the people more and more, neglecting their faith, language and ancient legal traditions.

There was a case of a "general" of the Pynskiy district Ivan Yesmanovych Vabyshchevych-Plotnytskiy and his wife, who were accused of theft of items that had been concealed (buried in the ground) by private owners during the military "turmoil" (Cossack revolts) in Ukraine. We traced the case back according to numerous acts dated by the 18th century. The case has many typical features of the people's law. We supplemented it with some interesting and very characteristic data about the future destiny of the main personages of this process...

The initial act tells about the event that occurred in 1660 in the Polissya region. At that time, the situation in Ukraine was very unstable after the uprising of Bohdan Khmelnytskiy. The "turmoil" was still on going. Repercussions of the Cossack revolts in the form of sporadic peasant insurrections extended to all parts of Ukraine and even spread over the territories of Belarus and Lithuania. At that time, the situation in the Polissya region of Ukraine was very strenuous to say the least. Many Polish, Ukrainian and Belorussian gentry lived in their estates among the Ukrainian peasantry. Fearing for their property "during the turmoil and attacks of different armies," the gentry buried their most valuable things - gold and silver, boxes with jewelry and other valuables - in the land. Everybody hid everything he could according to his fortune. The cattle were driven out to the forests and fields - as far as possible from the estates and villages.

For example, landowners Fedir Mykhailovych Vabyshchevych-Plotnytskiy, Ivan Semenovych Horayin and Fedoryna Halavurova obviously hid their valuables in the earth together with other locals and not very rich landowners of the Pynskiy district.

The valuables of the landowner, General Vabyshchevych-Plotnytskiy of Pynskiy district were hidden (buried in a hole) not far from this same place. The "victims" summoned the people's court in the village of Plotnytsi, where many gentry were present. ..Addressing the whole gathering they blamed the general and his wife for secretly robbing their valuables from the places where the latter had been hidden...

Having proved that fact, members of the court and the whole community called the general and his wife to come to the court-room to testify. The general came and even confessed; but he did not repent for committing undue "harm to the victims." Moreover, he cursed the whole community and left the court-room, promising to cause more troubles.

The community chose several trust-worthy members of the court and sent them to bring the general and his wife to the court-room for a second time. Mister Vabyshchevych-Plotnytskiy and his wife both refused to come and insulted the messengers, and even physically beat one respectful man and promised to do harm to the whole village.

"All of us, both gentry and common people, seeing unanimously that the named above Ivan Yesmanovych Vabyshchevych-Plotnytskiy and his wife, being known as insolent people for a long time, and causing different unbearable troubles in various ways and robbing other people's belongings, we sentence them here, in the Plotnytska church," - tells the document.

"According to the verdict, the mentioned above General Ivan Yesmanovych Vabyshchevych-Plotnytskiy and his wife, Nastasia Lyakhovytska, are sentenced to repay the value of the theft and to pay all costs..." Obviously taking into account that both sentenced belonged to the gentry, the court resolved to send the sentence for approval to the city of Pynsk authorities. The verdict was signed by the people's judges from the gentry in the Polish and Russian (Ukrainian) languages.

The sentence of the people's court (decree) was registered by Ivan Kachanovskiy in the book of the municipal court on April 6, 1660.

Having been sentenced by the people's court, Ivan Vabyshchevych-Plotnytskiy and his wife, seeing that the things had taken a turn for the worse for them, appealed to the municipal court on April 10 of the same year.

At the time when the victim Fedir Mykhailovych Vabyshchevych-Plotnytskiy and all others were appealing to the municipal authorities in the official Ukrainian ("Russian") language, the accused Ivan Vabyshchevych-Plotnytskiy, presumably a relative of Fedir Mykhailovych Vabyshchevych-Plotnytskiy, wrote his complaint to the court, obviously, in Polish, at least his appeal was registered in the municipal court in that language.

The defendants drew the attention of the court that the accusers blamed them for arrogance and good reputation... They gave a motif very characteristic of the history of the people's courts, that is: they positively protested against the fact that they had been sentenced and that this was a violation of the rights of gentry, of the constitution and Polish Regulations, committed by the people's court that consisted solely of commoners. Rejecting all accusations, energetically protesting against the behavior of the accusers, who dared to breach the law and sentence the gentry-man, the defendants asked the municipal court to repeal the sentence and repay all expenses.

That was not the end of the case. In the name of all gentry of the village of Plotnytsi the complaint about the same Ivan Vabyshchevych-Plotnytskiy was made to the municipal court in the Polish language on May 18, the same year. Remembering that Ivan Vabyshchevych was a rather insolent man who caused many troubles to his neighbors, the complaints emphasized that Ivan Vabyshchevych threatened them. The document ended with the statement that if something had happened to anybody, it would be the guilt of Ivan Vabyshchevych and his wife... All signatures of the gentry were written in "Russian"... There was not one signature in Polish..

...Thirty five years after the day when the people's court of the Pynskiy district sentenced Ivan Vabyshchevych-Plotnytskiy for the theft, the local petty gentry gathered in another village of Hrynkovytsi of the same Pynskiy district. A number of robberies occurred there during the last few years... The whole village gathered and decided to search thoroughly all houses in the village. Everybody agreed. After searching the landowners Bohatkys were accused of the theft, material evidence having been found in their cattle-sheds... It seemed, the verdict was obvious. But it never happened. The people's court, that consisted of the gentry, adopted the resolution instead of the sentence...

The resolution is very characteristic and interesting. Paying no attention to the obvious material evidence found in the defendants' estate during the search, for example, that Bohatko and his wife were threatening people with scythes, their

villainous reputation and so forth, the members of the court did not pass a sentence, because the former belonged to the gentry. The people's court decided to send all material evidence to the proper municipal authorities. When we consider that the resolution and other documents of this case were written in Polish, it became quite clear that the legal worldview of the local petty "Russian" gentry had changed considerably over 35 years: the gentry in the court acknowledged openly and solemnly its subordination to the Polish municipal court; even the people's court, that also consisted of the gentry, did not have a right to blame anybody who belonged to the gentry as well.

...Thus, in the end-17th century even the petty "Polish" gentry liberated itself from the dependence on the people's court, as a general for all strata of courts. But principles and bases of the people's law were deeply engrained in the legislation of the very gentry. The organization of the people's courts provided a perfect possibility to paralyze all breaches of the law on the places, that both peasantry and gentry continued to summon the people's courts according to the old tradition. The influence of the Polish law promoted the practice that people's court mainly held investigations, then sent evidence, as we see from previous examples, to the municipal court. The class, noble court began to deprive the people's court of the right to accuse the gentry. Concerning the common people - peasants who belonged to the King, church and landlords, the people's court continued to hold the trial until the first half of the 18th century. But only the old Ukrainian gentry, that was faithful to its traditions, recognized the rights of the people's court. The recognition of the ancient jurisdiction, faith in the ancient ritual law, promoted the aggravation of the struggle between the local gentry with representatives of the Polish authorities...

* Published after the edition: Записки Української господарської академії в Чехословацькій республіці. т. 2, вип. 1. Подебради, 1929.

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MAGDEBURG LAW IN UKRAINE



Seal of the Kyiv City Hall, 17th century.

The Magdeburg Law developed out of Saxon land law in the city of Magdeburg during the early medieval period. Very soon this law was taken up by other German cities and later spread to Poland, Lithuania and Ukraine.

This was made possible by Magdeburg's favourable location. The city, which was first mentioned in 805 in a decree or capitular of Charlemagne, was later built up into a church metropolis and centre for trade with the Slavic East by the Emperor Otto the Great. The principle foundations of the Magdeburg Law were the freedom of citizens, the right to self-government with a local court system, local administration with participation of trade and craft associations, the right to fortifications, as well as the right to establish autonomous statutes.

Little information about the early Magdeburg Law has survived. When the city was sacked on May 10, 1631 during the 30 Years' War, all legal archives were burnt. The earliest document whose content concerns the Magdeburg Law is the Privilege of Archbishop Wichmann of Magdeburg dated 1188, which includes regulations on legal procedures and criminal law.

From the early 13th century onward the most important sources for Magdeburg Law are the legal pronouncements and letters of members of the Magdeburg bench to cities which had borrowed the Magdeburg model of local administration. The foundation of the Magdeburg Law on inheritance, married couples' property rights, legal proceedings, fines and punishment, and legal and public statutes is the "Sachsenspiegel" (The Saxon Mirror - the most famous medieval legal book, established around 1220 by the German knight Aike von Repko). The municipal law developed out of the "Sachsenspiegel" land law.

The first major source for the Magdeburg Law is the so-called "Halle-Neumarkter Recht" (The Law of Halle-Neumarkt) of 1235, which is a legal epistle from Halle to the Silesian city of Neumarkt. Later on in 1261 and 1265 there were smaller epistles from Magdeburg to Breslau (present Wroclaw), in 1338 to Kulm, in 1363 to Schweidnitz (present Swidnitza), to Halle in 1365. There was also a detailed epistle to Gorlitz in 1304. Along with the Schoffenbuecher (bench books) of cities where the Magdeburg Law was in effect there are several hundred "High Verdicts" given by Magdeburg for Breslau, Gorlitz, Posen, Leitmeritz and many other cities.

The most significant of all these sources is the so called "Sachsische Weichbild" or, as it is sometimes called, the "Magdeburgisches Weichbild", which, together with the "Sachsenspiegel" forms the most important basis for German law in the east. The "Sachsische Weichbild" was compiled between 1235 - 1270 from privately written notes and collections of laws which were later joined in the Weichbuchvulgata. A short summary joined to this new book of laws declared it to be the imperial law of the Emperor Otto. In this form, Weichbuchvulgata was widely circulated in the 14th century and was translated into the Latin, Polish and Czech languages.

The expression Weichbild means municipal law district and municipal law. The etymology of this word has not yet been fully established. The modern expression Weichbild is derived from "wik" which means a protected area, a traders' settlement, or more precisely a special form of free settlement. This is the origin of the word "Wikbild" or "Schutzbild" which means a market world or the freedom of territory. Eventually, the expression Weichbild or Weichbildrecht acquired the meaning of a certain form of free local law. As for the Weichbildvulgata it includes a Weichbildchronik, the Weichbildrecht, the Rechtsbuch von der Gerichtsverfassung (a book of principles for jurisdiction) as well as the Schoffenrecht (Legal Bench Law). In addition the Meissener Rechtsbuch or Schlesisches Rechtsbuch (Silesian Law Book), which appeared after 1350, should be mentioned. This book, which was widely distributed in Bohemia, Moravia and Silesia, offers a contrast to the Land Law Sachsenspiegel and the Magdeburg Municipal Law. In Silesia predominated the so-called Magdeburg-Breslauer systematische Schoffenrecht (Magdeburg-Breslau Systematic Bench Law). It was established in 1350 having originated from legal epistles and judgments. At the end of the 15th century the Breslau merchant and civic official Kaspar Poplau combined this work with the Breslau Land Law, the Sachsische Weichbild, the Sachsenspiegel, and a number of court judgments to form the comprehensive Summa, der rechte Weg genannt. This book provided the impulse for more law books to appear, including the Eisenacht Law Book and the Blume von Magdeburg compiled by Nicolaus Wurm in 1386. A development of the Magdeburg Breslau Systematic Bench Law taking into account the peculiarities of the city of Kulm was the Alte Kulm, which in turn gave rise to the so-called Danziger Schoffenbuch in 1450. In 1402 there appeared the "Nine books of Magdeburg Law", on the basis of which the Konigsberg notary officer Albert Polmann compiled the "Polmannschen Distinktionen" in 1409.

