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This issue is dedicated to the memory of the late Andriy Yakovliv, a full member of the Ukrainian Academy. He devoted all his life to Ukrainian scholarship and culture and was an outstanding specialist in the field of Ukrainian law.

Andriy Yakovliv was the author of "Bohdan Khmelnyts'ky's Treaty with the Tsar of Muscovy in 1654," and the review article "The Reunion of the Ukraine with Russia." Both were written for this specific number. In addition to this, he edited the articles by Nol'de and Prokopovych.

This issue contains articles dealing with the subject of the Pereyaslav Treaty and is published in connection with the recent Tercentenary of this treaty.



Andriy Ivanovych Yakovliv
1872-1955

ESSAYS IN RUSSIAN STATE LAW*

B. E. NOL'DE

The rise of the system of Russian regional autonomies goes back to the time of the Muscovite state. It functioned for the first time in the Ukraine.

The Ukraine was united with Moscow in 1654. The external factors of the unification are well known. The *Zemski sobor*, summoned by Tsar Aleksei Mikhailovich in 1653, resolved: "The great sovereign tsar and Grand Prince Aleksei Mikhailovich of all Russia should grant Hetman Bohdan Khmelnyts'ky's petition, for the sake of the Orthodox Christian faith and God's own churches and in order to accept him under his illustrious sovereign protection."¹ On January 8, 1654 the tsar's envoys, Vasily Buturlin, a *blizhny* boyar, and his companions, upon arriving in the capital of the Ukraine, Pereyaslav, appeared before the people of the Zaporozhian Host and, in a long speech addressed to Hetman Bohdan Khmelnyts'ky and the entire Host, announced the decision which had been taken in Moscow. On the same day in the Pereyaslav Cathedral, where the hetman and the Host had gone with the Moscow diplomats, they touched upon the conditions of the unification. Before taking the oath of allegiance, the Cossacks declared to the boyar that he should "swear an oath" (*uchinit veru*) for the tsar that the latter would not surrender the army to the king of Poland, that he would not destroy "the liberties" of the Cossacks, and that he would not only preserve the former property rights of the nobility, Cossacks, and townspeople, but a sovereign charter would be issued covering those rights. In spite of the persistence of these demands the envoys refused: "It is not a proper thing for us," they said, "to

* This is a reprint from *Ocherki russkago gosudarstvennago prava* (St. Petersburg, 1911) and is printed as the eighth in the series of translations of Ukrainian source material (v. *The Annals*, No. 1). This is an excerpt from the third essay, "The Unity and Indivisibility of Russia."

¹ PSZ, 104.

swear an oath for the tsar; it has never been the custom that subjects swear oaths for tsars; oaths are sworn to the tsar by his subjects." Finally, the oath was not sworn. However, the boyars not only did not dispute the wishes of the Host to be granted their laws and to have their liberties acknowledged, but they promised to carry out their wishes. They justified their refusal to swear an oath by saying that even without an oath "the tsar's word is not subject to any change"; the Host agreed to postpone the definition of their laws and liberties with this reservation that "they, the hetman, and the whole Zaporozhian Host will petition the great tsar in regard to their affair." Having accepted the oath of allegiance of the hetman and the Host,² Buturlin left Pereyaslav with his companions. In this manner the treaty of the unification of Little Russia with Moscow was concluded; however, the conditions under which Little Russia became part of Russia were not conclusively established.

Hetman Bohdan Khmelnyts'ky commissioned the special mission, which had gone to Moscow in February 1654, to complete the matter begun in Pereyaslav. In the letter addressed to the tsar, which he gave to the mission, the hetman reminded him that the Cossacks accepted Buturlin's promises at the Pereyaslav Council on trust. "Believing the sovereign word of your imperial majesty," the letter read, "and since the *blizhny* boyar of your imperial majesty with his companions gave promises and assurances to us, so did we take these promises in uncompromising trust." In spite of the humble form of the petition, it conveyed the awareness of the fact that the tsar's refusal to comply with the request would destroy the sense of the Pereyaslav Treaty. "Deign. . . to bestow your grace upon me, Bohdan Khmelnyts'ky, Hetman of the Zaporozhian Host, and upon the whole Zaporozhian army, and all the Russian Christian world, clergymen as well as laymen, whatever their rank, who are seeking your mercy,

² The boyars presented the hetman with gifts from the tsar. *PSZ*, 115, calls the presentation of gifts, "the ceremony of the confirmation of Hetman Bohdan Khmelnyts'ky in his title." Although the presentation of gifts had some symbolic meaning, as was pointed out in the speeches of Buturlin, still this interpretation of *PSZ* cannot be justified.

our great tsar; your imperial majesty; we ask that you generously grant and bestow the *laws, statutes, prerogatives*, and all liberties and the right of property for the clergymen and laymen, whatever ranks and prerogatives they have, whether they possessed them for ages, from princes, pious gentlemen or Polish kings, which were issued in the state of Russia, and for which we shed our blood and which we have preserved from our grandfathers and from our great-grandfathers and which I have not allowed myself to destroy. We do beg you, beg you, kneeling and bowing to the ground, we implore your imperial majesty, deign to confirm them by your sovereign charters and secure them for ever..."³ After rather lengthy negotiations, during which the hetman's envoys insisted on the proposed terms, which they had brought from Bohdan Khmelnyts'ky, and while the Moscow government objected to many points, the conditions of the Ukraine's unification were agreed upon and the mutual preliminary obligations, which were accepted at the Pereyaslav Council, were executed.

The agreement appeared in the form of two basic acts: one, a writ of Tsar Aleksei Mikhailovich given to the hetman and the Host; the other, the so-called "articles" of Bohdan Khmelnyts'ky.⁴ To these, several other writs of lesser importance were added.

A historian of Little Russia says that those acts "constituted the fundamental law in accordance with which the region of Little Russia became part of the Russian state."⁵ Actually, their significance was not exhausted by the fact that they completed the unification of Little Russia with Great Russia. For an entire

³ Bantysh-Kamenski, *Istochniki*, I, 50.

⁴ Several versions of these articles have come down to us. In literature, the question as to which of them is a final version is controversial. Karpov, "Peregovory ob usloviyakh soyedineniya Malorossii s Velikoyu Rossiyeu," *Zh.M.N.Pr.*, CLVIII (1871), pp. 1-39, 232-69 and Butsinki, 152 ff., consider the definitive edition to be the one of fourteen articles published, among other things, in Bantysh-Kamenski, *op. cit.*, pp. I ff. Shafronov, "O Statyakh Bogdana Khmelnitskago," *Kiyevskaya starina*, XXVII (1889), pp. 369-91, proved very convincingly, as it seems to us, that the last edition of March 21 consisted of eleven articles. It is published in *PSZ*, 119.