Among Polish books on Magdeburg Law we should mention the publications of Laski, Jaskier, and Szczerbic. Laski published his book "Juris municipalis Magdeburginses liber" (Magdeburg Municipal Law) in 1535 in Latin in Cracow, and in 1581 in L'viv in Polish. These significant works were based on "Sachsische Weichvulgata". Further work was done by Jaskier, whose "Farrago actionum civilium juris Magdeburgensis" (Review of Magdeburg Municipal Law) was reprinted many times. Szczerbic compiled Speculum juris Saxonici (The mirror of Saxon Law) on the basis of the Sachsenspiegel Land Law and Weichbildrecht. In 1558 the Cracow Council and court clerk Bartholomeus Groicki issued in Polish the book "Artykuly prawa magdeburgskiego" ("Articles on the Magdeburg Law"), and in 1559, "Porządek sadow i spraw miejskich" ("The Regulations on Courts and Municipal Law) which enjoyed great demand. Groicki, whose works were also translated into Russian, proposed to call the Magdeburg Law "Jus municipale Polonicum" (Polish municipal law) because the citizens of Polish empire viewed this law as their own.



German municipal law in the North and East. Published from: W. Ebel. Deutsches Recht im Osten. 1952.

This suggestion reveals that the Magdeburg Law had rooted itself strongly in Poland. At first the Magdeburg Law was recognised only by the German settlers and citizens invited by Polish princes and landowners, such as Duke Wladislaw Odonicz, and above all by Kasimir the Great (1333 - 1370) who thereby gained the nickname "the Burgerking". German settlers came to raise culture and economy to a previously unheard of level, but only because they were guaranteed the right of free citizenship i.e. - the Magdeburg Law, to which they were accustomed in their homeland.

With the establishment of Polish-Lithuanian Kingdom (1363-1654) and its expansion eastward, the grounds were laid for the introduction of the Magdeburg Law in Ukraine. This was not only an epoch of foreign rule for Ukraine but also one of urban economic growth. With the introduction of the Magdeburg Law, Ukrainian cities became municipal. This means that the mayor, unlike the landowner of the areas surrounding the city, had certain sovereign rights. The local craftsmen and merchants opposed the mayor and demanded more rights in the area of craftwork and trade. As these rights favoured economic growth, the landowners as a rule offered no resistance. In most cases, until 1654, Polish king served in Ukraine as the landowner and mayor. As a result the municipal law of Ukrainian cities protected city borders. In connection with this, the Magdeburg Law was for citizens a protective instrument from en-

croachments of local authorities and other feudal powers. Kyiv adopted the Magdeburg Law in this sense between 1494 - 1497. As a consequence, the municipal issues were regulated by the elected council of two collegiums: from 4 to 5 councillors, 2 mayors, and 6 benchers under the supervision of a governor-general. The influence of the Magdeburg Law can be detected in the Ukrainian terminology: *раїці* (councillors) comes from the German *Ratsleute*, *бурмістр* (mayor) - from *Burgermeister*, *лави* (benches) - from *Schoffen*, *войт* (governor-general) - from *Vogt*. The municipal legal cases were handled by councillors whereas the criminal cases were handled by the governor-general's court. For such municipal freedoms Kyivites had to pay taxes to powerful princes. In particular, they were responsible for the security of borders, maintenance of castle, etc. The Magdeburg Law, which was introduced in L'viv (then Lemberg) in 1356, spread eastwards and northwards from Kyiv. In 1585 it was adopted by Pereyaslav which later belonged to Poltava Region. In the 17th century it extended to Chernihiv, Nizhyn, Starodub, Pohar, and other cities. The municipal administration and court system of all cities up to the Dnipro and in some cities of the left bank Ukraine were based on the Magdeburg Law. In the 18th century the Magdeburg Law reached its most eastern point, the city of Poltava, which adopted the law in 1752.

In 1648 Bohdan Khmelnytskyi liberated Eastern Ukraine from Polish rule and thereby laid the founda-

tion for the Cossack state. With the liberation Polish language fell into disuse and soon a danger arose that law sources written in Polish would become incomprehensible. The Cossack Hetman Skoropadskiy ordered the Lithuanian Statute, Sachsenspiegel, and Bartholemeus Groicki's Porzadek... to be translated into Ukrainian. These translations were completed by 1721 and were published in one edition declared to be binding for all Ukrainian courts by the Cossack Hetman Danylo Apostle. Later this collection of works was called "Prawa Malorossiyskije s knig Statuta, Saxona i Porjadka wypisannyj" (Little Russian Law Taken From Books of the Statute, Saxon, and the Order). In 1732 and in 1735 on the basis of the Magdeburg Law books, there appeared further collections which were effective up to 19 century. The first collection was entitled the "Book Mirror or the Law of Saxonia and Magdeburg". The second was entitled "The order of the civic rights", combining eight law sources:

1. The order of civic rights;
2. The articles on the Magdeburg Law;
3. The procedures chosen from the royal rights;
4. The statute for paying fines in courts of Magdeburg Law;
5. Additions to the book Order and to articles of the Magdeburg Law;
6. Canceling and settlement of extra expenditures made by parties through both the bench court and through the court of the governor-general;
7. Collection of certain points of the Magdeburg Law;
8. Protection of widows and orphans.

These translations go back to the commission established in 1728 to compile the Ukrainian Codex from many sources. Its first result was the Legal Procedure Manual for lawyers which was completed in 1734 and was entitled the "Brief Legal Procedures Issued at the Hetman's Residence on Aug. 18, 1734". In 1743 a new book of laws appeared, "Laws Followed by Little Russian Lawyers." This law book, including 30 extracts, 521 articles and 1716 points, is clearly based on the Magdeburg Law books. The book is founded primarily on the Polish edition of the Lithuanian statute of 1614, "Tribunal" of 1581, "Speculum Saxonum" (The Saxon Mirror) by Jaskier, "Jus municipale Magdeburgense" by Szczerbiczy, "Order" by Groicki, "Enchiridion Kirsein Cerasinus", "The Kulmer Law" by Kushevich and a German text of the Saxon Mirror. Other books used included: the fundamental works of Benedikt Carpzov and Ukrainian and Russian customary law. But this work was not accepted by Russia. However, it was widely distributed and was repeatedly copied and cited in legal practice. After 1743 further law collections were compiled, such as the code "Laws of Russian Courts". In 1750 the Ukrainian legal scholar Chukevych compiled his own collection, "The Court and Sentences in Little Russian Law". In 1764 Kondratiev published his "Book Statute and Other Rights of Little Russia". Two years later Bezborod'ko issued the collection "Extract from Little Russian Law" and finally in 1807 there appeared the last Ukrainian legal collection, "The Collection of Laws of Little Russia."

Although the Magdeburg Law in Ukraine was officially prohibited in 1835, in some places it was in effect throughout the 19th century.

For many years the Russian government officially denied the right of self-government to the Ukrainian people. In 1766 many Ukrainians appealed to Catherine II in a letter stating the necessity of retaining



Title page of an edition of Magdeburg Code of Law.

the Magdeburg Law. In 1767 the empress called a commission to discuss a book of laws for the Russian empire. The Ukrainian participants insisted on retaining the Magdeburg Law in Ukraine. The Russian authorities took little notice of the legal situation in Ukraine and in 1783 the all-Russian administrative government and court regulations was introduced there. The cities received a new organization of legal order designed for the entire Russian empire and the Magdeburg Law was officially superseded. But in Ukraine they were not very attentive to the Russian law and courts continued to operate according to German sources. Only in 1802 Emperor Alexander I reinstated certain former privileges to Kyiv, without increasing, however, the power of the municipal council. Clearly, this did not amount to the reinstatement of the Magdeburg Law. Nonetheless, Kyivites erected a monument to this ancient law. It consists of a toscan column 18.4m in height placed on an arch pedestal. On the western side is the following inscription: "From Kyivites inspired by the reinstatement of the rights of the ancient capital by Great Russian Empiror Alexander I on Sept. 15, 1802." On the eastern side it reads: "The monument commemorates the reinstatement of the Magdeburg Law in Kyiv. Erected 1802. Architect A. Y. Melenskiy." But the 1831 decree of Nicholas I eventually extinguished the Magdeburg Law. In 1840 the Code of Russian Empire Laws was introduced in Right-bank Ukraine and two years later in Left-bank Ukraine. With the banning of the Magdeburg Law an important link between Ukraine and German and European culture was destroyed.

Roland PITTSCH

THE MAIN FEATURES OF THE MILITARY ANTHROPOLOGY OF KARL VON CLAUSEWITZ

From the profound psychological conception of military anthropology as set out by renowned German theoretician and military practitioner Karl von Clausewitz, one can concisely trace the basic elements of the principles of Aryan moral life: unified, truthful thought, righteous action and strong spiritual will to life. By following these principles, the military class realizes its spiritual destiny in society, while the entire society finds self-actualization in the process of eternal life. This fundamental active moral basis finds vital relevance for contemporary Ukrainians, in order to restore the natural hierarchical structure of society, and revive the traditional spiritual health of its ethnic beings.

At the bottom of K. Clausewitz's theories lay the idea that decisiveness and courage in conjunction with strong, moral will to life are the guiding spiritual qualities of the military person. And these are the leading qualities of the Cossacks - Ukrainian society's military-administrative stratum - as well. For this reason, in order to bring our society to health, we must reawaken the traits of the spiritual aristocracy as represented by the warriors and leaders, in ourselves, in our leadership and intellectual classes, which must be called to lead through action.

Editor

Clausewitz's philosophy of the military man, or military anthropology, is an important part of his theory of war, and it has attracted growing interest over the last few decades.

Before introducing the philosophy of the military man, as presented by Clausewitz in his work, it is first necessary to give a short review of Clausewitz's life and work, then to set forth the main points of his theory of war, and, lastly, to illustrate the main elements of his philosophy of military anthropology.