⁵ Kostomarov, *Mazepa i Mazepintsy*, 1885, II, 10.

century they defined the special legal status of the Ukraine on her incorporation into the Russian state.

First, even the formal side of these acts was peculiar. Simultaneously, they represented two ideas which now seem to be mutually self-exclusive. On the one hand, the articles of Bohdan Khmelnyts'ky are interpreted in the acts of 1654 as "the tsar's mercy," his "grace." "And, in accordance with the grant of our imperial majesty, the subject of our imperial majesty, Bohdan Khmelnyts'ky, Hetman of the Zaporozhian Host and of the whole Zaporozhian army of our imperial majesty, are to be under the protection of our imperial majesty according to their former laws and privileges and in accordance with all the above articles. . . .," reads the writ. On the other hand the acts of 1654 are undoubtedly a peculiar *agreement* of the tsar with his new subjects. The proof of it is the fact that they were considered to be an agreement, first, by the Moscow, and, later, by the Petersburg governments, to say nothing of the origin of the acts which were the result of negotiations. Even in the period when at the center there appeared a tendency to bind the Ukraine to the Russian state closer than it had been during the first decades after the unification, the "agreement" nature of Bohdan Khmelnyts'ky's articles was clearly acknowledged. In the resolution of Peter the Great concerning the points of Skoropadsky's report of April 29, 1722, they were called "a treaty concluded with Khmelnyts'ky."⁶ And during the reign of Peter II, when there was a return to the old policy, the decree on the restoration of the old rights issued at that time refers again to the Treaty of 1654, meaning the writ and the articles, saying: "We ordered that there be a hetman and officer corps in Little Russia and that they be supported in accordance with the Treaty of Bohdan Khmelnyts'ky."⁷

The treaty of Bohdan Khmelnyts'ky was always acknowledged as a fundamental act defining the relations between the Ukraine and the rest of Russia. The duality of its juridical nature became evident, however, in the light of its subsequent history. Although

⁶ PSZ, 3990.

⁷ *Ibid.*, 5127.

it would seem that the essence of the treaty was such that without the wish of both signatories, in this case the Ukraine and Moscow, it could not be annulled or changed and that the Treaty of 1654 did not need any new confirmation for its validity, nevertheless, the legal consciousness of the epoch stipulated the constitutional meaning of the basic act by a number of documents which revalidated and confirmed it. Those supplementary documents had the same peculiarly mixed nature of grants by "grace" and of treaties at the same time.

The history of Little Russia during the period between Bohdan Khmelnyts'ky and Mazepa was, as we know, a period of unceasing internal troubles and constant civil strife, which resulted in a frequent change of hetmans. Moscow always took the most active part in these changes; it could not do otherwise. The articles of Bohdan Khmelnyts'ky gave her that right and, as a matter of fact, she was the most powerful of the political forces struggling for possession of Little Russia. It can be said that it was mainly she, indeed, who deposed and appointed hetmans. In spite of this enormous political influence, every time the power over Little Russia passed into the hands of a new hetman, Moscow hastened to confirm "the fundamental law" of Little Russia and, moreover, to sometimes insert changes or additions.

The successor of Bohdan Khmelnyts'ky, Vyhovsky, who was elected in 1659 with the "counsel and unanimous assent of the whole Zaporozhian Host," immediately sent his envoys to Moscow to secure the confirmation of the laws and liberties. Moscow hastened to renew the charter of Bohdan Khmelnyts'ky and took upon herself the obligation to hold the army "in the good grace of our imperial majesty and in your liberties as before, without any dimunition."⁸ The episode of Vyhovsky's hetmanate soon ended; Vyhovsky wanted to break with Moscow and go over to Poland but was unable to destroy the work of Bohdan Khmelnyts'ky. He was followed by Yuriy Khmelnyts'ky, who was elect-

⁸ The writ of Tsar Aleksei Mikhailovich on sending the *blizhny* governor, B. Khitrovo, to confirm Vyhovsky as hetman, November 30, 1657. Bantysh-Kamenski, *op. cit.*, p. 90.

ed in 1659. In the presence of boyars sent from Moscow, the officers and the rank and file elected a new hetman at the Pereyaslav Council in accordance with their laws and liberties. "And when the hetman was chosen," continued a contemporary document, "Prince Aleksei Nikitich Trubetskoi, a *blizhny* boyar and Kazan regent, a boyar and Beloozersk regent, Vasily Borisovich Sheremetev, a governor and Belogorod regent, Prince Grigori Romadanovski, and the upper clerks (*dyaki*): Larion Lopukhin of the Council and Feodor Griboyedov, ordered read at the Council the previous articles which had been given in the past year of 162 to the former hetman, his father, Bohdan Khmelnyts'ky, and to the whole Zaporozhian Host, and in addition to the previous articles, also the articles *which had been newly added in accordance with the decree of the great tsar*; and on those articles Hetman Yuriy Khmelnyts'ky, the quartermaster general, the captains, judges, and colonels and all the officers, Cossacks and people took the oath of allegiance to the great sovereign tsar and Grand Prince Aleksei Mikhailovich, autocratic sovereign of Great, Little, and White Russia, and to his son, the great sovereign, tsarevich, and Grand Prince Aleksei Alekseyevich of all Great, Little, and White Russia and to their crown heirs in accordance with the commandment of the Holy Testament. They swore to stay under the high protection of their sovereign autocrat as his eternal subject, in perpetual dependency according to the articles which were resolved upon at the Council. These articles were signed by Hetman Yuriy Khmelnyts'ky, the quartermaster general, the captains, judges and colonels, and the officers and Cossacks of all the regiments; as for the text of the oath taken by the hetman, the quartermaster general, and the colonels, it is to be found below the articles."⁹ The successor to Yuriy Khmelnyts'ky, Bryukhovetsky, in spite of his concessions to Moscow and desire to please her, "promulgated" the articles of agreement with Moscow in Baturyn in 1663. Then, he went to Moscow in 1665 to pay his homage to the tsar (he was the first het-

⁹ The act of election of Yuriy Khmelnyts'ky as hetman of Little Russia, *PSZ*, 262 and Bantysh-Kamenski, *op. cit.*, pp. 104 ff.

man to do this) and presented a new version of the articles which Aleksei Mikhailovich "heard" and regarding which he issued his decree in the same form as had been done in regard to the articles of Khmelnyts'ky; the latter were at the same time renewed.¹⁰ When Bryukhovetsky turned traitor, Mnohohrishny was elected to succeed him at the council in Hlukhiv in 1669. This council followed the traditional course: First, the hetman was "chosen" in accordance with "the laws and liberties," and then the tsar's envoys were ordered "to read the previous articles which were given in the past year of 162 to the former hetman, Bohdan Khmelnyts'ky and to the whole Zaporozhian Host" and, "in addition to the previous articles, the new articles also," and, finally, the army "took an oath upon those articles."¹¹ Mnohohrishny ended in the same manner as his predecessors, by betraying Moscow. In 1672 Samoylovych was elected. The council at Konotop confirmed the Hlukhiv articles of Mnohohrishny and drew up new ones.¹² Two years later, when the right bank of the Dnieper, which had seceded after the Khmelnyts'ky period, joined the Ukrainian territory under Samoylovych's rule, a council gathered in Pereyaslav and, in the presence of the Muscovite boyars, new articles were read and confirmed.¹³ In 1687 Samoylovych was deposed at the request of the Host, and a new council elected Ivan Mazepa in his place; Khmelnyts'ky's articles were again confirmed and new articles "decided upon."¹⁴

10 The Baturyn articles promulgated by Hetman Bryukhovetsky and the act concerning the Moscow visit of the Little Russian hetman, Ivan Bryukhovetsky, who prepared, with the consent of the boyars and the confirmation of the tsar, ten articles, which are called the newly-composed or Moscow articles. Bantysh-Kamenski, *op. cit.*, pp. 128 ff.; *PSZ*, 368, 376.

11 The act of election of Dem'yan Ignatovych Mnohohrishny as hetman of Little Russia in the presence of Prince Romodanovski in the town of Hlukhiv, March 6, 1669. Bantysh-Kamenski, *op. cit.*, pp. 214 ff.; *PSZ*, 447.

12 The act of election of Ivan Samoylovych as hetman of Little Russia, etc., June 18, 1671. Bantysh-Kamenski, *op. cit.*, pp. 234 ff.; *PSZ*, 519.

13 The act of the taking of the oath of eternal subjection to Russia of ten Cossack regiments from the other side of the Dnieper, March 17, 1674. Bantysh-Kamenski, *op. cit.*, pp. 249 ff.; *PSZ*, 573.

14 The depriving of Ivan Samoylovych of the hetmanate and the election of Ivan Mazepa, etc., July 25, 1687. Bantysh-Kamenski, *op. cit.*, pp. 305 ff.; *PSZ*, 1254.

Let us dwell for a moment on those articles of Mazepa, since the original character of the relations between the Ukraine and Moscow was clearly discerned in them for the last time. As before, the mixture of the element of "granting" and the element of a "treaty" is indubitable. The act was edited partly in the form of the Host's wishes and the tsar's answers, and partly in the form of the tsar's wishes and the Host's answers. The answers of the Host, on almost all points, voice one and the same thing: "And the hetman as well as all the officers and the troops of Zaporizhzhya *have accepted and have promised* to follow the imperial decree unswervingly"; the answers read: "And the great tsars and great tsaritsa, their most serene imperial majesties have granted and ordered it to be in accordance with their humble petition (*chelobit'ye*).” Thus, the elements of a mutual agreement were preserved but at the same time the difference in the position of the negotiating sides became quite evident: One side "decrees," another "petitions humbly." Now, the element of the treaty begins to be absorbed by the element of the "decree," the "grant."

The transition to this new, unilateral guarantee of Little Russian autonomy, which had been in preparation, becomes final after the last decisive attempt of the Little Russian authorities to rid themselves of their Muscovite subjection, after Mazepa's treason.

Treason was a kind of political tradition for the hetmans. But Mazepa's predecessors, having turned traitors, encountered an inert and sluggish Moscow government, in which slow persistence took the place of energetic action. Mazepa encountered Peter's iron will. Naturally, the results were different. It is true, Peter did not respond at once. At the climax of events, before Poltava, he issued writs and manifestos, one after the other, directed at the Ukraine and filled with the most solemn assurances that the autonomy of the country enjoyed Peter's complete protection. "That crafty enemy of ours (Mazepa)," we read in one of these documents, "through his seductive letters wants to make the people of Little Russia believe that their former laws and liberties have been diminished by the great sovereign, that their cities

are occupied by our *voyevody* and troops; he reminds them of their former and ancient liberties; but every sensible Little Russian can see for himself that this is a patent lie. . . , for in the beginning our father. . . permitted and confirmed to the people of Little Russia their privileges and liberties on accepting them under the high protection of his sovereign majesty in accordance with the acts agreed upon, so we, great sovereign, preserve them, too, intact and without any violation. . . .” And further: “We can say frankly that no people under the sun can boast of such liberties, privileges and ease as the people of Little Russia thanks to the graciousness of our sovereign majesty, for we order not to tax them a penny for our own treasury; but we kindly take care of them, their troops and dependents; the country of Little Russia, holy Orthodox churches and monasteries, their cities and dwellings do we defend with our troops from the attacks of Mohammedans and heretics. . . .”¹⁵ Political necessity dictated Peter’s manifestoes and in 1708 forced him to put off until a more propitious time the radical change of the Little Russian political system. Thus, he hastened to fix the elections of a new hetman and to repeat his promise “to preserve sacred, inviolate, and complete all the liberties, laws, and prerogatives” of Little Russia. But the council summoned in Glukhov at the beginning of November 1709 for the elections of a new hetman differed essentially from the one at which Mazepa had been “chosen”; no “articles” about the laws and liberties were confirmed there and in the letter given to the new hetman, Skoropadsky, Peter limited himself to only the most general references to those laws. When, after several months, Skoropadsky reminded Peter about these promises and inquired about the “clauses,” Peter replied in an evasive manner. The imperial resolution on these “petitionary articles” of the new hetman, which was made public on July 17, 1709, proclaimed (paragraph 1): “The laws and liberties and military organization of the former great sovereigns, tsars of all the Russias, and of his imperial majesty in the articles given to the former hetmans, especially those on the basis of which Het-

¹⁵ The writ of November 9, 1708. The manifesto of February 3, 1709. Bantysh-Kamenski, *op. cit.*, II, 175, 215; *PSZ*, 2212.