Karl Philip Gottlieb von Clausewitz was born on June 1, 1780, in the town of Burg on the outskirts of Magdeburg, into the family of a Prussian officer. In 1792, at the age of 12, he enlisted as a corporal in Prince Ferdinand's Prussian infantry regiment No 34, where, in 1793-94, he took part in the campaign against the French revolutionary army in the siege of Mainz. In 1795, Clausewitz was made a lieutenant, and from 1801 to 1803 he attended the school in Berlin which was administered by Scharnhorst his mentor and future friend. In 1805, Clausewitz received the rank of staff-captain and became an aide-de-camp to Prince August of Prussia, with whom in 1806 he suffered defeat near Auherstadt and the capitulation of Prenzlau. After almost one year's internment in France and an educational trip to French Switzerland with Prince August, Clausewitz returned in 1708 to Berlin, and in April 1808 in Königsberg he entered the circle of Prussian reformers — Baron von Schtein, Scharnhorst and Gneisenau. With the rank of a "valid captain" Clausewitz worked on the reform of the Prussian army from 1809 to 1810 as one of Scharnhorst's close colleagues in the Prussian Ministry of War. In 1810 he was transferred to the General Staff and received the rank of major. In that same year, Clausewitz studied the tactics of local war while in service with the General Staff and artillery in the military school in Berlin. In 1812, on Scharnhorst's recommendation, he entered the Russian army, taking part in the Russian campaign of 1812, and also

made a considerable contribution to the execution of the Treaty of Taurigen. As a member of the Russian-German legion he took part in the campaign of 1813-15. His request for a new appointment to the Prussian army was granted only in 1815; the Prussian king did not forget Clausewitz's transfer to the Russian army. The same year, Clausewitz became the Head of the General Staff of the Third Army Corps and was at the head of their corps operations near Ligny and Vavr. Then Clausewitz headed the general headquarters on the Lower Rhine and in Coblenz, which was subordinate to Gneisenau. In 1818 he was appointed by the King to be the director of the general military school in Berlin, but Clausewitz did not have enough influence on the faculty when teaching in this institution. In his spare time Clausewitz wrote his great work *On War*, of which six volumes were written in the spring of 1830. On August 19, 1831, he was appointed inspector of the second artillery inspection in Breslau; this appointment caused him to join the active army again. A year later, Clausewitz became the Head of the General Staff of the army, under the command of Field-Marshal Gneisenau, during the Polish uprisings. On November 16 of the same year, Clausewitz unexpectedly died of cholera.

Clausewitz's diverse activity and experience, his friendship with Gneisenau and Scharnhorst, who were his exemplary teachers, and finally, his broad education and outstanding philosophical abilities, became the prerequisites to his writing of *On War*.

This work, containing his theory of waging great war, is based on principles, which, according to the point of view of the famous researcher of Clausewitz's work, Werner Hahlweg, can be divided into five elements, or spheres:

1. Leadership by the practical component. Clausewitz, with his so-called special education, could perceive the events of his time (service in the army, the General Staff, and participation in war) in a constant clash with practice. He also had the ability to

participate in politics, thanks to his service in the Russian army and cooperation during the execution of Treaty of Taurigen.

2. Clausewitz made up his mind through analysis and critical reflections to make historic experience useful to his contemporaries.

3. Mastery of philosophy, the laws of logic, and dialectical thinking form another important sphere.

4. Deep analysis of a situation, down to minute details, and a principal attention to special circumstances and attitudes, is his realistic method.

5. His sharp critical mind had the ability to come to counterbalanced conclusions.

Together these five elements or spheres form the preconditions for his theory of war, a theory that is able to explain the reality of war. Such a theory need not contradict practice. Clausewitz's aim was to give a real picture of war, and that reality has theoretical and practical sides, which are inseparably linked. To be active in war, a soldier must correctly state the value of war's reality, and understand it. The vital connection of theory and practice consists in this co-ordination.

So far as theory corresponds with practice, and reality can be comprehended in this correspondence, Clausewitz is expressly guided by philosophy, especially by logic and teachings about formal and material truth. In his essay "About the State of Theory of the Art of War", Clausewitz explains this teaching, which he evidently adopted from the logic of Kant's student, Johann Gottfried Karl Christian Kiesewetter (1766-1819), in the following way: "Material truth is a coordination of an idea with the object which it imagines." And he explains this concretely: "If ten people imagine the same object, then their ideas must correspond to this object, that is, to be truthful, all these conceptions are equal to one another, as two quantities that are equal to a third must be equal to each other. Thus a subject, having an idea, cannot change anything itself." Clausewitz understands formal truth as "coordination in the connection of ideas with the laws of thinking. The last is true for all people, hence logical truth must be the same for everybody." Proceeding from this understanding of formal and material truth, Clausewitz draws conclusions for his theory of war: "All conceptions and rules, which can be met in the theory of the art of war, must, if they do not contradict material and logic truth, know and comprehend everything that they study in a similar way, hence it is necessary for ideas and thoughts of separate people to be coordinated among themselves." Clausewitz summarizes this philosophic conception: "The greater this coordination, the clearer and more undistorted are the laws of theory embodied in different subjects, and the more the corresponding profits, received by individuals due to further study become, the more perfect the theory can be called; and on the contrary — the more imperfect, the more its rules undergo subjective changes by different individuals, the more they change their appearance, the more distinctive are the results that promote further research."

The philosophic understanding of the integrity of idea and reality is also the method by which Clausewitz develops his war theory. One who understands the method already has criteria for comprehending the theory of war. Werner Hahlweg strives to characterize this method of theory with the help of five points:

1) Clausewitz approaches questions as an observer and warns against establishing rules.

2) Practice is the principal criterion of all theory and methodical approaches to a theme. Here, the mutual influence of philosophy, history, and contemporaneity is first observed.

3) The "changing game" of theory and practice is essential. In *On War* the issue is not only to describe the state of things, but also to offer a critical theory that constantly looks for ways of organizing the facts of reality and their realization.

4) Proceeding from his knowledge that in examining a problem it is never possible to know everything and to reach the absolute, Clausewitz does not offer have any principles and fixed rules; the process of observation is the essential basis of his method or theory.

5) The critical survey of problems is then proposed.

3. The Elements of a Philosophy of the Military Man or Military Anthropology

The most important aim of war theory consists, mainly, in preparation: teaching and educating soldiers in preparation for military activity.

The aim of education is to create an army that will be an instrument which can coordinate with the commander's will in a proper, general way. In this connection, unity does not, on any account, mean harmonic unity. On the contrary, this theory fulfils its task better, the more cruelly it seizes and unites in its understanding all those forces which resist the uncommon will. This means that thinking is connected with the common will and proceeds from it, that Clausewitz's theory can be deduced from the concept of courage and resoluteness striving and wanting to reach a decision. Decisiveness and courage are moral categories and, first of all, features of character. Exploring character is an important theme of the philosophy of military man and military anthropology. Its meaning for waging war shows its worth, given that moral forces, especially strength of character, have a decisive advantage in war over unexpected circumstances, troubles, and misfortunes. In other words, the military man responds to the difficulties of war's reality by all the forces of the soul or spirit, that is, first of all, by courage and decisiveness. Clausewitz examines moral forces within the framework of his military anthropology not as the psychological gifts of an ordinary man, but as the main elements of the education and upbringing of a military man, whose ideal portrait he sees in military genius. Clausewitz emphasizes once more: "That which is done by genius is necessary to become the best rule, and theory cannot do any better than show precisely why he does so." This especially concerns the category of moral forces, under the guidance of which the mind gains greater

importance, insofar as it "appears everywhere as an important accompanying force." Clausewitz describes this at the beginning of the chapter "Military Genius": "Here an astute, keen mind takes into consideration showing the truth in the tactics of its thinking. An ordinary mind can accidentally find this truth, and an extraordinary spiritual state can eliminate a mistake at once; but in the majority of cases, ordinary statistical data reveal that the erroneous mind always shows itself."

And further, Clausewitz continues, that decisiveness, "winning the state of doubt, can be caused only by mind, namely, in its completely special direction." Decisiveness "appears only through the act of reflection, that takes to consciousness the necessity to adopt one or another decision, because of which this necessity determines will." That is why persons with an insufficient mind cannot be decisive in this meaning of the word.

Courage, "beginning with the common soldier and drummer, up to the commander, is the noblest virtue, real steel that gives sharpness and brilliance to arms, ... during war it even has its advantages." However, "the higher we rise on the official stairway, the more necessary it becomes that courage yields to spirit, which predominates, but it should not be the aimless, blind push of passion," because in this case the danger appears, that the courage of individual acts can easily become a mistake. "This danger can be removed if the forces of spirit and mind are harmonized with the forces of character. Clausewitz observed that courage occurs more rarely the higher we rise in rank — the higher we rise to the leading posts, the more spirit, mind, and good sense prevail, and the more, in this way, courage retreats as a feature of character. Courage led by prevailing spirit is a distinguishing feature of the hero; this courage consists not only in opposition to a thing's nature, in gross violation of the law of probability, but also in strong support of that higher account, so characteristic of the genius, who half-consciously takes tactics of decision into account with maximum speed when he makes his choice."

Taking this into consideration is undoubtedly the ideal characteristic of the military genius, the problem of the upbringing of an army and its soldiers comes into existence, not all can be geniuses. In other words, this is to pose the question of theory and methods, needing a combination of the above mentioned ideal concepts of military genius and the activity of military man.

Clausewitz carefully comes to these problems and, first of all, in principle confirms that the military genius cannot be prepared without study and experience. "No activity of human mind is possible without a certain wealth of ideas, and the latter, in reality, in the majority of cases, is not given by birth, but is gained and gives to the mind its knowledge." Knowledge, transferred through theory, can be gained by everybody who is destined to be an officer. The military circumstances of life, to which young officers must become accustomed, do not only lead to knowledge. The aim of this upbringing correlates with the behavior of the military genius, who to a

considerable extent forms the preconditions of all upbringing. One of these tasks is an ability to increase knowledge and correspondingly to act easily in battle. Future officers must be taught practice through theory.

In his work "Campaigning in Russia," Clausewitz briefly and successfully describes what happens if a simple theorist comes to clash with war's reality: "He who wants to move only in one element, called war, must absorb from books only the things concerning the upbringing of his spirit. If he adopts ready-made ideas, which do not impel him in an instant, ideas which he has learned not by his blood and sweat, then a stream of events will sweep away what he has built before it is even ready." The challenge is to convert knowledge into skills and completely move them into the spiritual sphere. Such knowledge "is characteristic only of contemplation, such that in studying, as in reflection, only through a special talent is it possible to master them; thus, just as a bee gathers honey from flowers, so spiritual instinct understands how to obtain spirit from life events, and this can take place with the help of contemplation, study, and thanks to life." Thus, this theory aims "to remain with the ordinary observation of things, and to satisfy and to help those working actively to come to an understanding of things which merge with their own thoughts, to make their motion easy and sure; while not refusing, at the same time, to listen to the objective truth." Theory must "raise the spirit of a future commander or even lead him in his self-upbringing, not accompany him on the field of battle, like a wise educator, it directs and facilitates the spiritual development of a young man, but does not lead him by the hand all his life." Clausewitz, meanwhile, is well aware that not everybody can have a spiritual instinct to act easily. That which is called methodicalness by Clausewitz is necessary in such cases. "Methodicalness is directed not to certain known preconditions, but to the average statistical probability, the continuous, balanced use of which receives something from the nature of mechanical habit, which gives unrealized impetus to correct action." This methodicalness is, undoubtedly, a necessary addition to the military genius. Clausewitz thus demonstrates his extraordinary talent, capable of comprehending the phenomenon of war in all its multiformity. In this article, I have described only some elements of Clausewitz's military anthropology. And his philosophy is worthy of a deep and thorough explanation. To end with Clausewitz's words, addressed to his contemporaries: "Time belongs to you, and such as it will become, it will become thanks to you."