man Bohdan Khmelnyts'ky and the people of Little Russia came under the high protection of the great sovereign, the All-Russian autocrat, Tsar Aleksei Mikhailovich, of the holy memory, were already confirmed generally by the great sovereign, his imperial majesty, in the letter signed by his own hand on the occasion of his appointment of a hetman in Hlukhiv, and he, in his sovereign grace, promises to preserve them without violation even now; as for detailed articles in the confirmation of the previous ones, they will be given to him, the hetman, in the future, when the occasion permits; at present, as a result of the lack of time and his majesty's campaign in Poland, it cannot be done."¹⁶

Skoropadsky never received the "detailed" articles promised to him. It is true that at the beginning of 1710 Peter once more confirmed in general terms the laws of Little Russia;¹⁷ however, as soon as the Northern War was over, he hastened to take decisive measures toward the establishment of direct control over the Little Russian government. Skoropadsky did everything possible to save the autonomy but failed. Peter's decree of April 29, 1722, which was addressed to him, signified the beginning of the new epoch in the relations of the Empire to the Ukraine. Without cancelling the autonomous forms of government, Peter created the first imperial organs for the general administration of the region.¹⁸ Brigadier Velyaminov and six staff officers were sent to Hlukhiv. The functions of the new authority were not quite clearly defined; Peter informed the hetman that a brigadier with his six assistants was appointed for Little Russia and that he had been given orders "to adhere in everything to the treaty concluded with Khmelnyts'ky." Thus, officially, the new order did not to serve to cancel the legal acts on which the unification of Great and Little Russia was based. On the contrary, the decrees of 1722 rather revealed a tendency to seek a legal justification for interfering in Ukrainian affairs by interpreting the old documents. However, the appearance of Peter's brigadier was an essential proof of a completely new direction in the policy of

¹⁶ Bantysh-Kamenski, *op. cit.*, II, 232; *PSZ*, 2235.

¹⁷ *Ibid.*, 2243.

¹⁸ *Ibid.*, 3988 and cf. 3990

the central authority. The decree of May 16 of the same year gave a definite form to the brigadier's mission: He and his staff were to be called the "Little Russian College" and assigned "to remain with the hetman in Hlukhiv to supervise the trials and other affairs as written in the petitionary clauses of Hetman Khmelnyts'ky and in the resolution thereon."¹⁹ Simultaneously with the dispatching of Velyaminov, Little Russia was transferred to "the control of the Senate."²⁰ All of this was just the first step. After Skoropadsky's death in the middle of 1722, Peter undertook the next. Without appointing a new council for elections, he entrusted Colonel Polubotok of Chernihiv and the officers with the governing of Little Russia and ordered them "to keep in touch with Brigadier Velyaminov, who has been appointed for protection of the people of Little Russia, in regard to all affairs, proclamations, and councils."²¹ Like Skoropadsky, the "appointed" hetman, Polubotok, made an attempt to rescue the traditional fundamentals of the Ukrainian political order; it ended very tragically for Polubotok and provided Peter with an occasion to show clearly his attitude toward the basis of Little Russian autonomy. The petition of Polubotok given to Peter on June 23, 1723, was answered in the following decree: "It is well known to all that, from the time of the first hetman, Bohdan Khmelnyts'ky, through Skoropadsky, all the hetmans were traitors; it is known what disasters befell our state, especially Little Russia, for the memory of Mazepa is still fresh. Therefore, our constant concern is the necessity of finding a very trustworthy and famous man to be elected hetman; until such a man is found, an administration has been appointed for the present to better benefit this region and it has been given definite instructions. There will not arise any situation such as preceded the election of the hetman, and, therefore, we should not be annoyed."²²

The new policy in Little Russia, which was expressed in this sharp decree "not to annoy" by the references to Cossack privi-

¹⁹ *Ibid.*, 4010.

²⁰ April 29, 1722; *PSZ*, 3989.

²¹ Writ of July 11, 1722; *PSZ*, 4049.

²² *Ibid.*, 4252.

leges, was put into practice through a number of acts from the last period of Peter's reign. We shall see that the most important of these acts was aimed at financial unification. Nevertheless, what Peter had started was not completed, since Peter's policy of unification did not apparently meet with the approval of the central government itself. At one of the first sessions of the Supreme Secret Council created by Peter's widow, it was decided to renounce Peter's Little Russian policy and to return to the former policy of acknowledging the liberties of the country. The minutes of the Supreme Council (in general, quite substandard in their intellectual content) do not state the motives for this change but only hint at some external complications as a reason for the return to the traditional policy. "There was also discussed," we read in the minutes of February 11, 1726, "the report to her majesty of their opinions regarding Little Russia: 1) Before the news of the breach with the Turks reaches those parts and in order to please the people there and as a token of affection for them, one of the Little Russians, a trustworthy and suitable person, should be elected hetman. 2) The taxes now being collected under the hetmans for the Host, and the Host itself should be kept as it was under the hetmans and as formulated in the clauses. 3) Trials among Little Russians should be conducted by them, and only those cases of appeal or transfer should be referred to the Little Russian College. And if this be approved by her imperial majesty, then a detailed directive should be drawn up as to how things should be done in Little Russia."²³ This program was not fully realized at once. Among the members of the Supreme Secret Council, a defender of the unifying tendencies of Peter appeared, and, as a result, the hetmanate was not re-established. The restoration of the old order was at first limited only to a partial cancellation of Peter's decrees. The journal of the Council of February 23, 1726, contains the following: "A discussion was held regarding Little Russia and the former opinion of the Supreme Secret Council whether it (Little Russia) should have a hetman as before. Count Tolstoi, a regular privy councilor, was of the opinion that he could

²³ *IRIO*, 55 (1886), 25 f.

not advise that there should be a hetman in Little Russia because his imperial majesty of holy memory had not installed a hetman in the Ukraine and had reduced the authority of the officers and colonels with the intention of *taking Little Russia in hand*. Thus the colonels and officers were at odds with their subordinates, and, if a hetman be set up at the present time and authority be given to him as well as to the officers, then with the present state of affairs between Russia and Turkey, there is the danger of adverse consequences."²⁴ However, the restoration of the hetmanate was not put off for long. On June 22, 1727, Peter II issued a laconic decree, which ran: "We have decreed that there be a hetman and officers in Little Russia and that they be maintained in accordance with the treaty of Hetman Bohdan Khmelnyts'ky. Our privy councilor, Feodor Naumov, is to be sent there for the elections of the hetman and the officers, and he is to remain with the hetman as minister. As for his behavior during the election of the hetman, and as well as afterward, while staying with the hetman, he has been given instructions by the College of Foreign Affairs." At the same time the return of Little Russia from the control of the Senate to the control of the College of Foreign Affairs took place.²⁵

²⁴ *Ibid.*, 55, 60. Tolstoi was not present at the session of February 11.

²⁵ *PSZ*, 5127. In the minutes of the Supreme Secret Council published in *IRIO*, 69 (1889), 133, there are no indications as to the immediate motives of that act; we do not find them in any other published documents either. There is no decree as to the transfer of the case to the College in *PSZ*, but an act published in *PSZ*, 5141, and the minutes of the Supreme Secret Council, August 18, 1727, *Sbornik*, 69257, indicate its existence. Grushevski (Hrushevsky), *Ocherki istorii ukrainskogo naroda*, (2nd Edition, 1906), 349, ascribes the change in the policy toward Little Russia to the fall of Menshikov. There is hardly any basis for this since Menshikov signed the minutes, which are known to us, concerning the re-establishment of the hetmanate of February 11, 1726. This was later suspended because of Tolstoi's objections. One of the old historians of Little Russia, Markevich, *Istoriya Malorossii*, 1842, II, 592, says: "This happy and unexpected change in the fortunes of Little Russia was remarkable. Its reasons are not known; it is not even known who was the intercessor for the oppressed and faithful people before the young tsar." Further, however, Markevich makes the guess that the reason lay in Menshikov's fall and adds that "Peter was a child." Rigel'man, *Letopisnoye povestvovaniye o Maloi Rossii*, III (1847) did not consider the question.

The instruction to the "minister" to the hetman is not known to us, and it is therefore difficult to judge what the creation of the new office meant. We can surmise that Naumov's duties embodied surveillance rather than strict administrative functions. The point of the decree of 1727 lay, of course, not in this but in the restoration of the hetmanate. A hetmanate was the symbol of the region's autonomy and with its restoration the return of all other conditions of Little Russia's autonomy was inevitable. The logical sequence of the act was the new "clauses."

In their contents these clauses of the newly-elected Hetman Danylo Apostol, which were issued August 22, 1728, differ little from the treaty of Bohdan Khmelnyts'ky and the subsequent agreements of Moscow with the hetmans of Little Russia up to the agreement with Mazepa. We shall see that in some respects the act of 1728 goes even further. But the crisis which had taken place was still very vividly reflected in the clauses of Apostol, primarily in the formal aspect. The elements of an agreement had disappeared completely. The transformation of the "treaty" into an act of an unilateral "grant," which has already been pointed out, was here completed. Although her laws and liberties were confirmed, Little Russia was even deprived of the right to participate independently in the preparation of an act which settled the legal fundamentals of her autonomy. "His imperial majesty most graciously permits the maintenance in Little Russia of a hetman and all his subjects in accordance with their laws and liberties which he confirms in his imperial writ," runs the decree of Peter II. This was a change of immense significance for all the subsequent history of relations between the Russian authority and Little Russia. The juridical title of Russian authority changed in Little Russia. Peter the Great sought to justify his policy by interpretations he made in Khmelnyts'ky's treaty; this was an admission of how binding the act was for him. When the liberties of Little Russia began to be considered solely as a "grant" on the sovereign's part and, consequently, as a unilateral authoritarian act with no external limitations, then the preservation of liberties, instead of being a question of rights, became only a question of expediency.

As in the other changes in the fundamentals of the union of Little Russia with Russia, this change—and all its consequences—did not become immediately evident. The consciousness of the binding nature of Bohdan Khmelnyts'ky's treaty and the impossibility of canceling "the laws and liberties" without the consent of Little Russia, lived on even after Danylo Apostol's "decisive clauses"; but it was gradually weakened by the new interpretations. The struggle between these two principles occupies the remaining years of the autonomous existence of "the lands of the hetman's regiment." During the reign of Anna Ioannovna the new tendencies gain an upper hand; during the reign of Elizabeth there was a return to preservation of the "privileges" and the legal foundations for Russian authority was sought in the old "articles"; finally, Catherine II's actions were based on pure expediency. She rejected quite conclusively the need for Little Russian liberties and abolished them.

Danylo Apostol's death served as the immediate pretext for Anna Ioannovna's government to return to the policy of Peter the Great. As soon as the news of his grave illness arrived, Prince Shakhovskoi, a lieutenant general and lieutenant colonel of the cavalry, was dispatched to Glukhov to watch "closely and with a vigilant eye the behavior of the Little Russian people."²⁶

The mistrust was so great that after Apostol's death the cabinet hastened to pass a resolution not to hold a new election for a hetman. At a session of January 29, 1734, the cabinet prepared and offered the Empress its opinion on this matter, as follows: "It has been discussed and in the future there should be no hetman but instead an administrative body consisting of six persons, namely, three Great Russians and three Little Russians. Prince Aleksei Shakhovskoi has been suggested for this purpose, for the time being at least until affairs have been straightened out. As for the Great Russians and Little Russians who are to be appointed with him, the proposed candidates are presented below. They are to be present at the sessions as equals, the Russians sitting at the right and the Little Russians at the left. They are

²⁶ *IRIO*, 108 (1900), 14.

to conduct all the affairs in accordance with the former instructions and clauses agreed upon. As for the general military court, it should be conducted as before. This administrative body should be under the control of a special department of the Senate. And this is to be kept secret; it should not be mentioned in decrees or other letters that there is no intention of having any hetman elected."

This opinion was confirmed by the Empress, and a decree was issued concerning the formation of a special college "administrative body" in Hlukhiv, which was to conduct all Little Russian affairs formerly under the jurisdiction of the hetman's office. This college, which later received the title of "Administration of the Hetman's Office," was instructed to act in accordance with "the decrees of our imperial majesty and your Little Russian rights, with the former instructions and decisive clauses given to the late Hetman Apostol in 1728" (from the writ to the people of Little Russia, January 31, 1734²⁷). Shakhovskoi was instructed to keep "highly secret" the decision of the Petersburg government not to restore the election of a hetman, "lest the people have doubts and interpret it unfavorably"; at the same time he was secretly informed that the new policy was intended to "get the people of Little Russia use to the Great Russian administration."²⁸

The Little Russian administrative body with a Russian minister attached to it was nothing else but the restoration of the power of Peter's brigadier with his staff officers; it replaced the hetman and had a rather long existence. Having created that organ, the government of Anna Ioannovna, despite its broader plans, moved no further toward unification.²⁹ Even after the decree of 1734 the isolated position of Little Russia within the Russian state continued. And this explains why the return to the old order still remained possible. The thought about autonomy must have been kept alive in Little Russia; the Ukrainians dreamed of restoring the old order and unceasingly tried to

²⁷ PSZ, 6539 and cf. 6542.