Munich

LAYING THE FOUNDATION

FROM THE MONOGRAPH OF EDUARD AFONIN "THE FORMATION OF THE ARMED FORCES OF UKRAINE: SOCIAL AND PSYCHOLOGICAL PROBLEMS" K. : INTERGRAFIC, 1994.

The dynamics of global change today demand a fundamental change in the humanitarian bases for the formation and functioning of Ukrainian society.

The tasks related to the processes of forming cultural, patriotic, moral and military-ethical values of the Armed Forces staff and other military units of Ukraine is very important. That is why the monograph of E. Afonin became an appreciable phenomenon in scientific circles throughout Ukraine. His publication began an educational series called "Military Sociology".

With the purpose of studying of actual problems, the author makes widespread sociological investigations in military collectives of the Armed Forces of Ukraine in 1992-1994 and concentrated his attention on the necessity to elaborate the common coordinated position of all interested parties in this sphere. It is necessary to continue investigating this very important subject for the Armed Forces and for the Ukrainian State.

After a long communist genocide against the Ukrainian people, the Ukrainian Army has to be its support during these hard times. That support should be based on actual principles of staffing and training.

Not without reason, E. Afonin so scrupulously analyses the state of military-social problems, basing his results on the work of various branches of experts.

Legal and social-cultural sets of instruments occupy an important place in the process of regulation and self-regulation of the conduct of military men.

The second and the third parts are dedicated to the theoretical-applied investigations of these aspects.

Perhaps, in the future some institutes will unite their efforts to develop work on this subject further. To this end, the National Institute of Strategic Investigations signed a treaty with the Kyiv Military-Humanitarian Institute of the Ministry of Defense in the middle of 1994 regarding the completion during 1994-1996 of the scientific-research work. This study is entitled "National Thought and Cultural-Political Problems of the Formation of the Armed Forces of Ukraine". It has completed certain volumes of work and prepared a considerable number of materials for publication.

It is necessary to note that the investigations done by E. Afonin into the factors which form the cultural-humanitarian bases of the Ukrainian people and of military men. The author introduced a considerable number of materials and subjects of investigation which, until recently were rather limited to scientific circles.

The material is keenly selected and professionally set to such a degree that this book should be recommended without hesitation to the lecturers and researchers in military institutes, as well as to the commanders in their practical work with the staff.

Today, the Armed Forces play an important role in political life and is a serious factor for international as well as intergovernmental relations. As other political forces strengthen their influence over other political factors in the socio-political life of countries around the world today, the necessity of the Ukrainian nation to have a modern Army intensifies.

The events on the territory of the former Soviet Union testify to this fact.

The attention the author of the monograph pays to improving methods of investigation of actual military processes - that is, correlating aspects of the formation and civilization of their progress - earns him high approval.

For the first time in military sociology this was done free of ideological determinism and produced a scientific analysis of the most complicated problems of the Armed Forces of Ukraine's formation.

History testifies to the fact that a stable development and functioning of the Armed Forces of the Society determines to a considerable extent societal stability, particularly in the neighbourhood of other countries where a hostile mood dominates the scene. That is why research into the instruments and forces which could prevent the appearance of new disputed conflicts and collisions in the military collectives or of psychological discomfort of a person is crucial, as the probability of suicide is a very prevalent problem.

Unfortunately, our Army does not have anti-suicidal or other psychological counselling services (these services do however exist in developed countries).

Based on numerous sociological materials and taking into account the specificity of the Ukrainian Army and its mobilization possibilities, the author comes to conclude that normalization of society and army is a reality in our time under the appropriate conditions.

I'd like to express some observations and wishes. The author had to accent his attention not only on the "task of inspecting actual military legislation", but on the whole military doctrine of Ukraine. The complex military reform is an integral part of this doctrine.

I think a scientist who works today in the sphere of political analysis and practical policy has to pay more attention to the clarity of some of the ideas and terms.

For example, consider the term "the near and far abroad". This term was introduced into political and political circulation by Russian diplomacy with one specific aim: to attach those who wish to realize in a civilized way "divorce proceedings."

Naturally, in that case the question has to simply be "the far abroad" or "foreign countries"; the criteria which determine if they are "near" or "far" is very subjective.

For example, parts of Ukraine once belonged to Poland and some of them remained there. The Poles are also Slavic, religion is mainly eastern right catholicism in western Ukraine, and the Ukrainian and Polish languages are very similar (even today almost every inhabitant of Halitchina can speak Polish fluently).

Why then are Poland and the Poles not considered "near"?

What about Lithuanians?

The Ukrainian language was an official language in the Lithuanian principality...

It is possible to make a similar argument concerning every country neighboring Ukraine.

Afonin examined thoroughly the problem of social protection of every military man.

Of course, only well protected "backs" of Ukrainian soldiers could make them real defenders of their Motherland, the personification of which for the majority is his own family.

But, first of all, the students of socio-normative values and the author have to examine the directions of adaptation as people who are members in the ethnic-social organism (nation). In a subsequent work entitled "A Typology of Ethnic and Religious Relations and Its Consequences", I examined this problem (see, for example "Etnos y sotsium. - K. Naukova Dumka, 1993. // Religion in Ukraine-Lviv, Logos, 1994).

It is necessary to examine in detail the repressive models of mutual relations in the system "chief-subordinate" and in "horizontal line" and the relations as forms of partnership and mutual assistance, forming social and psychological motivations.

In conclusion, I'd like to express some thoughts which are not very popular. For example, consider the current "social-political tension". Is it possible to institute some kind of effectivity or simply activity without tension? Could we examine tension as the precondition of progress?

I'm sure that first of all we are experiencing a shortage of healthy national patriotism.

Troubles regarding the Armed Forces of Ukraine have to be a priority as it is a national problem. We could find a model of oath of Ukrainian soldiers in all historical ages of the existence of this nation.

I'd like to point out that expressed observations and wishes of experts who also work in the spheres of cultural-humanitarian strategy of the Armed Forces of Ukraine have no doubt in the author's investigation as a whole, or its scientific importance. The author could take into account these observations and this advice during his subsequent investigations.

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candidate of philosophical sciences, mayor consultant of the department of investigation of socio-political processes of the national institute of the strategical investigations.

Kyiv



FOUNDING OF THE INTERNATIONAL UNION OF UKRAINIAN ENTREPRENEURS

On June 8, 1996, a Constituent Assembly met in Kyiv in the historic Building of the Writer to approve the Charter of the International Union of Ukrainian Entrepreneurs (IUUE).

The International Union of Ukrainian Entrepreneurs was founded mainly for the purpose of creating favourable conditions for the start-up and growth of Ukrainian entrepreneurship. Components of the Union's work will include: lobbying for civilised measures of protectionism, creating an environment with open lines of communication for Ukrainian entrepreneurs both domestically and abroad, uniting Ukrainian businesses for organisational, technical, legal, financial and other support of business-entrepreneurial programs, assisting Union members in defending their business interests as well as offering them a broad range of marketing services.

In order to accomplish the objectives set out in its statute, the Union decided to open representative offices in different countries of the world. The Constituent Assembly elected former President of Ukraine Leonid Kravchuk as Union Council Chairman, Mykola Plavyuk as Chairman of the Executive Committee, and Roman Diakiv as General Director and First Vice-Chairman of the Union. The Assembly appointed 15 people to sit on the Union Council, and five people for the Executive Committee.

At the first meeting of the Union Council, two Vice-Chairmen were elected - Ihor Bakaj, President of the "Respublika" Corporation, and Volodymyr Chernyak, a Professor with a Ph.D. in Economics.

Printed below is an article written by First Vice-Chairman of the Union Council and General Director of the IUUE, Roman Diakiv, which outlines his general views on entrepreneurship in Ukraine, and his specific ideas about the work to be done by the IUUE. Diakiv also has a post-Graduate degree in Economics (Kandidat Nauk).

Roman DIAKIV FOR THE SAKE OF NATIONAL PROSPERITY

The current state of extreme tension in Ukraine cries out for a comprehensive review of the government's present strategical and tactical approaches to development of our country, especially in regard to plans to strengthen our financial, economic and industrial priorities within the general framework of state-building.

Objective factors resulting from the collapse of the former Soviet empire are not the main reasons for the decline of national industry and the "skidding" implementation of market reforms. Rather, contrary to the experience of other post-Socialist countries, subjective factors are doing the most to undermine and destroy the processes of reconstruction in Ukraine.

First of all, left-wing forces put a brake on the process of market reforms and reorganisation of power structures. In retrospect it is clear that the leaders of the patriotic-democratic movements were not prepared for the rapid collapse of the Soviet Union or the consequent independence of Ukraine. Stuck in a rut of speechmaking and organising meetings, they were unable to break through into leadership positions which would have given them the power to implement practical programs for the State's financial and economic reconstruction. The interests of the scientific, manufacturing, engineering and commercial sectors, as well as those of the agro-industrial complex, were outside the limits of the progressive forces' nationalist interests. They did not find common ground with financiers, entrepreneurs or businesspeople.

Expectations that the state would take upon itself the function of creating favourable conditions for introducing civilised market reforms did not materialise, since such reforms were not advantageous for the old Communist party nomenklatura.

Instead, the partocrats in power grabbed everything that had been acquired by the Ukrainian state, and began to amass additional funds, state property and leading positions in the state administration, privatisation ministries, mass media, industry and non-production infrastructure. In this way, primarily non-Ukrainian financial capital is found in Ukraine, and a business system has been built by a cadre of anti-Ukrainian, pro-Communist, pro-Russian leaders.

A real danger exists of further estrangement from Ukraine of its own national wealth, and a gradual transformation into a colonial-type economy, for Ukraine exists only as an office for business operations in the minds of today's "businessmen", raised on anti-Ukrainian traditions. The official state language is not the language of these, "our" businessmen, just as it is not the language of the representatives of the criminal circles, members of the shadow economy, who actively sponsor everything that is alien to Ukraine. There is no doubt that if one day the State puts up an obstacle to these clans' collections of megaprofits, Ukraine will soon have a legalised structure for the "fifth column", more powerful than all exiting interfronts and citizens' anti-Ukrainian groups put together.

It should be noted that pro-Russian business interests in Ukraine have already organised into several "unions", and shows signs of certain political activity.

For these reasons, it appeared vital for us to incorporate into this Union, in order to create a corresponding environment for communication in support of Ukrainian entrepreneurship. Somehow, working together we would like to change the correlation of productive forces for the benefit of the State.

Among the participants at the Constituent Assembly were scientists, industrial specialists, entrepreneurs and financiers.

In the different regions of Ukraine there are many small business owners, farmers, economists and managers who are ready to work selflessly for the benefit of their own country. The International Union of Ukrainian Entrepreneurs must ensure that this great well of potential is tapped and encouraged to develop. Our assignment is to unite the efforts of all these separate entrepreneurs, with their enterprises large and small, around the purpose of reconstructing the Ukrainian national state. While these enterprises are still fragile, they have the potential to grow into a powerful productive force, and we should serve to co-ordinate their activity on the principles of voluntarism, independence, mutual assistance and effective use of funds and property.