²⁸ IRIO, 108, 25.

²⁹ Shakhovskoi insisted on it but without success, *ibid.*, 55 ff.

effect it.³⁰ They found a road to Elizabeth Petrovna's heart and in 1747 succeeded in their attempts. In a decree of May 5 in her own name, the Empress ordered that "a hetman be now established in Little Russia, and he be installed in office on the same basis as Hetman Skoropadsky had been installed before."³¹ In 1750 Kyrilo Razumovsky was elected hetman. According to precedent, after the election the confirmation of the laws of Little Russia took place. The writ regarding the hetman's office given to Razumovsky said that the Empress "deigns to permit" him to conduct military and civil affairs in Little Russia according to military law, former customs, and the established clauses on the basis of which Hetman Bohdan Khmelnytsky together with the whole Zaporozhian Host and the people of Little Russia came under the power of our grandfather of blessed memory, the great sovereign, tsar and Grand Prince Aleksei Mikhailovich, the autocrat of all Great, Little and White Russia, and in accordance with the decrees of our imperial majesty, which have been decided upon and delivered to him without violation of the laws and ancient liberties of the people of Little Russia."³² As an external token of the change that had taken place, Little Russia was again transferred to the College of Foreign Affairs.³³

This Little Russian autonomy did not survive the Empress Elizabeth for long. Catherine II not only did not believe in the expediency of it but consciously and firmly made its abolishment one of the main goals of her domestic policy. In the well-known instruction in her own hand to Attorney General Vyazemski in 1764, she wrote: "Little Russia, Livonia, and Finland are the provinces which are governed by confirmed privileges and it would be improper to violate them by abolishing all at once; however, to call them foreign and to deal with them upon that principle is more than a mistake, it might truly be called stupidity. These provinces, as well as the province of Smolensk, should

³⁰ Vasil'chikov, *Semeistvo Razumovskikh*, I (1880), 41, 69, 97, and *passim*.

³¹ PSZ, 9400.

³² The writ is not in PSZ; see its text in Vasil'chikov, *op. cit.*, I, supplement, p. X.

³³ The decree of October 16, 1749, PSZ, 9676; however, that order was already revoked in 1756, PSZ, 10, 258.

be Russified in the easiest way possible, so that they should cease looking like wolves in the forest. The approach to it is easy if wise people are chosen governors in these provinces; when the hetmans are gone from Little Russia, the effort should be made to eradicate from memory the period and the hetmans, let alone promoting anyone to that office."³⁴ This definite program regarding Little Russia was carried out by Catherine completely.

It began with the abolition of the hetmanate. Catherine compelled Razumovsky to request retirement.³⁵ She consented and immediately ordered in a decree in her own name of November 10, 1764 that "for the proper administration of Little Russia, the Little Russian College is to be established. Our General, Count Rumyantsev, is to be present as the chairman with four other Great Russians of general or staff officer rank; four Little Russian officers also are to be present as members."³⁶ This was the first step. With the abolition of the hetmanate, autonomy did not yet disappear. Local courts and administrative offices as well as the local system of taxation still remained. But these peculiarities were soon abolished, too. By a decree in Catherine's name of October 27, 1781, "the lands of the hetman's regiment" were divided into three provinces, Kiev, Chernihiv, and Novgorod-Seversk, and they were subject to the imperial regulation of 1775³⁷ concerning provinces, that is, to the imperial administration and court procedures. Then by the decree of May 3, 1783, the Russian tax system was introduced in Little Russia: townspeople were to pay a poll tax of one ruble and twenty copecks, and peasants, seventy copecks.³⁸

Here the history of the independence of Little Russia ends. The autonomous Ukraine was completely subjugated by the "Great Russian government." Even Paul, the greatest friend of local autonomies among the Russian monarchs, did not dare

³⁴ *IRIO*, 7 (1871), 348.

³⁵ Vasil'chikov, *op. cit.*, I. 313 f.; Bil'basov, *Istoriya Yekateriny II* [The History of Catherine II], London, 1895, pp. 407 ff.

³⁶ *PSZ*, 12, 277.

³⁷ *Ibid.*, 15, 265.

³⁸ *Ibid.*, 15, 724.

to return to the old system of Little Russia, restoring only the old court system which had existed up to the beginning of the reign of Nicholas I.

Such is the complicated external history of Little Russian autonomy. What was its meaning? What was the essence of the Ukraine being a "subject" of Russia? What were her "laws and privileges"?

The "articles" and "clauses" have never been codified. In order to have a clear picture of them, one must go through the painstaking work of summarizing all the mass of texts in which the autonomy of the region was expressed. This is complicated by the fact that the people of the seventeenth and eighteenth centuries did not use political concepts familiar to us and their documents do not answer questions which seem basic to us. In the documents of the seventeenth and eighteenth centuries, we first notice the absence of a clear realization of the fact that they were dealing with the relations between two political unities: Russia as a whole and Little Russia. Such abstractions were unknown to the people of that epoch. They understood the legal relations between the tsar on one hand and the hetman and the Host on the other. In their eyes the army organization embodied all of Little Russia. This is easily understood; in addition, there were no other groups or organs strong and well-enough organized to represent the country as a whole. We must surmise that had any other organized forces existed in Little Russia, the Moscow government would have collided with them within the sphere of their power and influence....

Thus, in the eyes of the Moscow state, Little Russia was represented by the Host. All the other organized and non-organized sections of the Little Russian population—clergy, townspeople, and "all kinds of people"—were a kind of supplement to the basic group, the Cossacks. The figure of the hetman, the head of the Cossacks, was a symbol of the autonomous existence of Little Russia within Russia. Consequently, even the territory of the Ukraine was modified by the boundaries of the hetman's authority. The expression we often come across in the documents

of the seventeenth century, "the lands of the hetman's regiment," best characterizes the isolated position of Little Russia.

Neither the act of 1654 nor any following acts give a clear and precise definition of the degree of the dependence and the extent of the self-administration of the "lands of the hetman's regiment." They introduce and solve some particular questions connected with the basic problem but do not touch upon the problem itself. In studying them it is impossible to decide whether the rights of the tsar form a general rule and the rights of the hetman and the Host, an exception or, on the contrary, the rights of the tsar form an exception while the rights of Little Russia are the general rule. Neither one nor the other was enumerated precisely (*taksativno*), if we can apply an Austrian term here. The degrees of dependence are expressed so vaguely and indefinitely that it is difficult to derive clear legal conclusions from the corresponding formulations of the documents. The writ given to Bohdan Khmelnyts'ky, which explains the meaning of "being subjects," says: "To serve us, the great sovereign, as well as our son, the sovereign tsarevich, Prince Aleksei Alekseyevich, and all our heirs, to be our faithful followers and well-wishers, to go to war against our enemies and fight them whenever our sovereign order commands, and to be in *everything* obedient to our sovereign will for ever."³⁹ The last words are so categorical that the annexation of Little Russia might seem complete. However, apparently it was not considered so important since, beside this formulation—which seems to make all the rest superfluous—we find a careful listing of Moscow's particular rights in the Ukraine.

These rights long consisted chiefly of surrendering the control of foreign relations to Moscow and placing the army at her disposal. We have seen that the writ granted to Bohdan Khmel-

³⁹ Sergeyevech, *Lektzii i izsledovaniya*, 1894, 43, insisted that the sense of the unification was such that it was to continue only as long as the descendents of Aleksei Mikhailovich were on the Moscow throne. This is completely wrong. The writ says: "forever"; then there is no reason to understand the words "our heirs" only in the sense of the descendents of the Tsar Aleksei Mikhailovich of the Romanov dynasty.

nyts'ky, which describes the dependence, is especially insistent on the obligation of the Host "to go to war" against the "enemies of the sovereign." This statement is elaborated upon in the articles of the hetmans in great detail. . . .

The tsar's right to keep his troops within the boundaries of Little Russia and to have his *voyevody* in the towns of Little Russia is directly connected to the rights which the Moscow government secured for itself in the matter of foreign policy. Muscovite *voyevody* were not mentioned in Bohdan Khmelnyts'ky's treaty; later, the Moscow government insisted that this had been discussed with the hetman's envoys in Moscow.⁴⁰ Be this as it may, an apposite resolution appears in the articles of Yuriy Khmelnyts'ky (paragraph 5) for the first time. We read: "The great sovereign, his imperial most serene majesty, ordered that there should be in his majesty's own Cherkassian towns, Uman', Nizhyn, Chernihiv, Braslavl, his majesty's *voyevody* with soldiers for the purpose of defense against the enemies, but these *voyevody* are not to interfere with the laws and liberties of the army." Although "the hetman and the whole Zaporozhian Host as well as the people, having heard this article at the council, decided to leave it as it was written," there is no doubt that this right, which Moscow had stipulated for herself in the agreement of 1659, was the source of constant vexation to the Ukrainians.⁴¹ But Moscow did not back down; it was always mentioned in every act that followed. The only concession that Moscow would make was the assurance that she did not intend to use this right to the detriment of Little Russian self-government. Such a reservation to that effect was found in the articles of Yuriy Khmelnyts'ky; it was still more clearly expressed in the articles of

⁴⁰ The answer to the petitionary clauses of Yu. Khmelnyts'ky, December 23, 1659; in the former articles it was not mentioned in which towns there should be *voyevody* of his sovereign majesty; but it was discussed with the former envoys of Bohdan Khmelnyts'ky, the military judge, Samoylo Bohdanov, and Pavel Teterya, to the effect that there are to be *voyevody* of his sovereign majesty in Kiev and Chernihiv. Bantysh-Kamenski, *op. cit.*, I, 118.

⁴¹ Cf. The petitionary clauses of Yuriy Khmelnyts'ky quoted in footnote 40 and Kostomarov, *Getmanstvo Yyriya Khmelnyts'kago in Sobraniye sochinenii*, V, 1905 97; Ruina, *Sobr. sochin.*, VI, 1905, 41.

Mnohohrishny: "As for the *voyevody*, they are to be in Kiev, Pereyaslav, Nizhyn, Chernihiv and Oster, but he did not order the *voyevody*— the *voyevoda* of Kiev as well as the others—to concern themselves with their laws, privileges and courts but to be in charge of soldiers of all ranks sent over for the defense." For the last time special resolutions concerning *voyevody* and soldiers are found in the articles of Danylo Apostol, which read: "As for Great Russian regiments, which are billeted in private houses in Little Russia, *this is done because of the state of affairs and for the protection of boundaries*" (paragraph 5). Such resolutions were not made in Razumovsky's time; apparently the right to have troops in Little Russia became a matter of course, which is not surprising after all Little Russia went through after Peter....

Moscow preserved all the Ukrainian institutions and allowed them to function according to their own laws. The statements of the "articles" and "clauses," which develop the idea of the general guarantee of the "laws and privileges," first of all dwell upon the office of the hetman. In the writ granted to Bohdan Khmelnyts'ky, it is very clearly emphasized: "And if it be God's judgement that death befall the hetman, we, the great sovereign, have permitted the Zaporozhian Host to choose a hetman from among themselves in accordance with their customs; whomever they might choose, they must inform us, the great sovereign, in writing and the newly-chosen hetman is to swear his allegiance to us, the great sovereign, in the presence of those whom we, the great sovereign, shall appoint." Thus, the hetman was to be chosen in accordance with the Ukrainian customs and by the Host, "from among themselves"; Moscow demanded only to be informed of the election and to have the newly-elected hetman swear an oath of allegiance. She never tried to encroach upon the freedom of hetman's elections, and, until Skoropadsky's death, the independence of the hetman's office was acknowledged unconditionally by her. This, however, did not prevent her from attempting to derive some profit from the obligation of making the election of the hetman known to her as was stated in the act of 1654. The text of the act is not quite clear as to whether