The Union will act to attract active entrepreneurial capital from the Ukrainian Diaspora and other foreign investment into the Ukrainian economy, while simultaneously performing the role of international economic diplomat. In time, this kind of organisation can become a powerful and profitable infrastructure, capable of creating all the conditions necessary for the effective activity of its member enterprises and entrepreneurs. Additionally, it will be able to work to ensure financially the existence of cultural and educational structures with a State orientation, and contribute to programs for the spiritual rebirth of Ukraine, and the patriotic education of its younger generation.

In order to maximise the Union's efforts toward realisation of its stated objectives the IUUE is structured into the following departments:

Department of Manufacturing, Agriculture and Commercial Structures.

This department is working to promote the establishment of contacts and mutually profitable partnerships between manufacturers, farmers and other entrepreneurial structures from different regions of Ukraine and foreign countries, and to attract urban and rural populations into business. Other goals of the department are to attract resources and foreign investment for the development and support of high-tech manufacturing, and to provide certain technical, legal and audit services to entrepreneurs, in addition to information about the state of the market and price levels. It will support credits and investments at preferred terms and the improvement of workers' professional skills. It will conduct expert reviews and calculations of the economic effectiveness of planned production programs and commercial operations, and render services for developing manufacturing projects and optimising marketing results.

If the need should arise, it can act as a financial and property guarantor for members of the Union who are applying for loans. It will assist in the manufacture of products by conducting searches for necessary but unavailable goods, equipment and materials. It will represent the interests of its members in the court-room and during arbitration. Special attention will be given to the support of young entrepreneurs and farmers. It will lobby for favourable legislation regarding manufacturing and business ownership.

Department of Investment, Financial and Credit Structures for the Social Insurance and Protection of Union Members.

The purpose of this department is to provide financial support for business activity and the socio-

economic protection of members of the Union. The IUUE will accumulate capital for these purpose in accounts with Member banks for preferential loans for members' forays into the international market.

A system of credit unions will gather the small individual savings of its members and utilise them in aggregate for loans to members for small business expansion, housing construction, financial support of small agribusiness, and household loans for young families. Internal insurance associations and companies will be created to render various services to the citizens of Ukraine and members of the Ukrainian Diaspora. Also, members will be offered guaranteed coverage of their credit obligations during business operations.

Department of Professional Unions.

This will serve both to subsidise vacations and medical expenses for members of the Union, and to use available funds to make for-profit loans. Another possibility is to create a special non-governmental pension fund for Union members.

Department of Trade, Medical and Consumer Services.

This arm of the Union will promote the different products manufactured by Union members on a retail basis. Ukrainian Trade Houses in the different regions of Ukraine and overseas will sell typical Ukrainian items for everyday use including medical herbs, cultural products, foreign and Ukrainian literature, traditional musical instruments, audio and video products, etc.

Centre of Co-ordination of Economic Relations with the Ukrainian Diaspora.

This department will work to find quality potential foreign partners for Ukrainian Member companies of the Union. It will gather information about Ukrainian-owned business organisations in different countries of the world; their location, sphere of activity, potential needs from a Ukrainian partner; and data about their financial capability and audit reports. It will compose a list for foreign investors of low-risk organisations and enterprises in Ukraine. It will offer services in creating joint ventures, hold legal consultations and assist members in establishing international business contacts. Other services will focus on the Ukrainian Diaspora, such as helping them with resettlement in case they want to move to Ukraine, facilitating the signing of agreements on moving personnel to and from Ukraine, and organising internships for foreign citizens in Ukrainian colleges and high schools.

Analytical-Information Centre.

The Union plans to open an analytical-information center to gather economic, political, cultural and education information, and distribute it among members of the Union and representatives of the Diaspora in order to improve the international image of Ukraine and the Union, and to ensure that its partners in Ukraine and representatives abroad will have the necessary information to support Union business-entrepreneurial and cultural programs.

The key priority in this department is to publish literature of a scientific-educational character to raise the national consciousness in Ukraine. To realise this purpose, associations of book publishers, editorial offices of magazines and newspapers and other mass media can be created to leverage the necessary positions in the media environment on the domestic and foreign trade markets.

THE GERMAN-UKRAINIAN ECONOMIC FORUM: PATH TO COOPERATION

In the summer of 1993 the Government of the Free Saxony State proposed to organize a German-Ukrainian economic forum and realize the first conference.

The purpose of this initiative was to create favourable conditions for a dialogue regarding intense economic and scientific-technical cooperation between German and Ukrainian specialists and employers.

The Drezden Technical University expressed its wish to be an organizer of the conference from the German side.

Ukraine supported this proposal, and on October 22-23, 1994 the first conference of the German-Ukrainian Economic Forum took place in Drezden.

The President of Ukraine, L. M. Kravchuk, was present and gave the salutatory address to the conference.

The Ukrainian delegation consisted of eighty people: politicians, governmental representatives, scientists, representatives of business circles and National Deputies (members of Parliament) to Ukrainian Verkhovna Rada (Parliament).

German Organizers of the conference also organized a charity concert called "The Heart to the Children of Chornobyl" and the money collected from it was directed to treat children suffering from the Chornobyl catastrophe. The Ukrainian children's ensemble "Storks" (Lelechenky) performed at this concert with success.

Questions of cooperation in the sphere of small business, development of democratic legal system, creation of the conditions for effective work of a banking-credit system, development of transport, use of energy and resources, the problem of conservation of environment, and potential uses of the chemical and pharmaceutical industries were discussed at the conference.

Recommendations for the creation of the most favourable bilateral conditions to cooperate in the spheres of policy, economy, culture and social life were examined and approved.

At the final meeting, the President of Ukraine invited the German participants to hold the second conference in Kyiv.

The second conference was held in Kyiv from May 11-12, 1995.

It had more concrete purposes and tasks and became a serious stage for the intensification of business cooperation and development of neighbourly relations between Ukraine and Germany.

Representatives from the Federal Government of Germany and the Saxy Government, bankers, employers, public figures - 120 persons in all - took part in the conference from German part.

Participants from Ukraine included representatives of the Government, business circles, scientists and employers.

The conference had seven working sections, where questions of business cooperation between German and Ukrainian employers were discussed.

The Ukrainian delegation proposed the creation of a German - Ukrainian Economic coordinating council, which would be an inter-governmental organization of both countries.

The creation of this Forum will provide the possibility to resolve a great number of concrete questions that arise in the period between the conferences and will also favour the work of individual firms and enterprises.

The German delegation approved this proposal and is currently working on registering the Forum.

A resolution of the second conference, supported by all working sections, was to find ways of creating common projects, signing cooperation agreements and other methods of cooperation.

One result of this conference is the appreciable presence of German firms functioning in Ukrainian economy. Germany became Ukraine's the second largest commercial partner (after Russia) in 1995.

The third conference will take place at the end of October 1996 in Drezden.

Its main purpose will be to examine investment projects of Ukrainian employers and attract German capital to develop Ukrainian economy.

It is assumed that more than 130 Ukrainian participants who have serious intentions to activate German - Ukrainian business will take part in the third conference.

Valeriy BESSARAB,

*manager of the section of support of the business of
the Ministry of Economy of Ukraine.*

A WORKING MEETING PREPARING FOR THE THIRD CONFERENCE OF THE GERMAN-UKRAINIAN ECONOMIC FORUM

A working meeting took place in Drezden from December 10-11, 1995 at the Drezden Technical University. The purpose of this meeting was to provide an analysis regarding the fulfilment of the resolutions of a previous conference of the German-Ukrainian Economic Forum which took place from May 11-13, 1995 in Kyiv and to determine the terms and conceptions of the third conference.

Present at this meeting were Government officials, scientific circles, employers and merchants of the Saxon Land and Ukraine. The prorector of the Drezden Technical University, Professor Offerman, began the conference with an introductory and salutary speech. He summed up the results of cooperation between German and Ukrainian members of the economic forum during the last two years and expressed his opinion concerning the development of this cooperation in the near future and the role of planned conferences in this process.

Professor Offerman emphasized the mutual interest of the members in the development of a dialogue and said that intensity and versatility of cooperation reaches a level where it is necessary to think about coordination of this process on a federal level.

Subsequent work of the meeting passed in working sessions where proposals were coordinated regarding the terms of realization of the conference, its time-limit and methods of preparation.

These proposals were formulated by representatives of the working sessions at the final meeting.

Generalizing all proposals and observations, the prorector of the Drezden Technical University Professor Vistman, noted that it decided to hold the third conference of the German-Ukrainian economic

forum at the end of October and at the beginning of November of 1996 in Drezden.

The conference should consist of:

- a plenary meeting. It is necessary to attract representatives of the government and politicians to the work at this plenary meeting;
- a section meeting, where the results of concrete projects from German and Ukrainian cooperation will be discussed;
- business meetings, visits to enterprises, subfaculties and institutes to establish partnerships, agreements and contracts;
- and a cultural program.

The working section "Technological Centres" decided it was necessary to organize a visit to the Drezden Technological Centre. During this meeting negotiations for participation in the centre and Drezden Technical University were realized. Together they will create the Kyiv innovation-incubator on the initiative of Kyiv city administration and with the support of the National Academy of Sciences, the Ministry of Education, the State Committee of Sciences, Technical and Industrial Policy of Ukraine.

Vyacheslav SOLOVYOV,

The National Academy of Sciences;

Evgenia EVERT,

the Drezden Technical University.

THE KYIV INNOVATION BUSINESS-INCUBATOR: *A REAL SUPPORT OF THE SMALL INNOVATION BUSINESS*

The problem of finding ways out of Ukraine's economic crisis is a complex one. One of the real and effective methods, without a doubt, is to consider the use of new technologies and to create products employing new scientific technologies based on Ukrainian scientific advancements. It has been considered that the principal instrument of an innovative economy with technological policies in developed countries are innovation incubators and technological centres. The experience of other developing countries testifies that in free market conditions small innovation businesses are more dynamic and can withstand competition. * For last ten years, Germany created 175 innovation incubator centres and 3700 innovative enterprises, whose focus is working out technologies that can overcome crisis situations and master the market.

A common activity of the innovative centres and innovative business incubators in different European countries is to ensure that country's stable economic development. The federal government of Germany and also the incubator's and innovative centres which had certain experience, helped create such centres in Central and Eastern Europe.

The strong scientific potential of Ukraine favours it occupying a worthy place among the developed countries of the world.

These are the scientific endeavors: machine-building, information sciences, power engineering, transportation, chemistry, new materials, biotechnologies and the medical industry.

An analysis of the quantitative and qualitative indices permits one to realize regional specialization in Ukraine according to their levels of concentration of scientific potential:

1. The regions with highly-developed industrial, scientific and socio-economic potential. The capital region (Kyiv and Kyiv region) and Kharkiv region, where almost 45 % of Ukraine's scientific potential is concentrated belongs to this group.

2. The industrial regions with developed scientific and socio-cultural potential include the regions of Donetsk, Dnipropetrovsk, Lviv and Odesa. These regions contribute 5-10% to the scientific potential.

3. The industrial-agrarian and agrarian-industrial regions with low levels of development of scientific potential include: the regions of Mykolaiv, Sumy, Poltava, Vinnytsia, Ivano-Frankivsk, Kherson and Cherkasy. A considerable part of the scientific potential of the regions with very low levels of development of scientific potential (up to 1 %) include the regions of Korovohrad, Chernivtsi, Ternopil, Khmelnytskyi, Rivne and Volyn.

This division testifies that the regions of the first and second groups, (particularly the Kyiv capital region, where more than 30% of the scientific poten-

tial of Ukraine is concentrated) should be considered the most adaptable to innovation activity. The principal innovation potential of the capital of Ukraine is based on the activity of 297 scientific-research organizations, 53 design offices and 15 institutes, that employ over 105,3 thousand people in general.

This forms 9 % of the total number of people occupied in the national economy of the city. *

Taking into account these advantages, the Kyiv innovation business-incubator was created to realize primary support for small innovation businesses, which could not begin their activity for some reason or other.

The principal result of its existence is the creation of new highly skilled working places to conserve the unique scientific-technical potential of the capital of Ukraine, organize the output of competitive production with the mark of Kyiv, and train specialists who are able to work under the conditions of market transformations of an economy.

The Kyiv innovation business incubator is a non-commercial organization which acts on the conditions of economic association. It unites, on a voluntary basis those who are able to realize new technologies and those who are able to create enterprises with scientific technologies. A basic organization was created - Kyiv innovation business incubator in the form of a closed joint-stock company to realize the functions of economic management and development.

The organizational structure of the business-incubator was elaborated according to the tasks which it has to fulfill (i.e., the creation of micro-climate for employer's activity, the search for sources of financing, the training of specialists, etc.).

This structure is represented by the following four principal parts:

- immediate business-incubator as an organ of economic management;
- coordinating organs that guarantee cooperation with local power structures;
- independent centres that ensure systematic service of incubative firms;
- incubative firms.

As an economic organ, Kyiv innovation business-incubator will do the following :

- determine the direction of the development of business-incubator;
- realize corresponding work directed at attraction of both local and foreign investors;
- create new structures for this centre;
- rent new premises to work on scientific ideas and introduce new technologies and methods for organization and production;
- guarantee services, depending on the possibilities of the centre;

- organize the communication between local and foreign innovation structures.

The firms which work in the sphere of incubator are divided into three types:

- incubative firms, which realize innovative projects and enjoy privileges which are presented by the limits of the business-incubator (i.e., free rent of premises, special services, use of the name "Kyiv innovation Centre". The period of the Centre's activity is limited to 2-3 years;

- the firm-donors, which oversee the activity of incubative firms. They may not be on the premises of Kyiv innovation-incubative centre;

- independent firm-centres, which work and provide services on privileged conditions within the bounds of the business-incubator (and also beyond the bounds of common conditions) and favour innovation of industrial activity. Territorially, these are situated on the premises of the Kyiv innovation centre or on other territories. The period of the incubator's activity is not limited.

Having considered the problems of Kyiv and also the degree of readiness of employees, the preparation of the formation of the innovation structures, were determined by the scientific directions necessitated by the principles of a functioning innovation business-incubator in the legal sphere of Ukraine:

- the mastering of vanguard technologies for the production of super-pure materials;

- the creation of competitive production systems in the sphere of information-computing technologies;

- the creation of substitutes for imported production and raising the reliability of agricultural techniques and municipal transportation;

- the use of modern biotechnologies for processing and manufacturing of consumer products.

The principal criteria for estimating the activity created by the Kyiv innovative business incubator, without doubt, will be the results of the work of incubative small firms. That is why the selection system of scientific methods and its executors, which are capable of overcoming all obstacles and working in market conditions is very important.

Those who pretend to create small innovation enterprises present proposals to Kyiv centre and materials which should contain answers to a list of questions which consider the formation and presence of financing and marketing parameters. The criteria for the estimating received proposals could be:

- internal environment: the motivation to complete, the compatibility with businesses and the culture of production, the support of potential consumers, the executor's enthusiasm and compatibility with strategic purposes of production;

- external environment: quantity and type of competitors, state regulation, needs of the market, line stage of production; alternative suppliers and consumers;

- advantages of the new product or technology according to various parameters: cost, ecological security, intellectual content;

- financial aspects of the development of certain technologies;

- guarantee of industrial and other potentials of the author's of the technologies.

The results of this project can be used for solving the principle problems of ecology, health protection, processing of agricultural production, conservation of energy, solution of transport problems and others.

After analyzing the proposals, and completing the necessary examination, the selected projects will fall under the guardianship of the Kyiv centre, which will help realize certain privileges, placing the respective necessities of the industrial areas on the enterprises in Kyiv, searching for the local and foreign investors.

The projects which are not prepared for implementation are placed in the base of Kyiv centre. Supplementary work will be completed with the authors to ensure successful leads to accomplish the necessary parameters.

Having considered the local needs of the economy and having proposed extensive tasks in Ukraine, the innovation business incubator was created for the first time. The authors hope to attain the understanding and support of individuals and await proposals concerning technical questions as well as organizational ones, which could help create this structure at the international level.

We hope to gain support from foreign specialists to assist in training correspondent specialists, organizing seminars and conferences so that the line problems and propaganda of certain experiences can be resolved.

The dialogue with German specialists testifies to their readiness to cooperate and share their experiences. The authors express their gratitude for this cooperation.

We invite all those who wish to help to an independent Ukraine to cooperate with us and invite that capital to overcome the economic crisis.

* For example, in the United States, for every dollar invested into scientific research, small innovation firms receive 20 times more than do large corporations.

** Over 2.4 thousand people hold doctoral degrees and over 15.1 thousand people are doctoral candidates.

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Kyiv

INNOVATIVE PROJECTS: PROSPECTS FOR UKRAINIAN-GERMAN COOPERATION

The program of socio-economic transformation in Ukraine, as well as in the majority of the other central and eastern European countries, is essentially the substitution of a decentralised system of individual economic initiatives for the centralised economic planning of Communism. The nation's work in this direction anticipates the creation of institutions and a legal framework to facilitate socio-economic reconstruction; designation of concrete spheres of industrial and regional protectionism; assistance in raising the level of competence of the work force; and the formation of a socio-economic context, in which individual citizens and social aggregates would be drawn to participate in the reconstruction process for the purpose of satisfying their own interests.

As part of the process of Ukraine's economic transformation, special attention is being given to attracting scientific/technical potential to the manufacturing and service sectors. By supporting competition and entrepreneurship in the scientific/technical sphere, the state will gradually move toward the systematic development of a civilised market of scientific/technical production, and, because of this, to the improvement of the economy and the satisfaction of citizens' basic needs.

One of the first priorities for the transformation is the creation of conditions for effective international scientific/technical collaboration. This collaboration must be based on mutual interest in innovative projects. Ukraine has a strong background in science and technology which will be extremely useful in soliciting active international partnerships for the design and market introduction of a wide range of technologies. Following is a brief description of some ideas with excellent potential for development and realisation with the co-operation of German partners.

Biotechnological production of snake venom and related medicines.

On the Ukrainian side, this project is being developed by the scientific-industrial company, Mangust, Ltd. The company's main purpose in pursuing this project is to gain experience with the technology and processes necessary for the production of high-quality snake venom of the ordinary adder (*Vipera berus*) and steppe adder (*Vipera ursini*). On the basis of these venoms the company then plans to manufacture a wide range of medicines, utilising the venom's anaesthetic, sedative, anti-spasmodic, adrenaline-like, homeostatic and anti-inflammatory properties as well as its effectiveness in toning the central nervous system.

To achieve this goal, a year-round institute will be founded to conduct experimental laboratory research on snake venom, and to produce batches of venom in trade quantities. As of today, a plot of land in the central part of the Crimea, 2,400 square meters, has been designated for this purpose. A serpentarium with the capacity to sustain 2,500 animals is already located there and the necessary facilities for production, such as a biochemical laboratory, auxiliary buildings, railroad connection and public services are currently under construction.

Estimated expenditures for implementation of this project are approximately US \$2,000,000 over two and a half years, including outside investment of resources in the amount of \$750,000. Complete return on investment, given projected sales only within Ukraine's domestic market, will take place three and a half years after beginning the serial production of these medicines.

Such pharmaceutical companies as Bayer AG, Asta Pharma AG, Beiersdorf AG, Boehringer Ingelheim KG and others are possible partners from the German side.

Environmentally safe series of heating and drying air thermogenerators.

The project is supported from the Ukrainian side by the enterprise "Promgasaparat", a closed joint-stock company. Its purpose is to implement new gas fuel technologies with original designs of gas-burning equipment, in order to decrease ecological damage and increase the effectiveness of fuel energy usage.

This project involves developing and organising the production of natural gas-burning thermogenerators with a capacity from 25 to 1,000 kilowatts. Based on the technology developed from the thermogenerators' production, it will then be possible to produce new environmentally clean micro-diffusion panel burners for boiler-rooms and technological aggregates, as well as energy-saving, gas burning heat-exchangers, which will differ significantly from contemporary fuel-burning aggregates.

Some advantages of existing experimental thermogenerator prototypes compared with known alternatives are as follows:

- increased efficiency;
- decreased mass and overall dimensions of the apparatus;
- absence of alloyed steel in construction;
- considerably decreased content of nitric oxide in gaseous emissions.

Forecast value of production is almost US \$2,000,000 per year. The cost of the project is US \$550,000, of which US \$160,000 is personal funds, and US \$390,000 from outside investment. Project realisation time is three years.

A potential partner from Germany is the Siemens company.

Development of a complex diagnostic system for power-generating units in Ukraine's nuclear power stations.

From the Ukrainian side the project is supported by IBL Equipment and Engineering, Ltd. This project was conceived as a long-term program to increase the safety of industrial power usage with various designations, in order to reveal in a timely manner any defects in the technological system that may appear during use. A system of sound diagnostics of the inner mechanisms of nuclear power stations must be developed to international standards, along with a system to track moving objects (i.e. parts of the equipment that have torn from the fastening points during use). Circulation of systems can be carried out simultaneously.

Currently, a remote control system which inputs and pre-processes data for the fifth bloc of the Zaporizhzhya nuclear power station has been built to international standards by the German company PEP Modular Computers. Several contracts for creating automated systems of various designations are being carried out on the Southern Ukrainian, Zaporizhzhya and Chernobyl nuclear power stations.

Financing required to develop one system, including cost of equipment, is \$200,000. Cost of the system under circulation is \$100,000.

On the German side, the company PEP Modular Computers is a long-term partner.

A portable mobile mini-robot for arc welding during construction of a ship's hull.

The Y.O.Paton Institute of Electric Welding has developed a mobile mini-robot for arc welding in hard-to-reach places during the process of constructing a ship's hull.

Exceptional features of this robot include:

- robot autonomy, (all systems are situated directly in the robot's body);
- adaptability to unforeseen changes in the spatial location of mini joint or welding surfaces;
- small overall dimensions and weight.

The commercial value of this project lies in the fact that the robots can be used in production by a broad class of competitive shipbuilding enterprises in Ukraine (in Mykolayiv and Kherston) and Germany (Rostok). Use of the robots will allow the automatization of arc welding to rise to a qualitatively new level, in areas with limited and difficult access.

The estimated necessary financing is 450,000DM, including 200,000DM in 1997, 150,000DM in 1998, and 100,000DM in 1999.

The Ukrainian side has at its disposal the premises, equipment and know-how.

Various projects in the development and application of new materials, alloys, and products made of these materials.

Development of new materials, alloys and products made of these materials is one of Ukraine's scientific priorities. There are many unique developments belonging to the institutions of the National Academy of Sciences of Ukraine, which do not correspond to currently under development in the rest of the world.

Under the auspices of the National Academy of Sciences of Ukraine, such institutions as the Physics and Technological Institute of Metals and Alloys, the Institute of Materials Science, the Y.O.Paton Institute of Electric Welding, and the Institute of Metallurgical Physics have discovered and developed unique materials which will require the co-operation and corresponding additional investment of interested German specialists in order to be brought to industrial production. Following are just a few examples of the excellent projects which are seeking investment.

1. Scientists at the Physics and Technological Institute of Metals and Alloys have developed some copper alloys which, when used in electrodes for contact welding, increase their useful life by one and a half times. An electrode produced using current technology loses its form at a temperature of 520° C, while electrodes made with the newly-developed alloys keep their form to a temperature of 950° C.

The estimated cost of constructing a production line with the capacity of 20 tons of electrodes per year is \$1,450,000. In-kind contributions from the Ukrainian side (premises, equip-

ment, etc.) amount to 55% of total cost. Investment of \$650,000 annually over three years will be needed in order to increase production to 20 tons per year.

2. Specialists from the Institute of Materials Science and the Institute of Gas have developed a method to protect gas pipelines from corrosion by covering the surfaces with an extremely corrosion-resistant chromium-based coating via supersonic plasma. The plasma speed exceeds the speed of sound five times.

Many aspects of the project have already been developed, including a model of the production facilities, the surfacing technology, components, and techniques for producing granulated chromium compound powders. Design documentation has been developed in conjunction with Russia.

The time required to surface a pipe 11 m. long and 100-1400 mm. wide is 40 minutes.

This coating's stability is higher than that of any other existing substitute.

The total value of the project is US \$8,000,000. US \$2,500,000 have already been invested into the development of production facilities and the technology of production of chromium compounds in the form of granulated powders. One investment possibility would be to create a joint-stock enterprise to produce this equipment.

There is no analogous product using chromium compound in the world. So, this unique coating may interest German specialists, especially since the problem of protecting pipelines from corrosion is of great importance to all civilized countries.

3. Non-galvanic, highly productive and non-polluting technology for chromium-plating machine-building products (saws, wheels, axes, piston wheels, and others) has been developed by the Institute of Materials Science of the National Academy of Sciences of Ukraine.

The Coal Mining Ministry of Ukraine is its main customer today, buying chromium-plated pneumatic hydro-cylinders 4 m. long and 100-800 mm. in diameter.

Equipment and techniques of chromium-plating have already been developed, using highly productive vacuum arc ionic plasma.

The advantages of this technique include short plating time (four meters in forty five minutes), usage of electric energy reduced by 5-8 times, less materials waste, and 1,000% higher surface stability. There are no analogous products abroad.

This equipment is being produced at the plant "Pivdenmash," and construction documentation is being worked out by both Ukraine and Russia. It is anticipated that the Ministry of Coal of Ukraine, and banks "Avtorit" and "Privatbank" will invest two millions dollars. A further investment of two millions US dollars is being sought.

Materials problems take on special significance in Ukraine in connection with the need to increase the efficiency of the coal industry. Attempts to resolve these problems have led to the development of projects of complex usage of coal and new technologies. For example, the production of noncorrosive alloys, alloyed and sparse-grounded elements, as well as building materials and products, that will allow the mines of the region to become profitable.

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SMALL BUSINESS IN UKRAINE: *TRIALS AND TRIUMPHS*

The resolution of social and economic development of any state in the transitional stage of economic reform demands the development of entrepreneurship and, most importantly, small business. According to experts from the European Economic Commission, small and medium companies are considered to be the main driving forces behind restructuring, removing disproportion in certain commodity markets, creating additional jobs, decreasing unemployment, spurring innovation, developing competition, and quickly filling the market with commodities and services. Another factor that highlights the role of small business in the economy of developed countries is that its share reaches 40-60% of the GDP.

In Ukraine, small business has just started its journey, becoming the real economic force in the state. It grows stronger and larger as it seeks better prospects.

An excellent example is the small company Brotep from Brovary headed by Mr. Hryshouk for the last five years. A couple of dozen people are employed here. The company manufactures reverse water supply systems for industrial companies. This is a very important business field, since an overwhelming majority of companies cannot do without consuming natural water. Certainly, these units are not cheap, but the investment pays for itself within three months and, in result, one saves both water and power resources. Among the clients of Brotep are the Mariupil and Alchevsk metallurgy plants, refineries from Kremenchouk and Kherson, the Zaporizhzhia Car Plant, and the Kyiv Artem Production Association, among others. Even the Ministry of Economy of Ukraine is truly interested in this close cooperation between these domestic plants and Brotep. All the same, it seems to be that "the state does everything to knock down the domestic producer", complains Mr. Hryshouk.

Regretfully, the severe economic crisis shipwrecks the thousands of small companies that venture to voyage into the sea of business. In the past their number seemed to increase (in 1992 there were 50,500, in 1993 - 75,000, in 1994 - 79,800). Interestingly, in 1995 their number either dropped from the previous yearly levels (mid 1995 - 75,700) or skyrocketed in number (late 1995 - 91,600).

The number of employees in small business is around 2 million people. This makes up 10% of the total number of the employed in Ukraine (the share of employed in small business in western countries reaches 50%).

Most small businesses, 44,500, in fact can be found operating in the most popular branches of the nation's economy, namely, trade and public catering.

Production has smaller figures: industry - 13,100, construction - 11,300, transport and communication - 1,900. Even smaller are consumer service - 4,600, science and scientific service - 3,500.

One of the many obstacles facing small businesses is the lack of targeted state policy devoted to their support. Previously considered law on the administration's agenda, such policy has only recently been enacted.

Last year the amount of financial aid given was KBV 142,8bn of 400bn stipulated by the budget. In 1996 it is planned to allocate KBV 500bn which is not enough.

Another factor that drastically hinders the development of small business in Ukraine is the unbelievable burden of taxation. The tax system in Ukraine does more than just hamper the normal operations of businesses with different forms of ownership. By approaching the issue incorrectly, it blocks the way of development for the national economy as a whole. Currently, the tax system includes 37 kinds of mandatory taxes, duties and fees alone. Although this money will eventually be sent to the state target funds, such a system encourages small companies to retreat into the shadow economy. Independent experts calculate that 60% of the Ukrainian population are fed through the shadow economy and that red tape and racketeers account for 30%.

Furthermore, an extraordinary growth in the number of all kinds of licenses, quotes and certificates hinders the development of Ukrainian entrepreneurship. All this has become the feeding-trough for red-tape and in no case reflects the interests of the state. Today Ukraine imposes licenses on 50 types of business activity. And in effect, tries another milestone around the neck of the businessman. The payment for issuance of licenses and certificates concerns the newcomers most of all. For instance, payment for a certificate for wholesale trading is KBV 34 mn. Given that the businessman also may want to import, export or trade wholesale or retail alcohol or tobacco the fee soon grows to KBV 510mn-850mn, a fortune for newcomers to small business. It must be taken into account that the majority of newcomers have already invested quite a significant amount just to get their companies registered as well. Although the registration procedure is simpler than it used to be, the long and painful process of dealing with notaries and other authorities still costs US \$300. To top it off, Ukraine has also recently imposed an additional US \$200 tax on the registration of patents for certain kinds of businesses.

The third factor blocking the healthy development of small business is the lack or even total unavailability of assets.

The real force which helps businesses get oriented today and truly supports them is the Union of Small and Medium Privatized Businesses of Ukraine.

This institution knows all about the misfortunes and hardships of Ukrainian small enterprise from experience. And they are more than just aware of them. They actively try to help both newcomers and those businesses that have been in operation for a couple of years already. The Union provides for all kinds of support: free consulting and seminars, market researches, business meetings with foreign investors, and legal protection of businesses. Members of this organization can also obtain texts of laws and standards of Ukrainian legislation with comments on issues of legislation and compilation of business plans free of charge.

Today, many members of the Union are appealing for assistance to help find funds for implementing interesting programs. For instance, the company LBI from Kamianets Podilskyi, which developed unique equipment for obtaining fine dispersion emulsions and suspensions in the food, pharmaceutical, chemical and petroleum industries, is looking for a partner for production and sales. L. Strakhychouk, a businessman from Kyiv, launched the production of ceramic pottery and art items with a special technology. The resulting product is in great demand because it has an original design and several unique properties, for instance, it is strong and will not break even when dropped. Interesting developments and projects can be found among other small companies as well. To acquire financial assistance, the investors and managers of the companies often petition Western organizations like European Bank for Reconstruction and Development, the Eurasia Foundation, the Western NIS Enterprise Fund and the Ukrainian Fund. Yet banks like AVAL or Hradobank make it incredibly hard to establish a credit line with organizations like EBRD and the Eurasia Foundation because they require the guarantee of an insurance company or the mortgage of property. And who are these insurance companies? Not much is known about their operations.

Here's a vivid example. The fund for small companies was founded over a year ago by the Western NIS Enterprise Fund. It finances private companies and Ukrainian businesses by leasing and crediting. The fund operates flexibly and looks forward to a long-term cooperation with Ukrainian small and mid businesses. The financial aid can vary from US \$5,000 up to US \$100,000 and the borrower is expected to settle his account within three years. And even the schedule and method of repayment are dependent on the unique demands of each project. For example, agricultural enterprises or private farmers can repay after the harvest has been cultivated and its products sold. The Fund also doesn't demand any official guarantees from companies or banks. Even though all aspects of this Fund seem advantageous, many who appealed for credits and presented business plans did not receive assistance.

There are a number of foreign businesses who are prepared to invest into small and mid Ukrainian companies immediately, but the whole problem is that the recently adopted law concerning the foreign investment regime discourages any decent investor from abroad. In the opinion of domestic experts, large amounts of money from foreigners are unlikely to appear in Ukraine even with the recent favourable legislation in place. Logic suggests that any foreign investor will feel burdened in a country, which possesses tough taxation system, lacks an adequate legislative basis, and does not guarantee equality for foreign investors.

Therefore, small businesses either refuse investors or vice versa because, in the end, foreign investment is not protected in Ukraine. Regrettably, these are not all reasons which block the small business in this country. Additionally, the slow pace of property restructuring, inaccurate accounting, lack of information and consultation and poor training of businessmen all contribute negatively to the development of small businesses in this country.

Vyacheslav BYKOVETS,

Ukrainian Small, Medium and Privatized Enterprises Association deputy Executive General Manager

FARMER AND THE FORUM PROPOSALS, INTENTIONS

Ukrainian agrarians have prepared the package of proposals for the 3rd conference of German-Ukrainian economic forum. The proposals are of specific purpose and concern almost all issues of private farmers. Since the number of collective farms still remains 80% of Ukraine's agro-industrial complex, the private farmers will cooperate with German partners because such private businesses function more flexibly under new market conditions.

The private Shchilnyk farm, headed by Anatoliy Medvid in Khmelnytskyi oblast, is interested in creating a joint venture to process and sell bee products. Yet although the number of bee families and seasonal yield of honey grew almost by quarter the last five years, the sales among the collective farms declined drastically. It was discovered that, if not packaged properly in convenient portions, the "sweet" product would not find a buyer in both domestic or foreign markets. Without such sales, Ukraine faces overproduction.

Many private farmers from Odesa, Kharkiv, Chernihiv, Zaporizhzhia are eager to establish a JV to process and produce all kinds of products. Others, like Volodymyr Tsybal, are hoping to lease agricultural machinery. Combines of Claas make are in special demand.

Viktor Borysov, the manager of Mais company from Synelnykiv district in Dnipropetrovsk oblast believes: "To a farmer, a day is very precious. Every moment is counted." Commenting on Ukrainian-German forum, Borysov said: "Potential partners with serious intentions and proposals only should go to the forum in Dresden. Otherwise, there is little sense in going to Germany."

The Mais produces specialized seed and employs experts and scientists to breed new varieties of corn. In an effort to create new hybrids, they also search for parent lines. The farmers from Mais would be pleased to have German colleagues work with them in this profitable and challenging business.

We must state that certain preliminary agreements within the framework of selection "Cooperation in the agro-industrial complex" are not fulfilled by German partners. The time is ripe and ready for a specific conversation and real deeds. We hope that such topics will be determined by the time of the Dresden meeting.

Mykola SHKARBAN,

Chair of the Ukrainian Farmers Association

Kyiv

TRUSKAVETS HEALTH RESORT-POLYS: *PRE-CONDITIONS AND REASONS FOR ITS CREATION*

By resolution of the Executive Committee of the City Council of Truskavets', implementation of M. Odrekhivskiy's model to develop a "Resortpolis" is under way. A scientific working group has already been formed to compile the documentation necessary for presenting the project to the Cabinet of Ministers. The project is being developed in co-ordination with the National Agency of Reconstruction and Development.

"Resortpolis" is designed to be a health resort city, one unified economic entity. Its mission will be the development, introduction and continued application of new health technologies for recreational, rehabilitative and ecological research purposes, in conjunction with the high quality services required for resort management and growth.

A great popular demand to improve the nation's health is driving Truskavets' development of a resortpolis, especially when one takes into consideration the opportunity presented by some of Ukraine's unique natural resources. The resortpolis is being planned as a special (free) economic zone in accordance with the Law of Ukraine "About the general principles governing the creation and functioning of special (free) economic zones" and Presidential Decree #17/96 OP of January 23, 1993, "Questions on the creation of technoparks and other types of innovative structures."

In order to take its niche within the global network of health resort complexes, the creation of a resortpolis in Truskavets' will require a transition to modern organisational methods and scientific technologies of recreation, medical treatment and rehabilitation. To raise its level to internationally accepted standards of service will require a significant amount of domestic and foreign investment.

A simpler, more flexible and more environmentally responsive form of governance will be needed to accomplish such a great undertaking. Truskavets must become a single entity, capable of functioning effectively and reliably, ensuring its own constant development while competing successfully with similar establishments both within Ukraine and abroad. Exactly this kind of model, of a resortpolis, can be a natural evolution from the current situation in Truskavets'. With its existing scientific, medical and therapeutic facilities and infrastructure, the resort city is already prepared to be reclassified into a special (free) economic zone. To a large degree, Truskavets' already meets all the requirements for becoming a major resort area and environmental preserve.

The city's rapid social and economic development is being further spurred by an ever-increasing stream of visitors, who stay at local resorts for general health improvement as well as treatment for specific medical conditions. The city's General Plan of Construction, which took place over two periods, 1965-1980 and 1980-1990, has played an especially positive role. The Plan provided for all components of the city's current growth, such as regular arrivals of sick people for treatment; a basic reserve of therapeutic mineral waters; a year-round population capable of providing visitors with needed services; necessary territory; room for future expansion; projected needs for resort and home construction, etc.

The actual construction of the city confirmed the correctness of decisions made within the framework of the General Plan regarding the optimum territorial range, urban layout, architectural design and scale of construction. For example, all industrial facilities and buildings were built outside the limits

of the resort zone. Also, special-use zones for residential and health spa requirements were constructed within the city limits: general resort centre - 43.2 hectares, medical therapeutic zone - 138.0 hectares, primary reservoir of mineral springs - 114.4 hectares, scenic recreation zone - 240.8 hectares.

A residential zone of single-family homes and an industrial warehouse zone have been established. For the most part, spa and resort complexes were built as individual projects with their own services and infrastructures. Currently, nine trade union health spas (with capacity for 7,370 people), ten enterprise or government office-supported resorts (capacity 4,200), and 22 hotels (1,136 beds) can be found in the city. Taken as a whole, the city can accommodate approximately 15,000 vacationers. In addition, there are two hospitals offering mineral bath treatments with room for 8,756 visits per shift, a city hospital with 380 beds, two spa clinics with facilities for 1,800 daily visits, and a city polyclinic with room for 300. There are also five swimming pools and several modern drug-stores. Two buildings, each with room for 500 beds are under construction now. Three more buildings of housing are almost finished.

To ensure that the spas and resorts have a normal basis of support, some other businesses were situated on the city's territory: cultural buildings, schools, museums, libraries, movie theatres, concert halls, stores and consumer services, cafes and restaurants, railway and bus stations, telegraph and post offices, pre-schools, etc.

Highly qualified physicians offer their specialised services to health seekers. Visitors can be treated by urologists, therapists, neuropathologists, gastro-enterologists, physical therapists, paediatricians, dentists, manual therapists and chiropractors, dieticians, and many other specialists. Included among the prestigious roster of medical professionals are one Doctor of Medical Sciences, 25 Candidates of Medical Sciences, and dozens of Honoured Physicians of Ukraine.

Several scientific research institutions and laboratories are based at the resorts. An experimental balneology lab from the O.Bohomolets' Institute of Physiology of the National Academy of Sciences of Ukraine, a Medical Rehabilitation Department of L'viv State Medical Institute, and a scientific rehabilitation centre "Carpathians - Chornobyl" are located in spas in Truskavets'. So, the city is definitely ready to build an innovative centre to promote development of its resorts, and to improve the quality of treatment and services to a European standard.

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"A song to blown glass"

...is the fitting title given to one of his own glass creations by Bohdan Val'ko, a well-known glass-blower and Member of the Union of Artists from L'viv. Val'ko, who has been honoured with many prestigious awards, including Honoured Craftsman of the People's Folk Art of Ukraine, is not known for his sentimentality, so for those who know him personally, the name of the work came as a bit of a surprise. "I'm not able to give my works a pretty name," he has said more than once. "I just can't." And then such a title! It's a long story....

Val'ko, who has been fascinated by glass since his childhood, has been working as a glass-cutter and blower for over forty years. In 1951, as a seventeen-year-old youth, he went to work at L'viv glass-works #1, and at nineteen, he had already achieved the rank of Master glassblower. In the decades since, he has never left his furnace, nor let the glassblower's pipe out of his hands. The young artisan immediately gained an excellent reputation, differentiating himself from the others by his great capacity for work, physical vitality, concentration, and his evident aspirations to master the profession and wrest the secrets of the traditions of L'viv's long line of glaziers.

When a creative glass-worker's guild opened at the L'viv ceramic-sculpture factory, Bohdan Val'ko was invited to join. Here he worked shoulder-to-shoulder with older and already well-known masters M. Pavolvs'ky, I. Hulyans'ky and P. Dumych. This work resulted in a noticeable landmark in the evolution of glass-cutting. Val'ko became proficient in every method of glass decoration known at the time.

In 1963, he joined a special team which serviced the experimental creative division of the Union of Artists in the Glassblower's Guild. Every year, craftsmen from Riga, Tallinn, Moscow, St. Petersburg and many other cities descended upon the L'viv experimental base in order to bring their artistic conceptions to life. Bohdan Val'ko helped them do this by taking their rough sketches and transforming them into completed works.

The high level of professionalism Val'ko achieved through the process of steady work provided a reliable foundation for him to begin expressing his personal creative vision as an artist. In the 1960's, he created a series of masterpieces which began to be shown often at exhibitions. His works of this period were in traditional, useful household shapes. They were vases, bottles, candy dishes. With painstaking attention, he worked out their forms, often using his favourite decorative method, coloured glass threads.

Hand in hand with his continuous artistic quest, Val'ko worked to revive the technical methods of ancient glaziers. In 1964, he turned to the nearly forgotten art of decorating glass with little air bubbles. His inquiry into form became ever more profound. His works, executed in blowing and free-form techniques, conveyed the marvellous plasticity of glass. The air bubbles he adorned them with gave his works an effect of light - in the sense of "light as air" as well as

saturation with natural light. The viewer finds him or herself pondering their internal harmony and external volume of form. An interesting stage of the artist's work was his vases, cubes and flasks executed by the technique of blowing glass into metal. Among the most interesting are the composition "Middle Age" and the cubes "Manhood."

At the beginning of the 1970's, Bohdan Val'ko "uncovered" yet another forgotten artistic technique - *krakle* - and in this also achieved great success. These works, massive in form, were created on the basis of a subtle feeling of proportion and correlation between shapes. Their aesthetic perfection and freshness evoke a feeling of monumentalism surprising in glass work.

Bohdan Val'ko is a thoughtful artist, whose creative principles are infused with the metaphoric spiritual sense of traditional folk art, and professional accomplishment coloured by an acute sense of historicism. If, in difficult times, many artists found escape in abstract forms and compositions, discovering various technical effects, the creative work of Val'ko stands highlighted in such characteristic works as his decorative cubes "Hetman's" (1972), "For the Holiday" (1973), "Glimmering" (1973), "A Song to Blown Glass" (1984), "Daybreak Dew" (1984), "L'viv Cubes" (1984), "From the Depths of Memory" (1984), the "Seasons of the Year" series of decorative compositions, and the "National" series of vases, in which artistic attention is centred on colourful linear decoration of the surface glass forms. The artist achieves a dynamic interplay of lines, using a pictorial technique which paints a picture with many-layered glass. While executing the works of other artists in his role of master glass-blower, and while creating his own artistic pieces, Bohdan Val'ko never gave up traditional applied objects - domestic glassware. His flower vases, fruit bowls, dessert trays, candy dishes and tea sets are distinguished by their variety of form and colour, their perfection of functional design, the utter originality of their form. The unique imprint of both craftsman and artist is evident in every piece. He is one of few glassblowers who has distinguished himself with such a personal style, due to his ceaseless work and inspiration. Elements of fire and glass have submitted to his complete control.

The works of Bohdan Val'ko have been displayed at many exhibits in Ukraine, and also in Germany, the Czech Republic, Slovakia and Japan. A large number of the hundreds of works in which his creative genius was hardened into glass are conserved at nine museums in Ukraine.

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