the demand concerned informing the tsar regarding the coming election beforehand or informing the tsar after the election had taken place. Moscow hastened to interpret the writ in the former sense. When the second hetman, Vyhovsky, had been elected without the tsar's knowledge, the Moscow government protested.⁴² In the Moscow articles of Bryukhovetsky a further step was made: The duty of sending information on the election implied an acknowledgement of the necessity of the presence of the tsar's representatives at the election and, in addition, the necessity of the tsar's investiture of the hetman. It reads: "If it be God's judgement that death befall the present or a future hetman, the Zaporozhian Host is free to choose as hetman some true Cossack of the army from among the Zaporozhian Cossack Host, not from any other people, in accordance with the ancient laws of the army and the decree of the great sovereign, his imperial most serene majesty, *in the presence of a person sent from his sovereign throne*; and the elected hetman is to come to Moscow to appear before the bright eyes of the great sovereign, just as the present hetman has done according to his promise. And on the hetman's death, the quartermaster general must take the hetman's larger mace and standard as well as the smaller mace and standard together with the streamer and cannons and deliver them to the boyar and *voyevody* who will be at that time in Kiev or in some other Little Russian town until the election of the hetman and for the sake of the pride of the inhabitants of Little Russia. And the great sovereign who heard these articles ordered it to be as it was written, and the boyars and *voyevody* of Kiev are to bring the mace and the larger standard to him, to the great sovereign in Moscow. When, in accordance with the decree of his imperial most serene majesty, a new hetman is chosen by the Zaporozhian Host, he will receive the smaller mace, standard, streamer, and cannons at the time of his election; as for the larger mace and standard, these will be *granted* to the newly-elected hetman by the great sovereign, his imperial most serene majesty in the great sovereign city of Moscow, and *in confirmation will order his sovereign writ be given to him. . .*"

⁴² Kostomarov, *Getmanstvo Vygovskago in Sobr. sochin.*, I, 1903, 318 ff.

(paragraph 3). However, the necessary presence of the tsar's representatives at the election council and the symbolic handing over of the mace and standard together with the writ did not mean at all the establishing of the right to *participate* in the elections or the right to confirm or reject the latter. The election by "free voting" remained undisputed for a long time.... The practice of the hetman's elections proves that Moscow did not consider it within her right to refuse to issue a decree fixing the time of elections after receiving the information of the hetman's death. However, the required "*gracious permission*" to hold elections, which in all the above-mentioned texts was only an external symbol of the tsar's sovereignty, could, of course, gradually become a voluntary act on the part of the tsar, which might or might not follow. In Danylo Apostol's writ this basic change in the original situation in effect since 1654 is already marked. It reads: "The election of the hetman by free voting is to be in accordance with their laws and privileges and with the will and gracious permission of his imperial majesty as it used to be before; however, *without a decree of his imperial majesty a hetman is not to be chosen or removed from office*. The one who is chosen will come to his imperial majesty for confirmation, and his imperial majesty will grant him, the hetman, the regalia and writ for his office" (paragraph 2). However, the obligation to hold the election of the hetman was acknowledged after Apostol as well. Apparently, the reference of the clauses to the fact that they only sanctify the former right, was not convincing enough for the government. At least the decision not to fix an election, which was taken by the government of Anna Ioannovna, was, as we already know, carefully concealed in the Ukraine; later, when K. Razumovsky, a brilliant courtier and the brother of the Empress' husband, was made hetman, it was found necessary to go through the election ceremony in Hlukhiv.⁴³ Inconsistent as it might seem, the only limitation on the autonomy of the hetman's administration was the refusal of Moscow and, later, Petersburg to acknowledge the right of the Ukraine to deprive her hetman of his office. Apparently

⁴³ This ceremony is described in detail by Markevich, *op. cit.*, II, 637 ff.

such a decision, as first conceived, was aimed at preventing the repetition of disorders in the Ukraine and, thus, at strengthening the hetman's rule;⁴⁴ actually this indirectly diminished the autonomy of the country. For the first time we find this resolution in the articles of Yuriy Khmelnyts'ky; later it was repeated many times. The above-quoted text of Apostol's articles proves its vitality.⁴⁵

Empress Catherine II herself pointed out that the military and civil administrations of the Ukraine were extremely confused (*souverainement confondu*).⁴⁶ Indeed, the hetman held the complete control of both the military and civil government of the region. As one of the documents of a comparatively later period (Skoropadsky's writ of January 5, 1710⁴⁷) puts it, the hetmans could "conduct all military and civil affairs in Little Russia in accordance with military laws, former customs, and the clauses agreed upon on the basis of which Hetman Bohdan Khmelnyts'ky with the whole Zaporozhian Host and the people of Little Russia came under the all powerful protection of our father. . . and in accordance with the decrees of our great sovereign which were decided upon and sent over to you without any violation of the ancient rights and liberties of the Little Russian people." To permit the hetmanate to remain in strength meant allowing the Ukraine to carry out the main functions of the state government independently. The hetman was not only the head of the "Zaporozhian Host," but also the supreme authority over the population of the Ukraine. In his person was concentrated

⁴⁴ Kostomarov, *Getmanstvo Yu. Khmelnyts'kago*, in *Sobr. sochin.*, V, 1905, 103.

⁴⁵ Paragraph 7 of the articles of Yu. Khmelnyts'ky: "If a hetman chosen in accordance with the decree of his imperial majesty and the wish of the whole army, on becoming hetman, commits some offense, the Host is not to change the hetman of their own accord without the decree of his imperial majesty. Even if the newly-chosen hetman commits treason or some other offense, the great sovereign, his imperial majesty, will order his troops to investigate that, and on the custom of the Host since ancient times, but they themselves, on their own, without the decree of his imperial majesty, are not to change the hetman." Cf. paragraph 6 of the Pereyaslav articles of Samoylovych.

⁴⁶ Bil'basov, *op. cit.*, II, 410.

⁴⁷ *PSZ*, 2243.

the legislative power which was effected by proclamations, the so-called *universality*; he controlled the administration in the strict sense of the word; and, finally, his court, the so-called "general court," was the supreme court of the country. It is evident, however, that his power could be realized only through subordinate organs. These were organized partly on the same military pattern as the hetman's office and adapted to the regiments of Little Russia, which represented both military and territorial units. The regimental command possessed simultaneously military, administrative, and juridical authority. In conjunction with the Cossack administration there also existed an administration for the affairs of the "classes." Thus, the towns enjoyed a rather extensive self-rule, which was based on the Magdeburg Law, and possessed a number of their own offices. Further, the Cossack officer class, who were becoming gradually a privileged class, tried to develop to their own advantage the rudiments of class government typical of the Polish gentry and this gentry's power over the *pospolity*, which had already been introduced into Little Russia during the Polish rule. This conglomeration of military and social organs of power existed partly on the basis of a written law, and partly through custom and routine; for a long time there was no concern with the sources of local administrative and procedural law. . . .

"Articles" and "clauses" made it possible for the Ukraine to retain her administrative and juridical system together with the hetmanate. The writ of Bohdan Khmelnytsky states that his envoys begged the tsar "to order the confirmation of their former military laws and liberties, which from ancient times they had possessed under Great Russian princes and Polish kings, and that they be tried as formerly and that they have the rights to their possessions and courts, so that nobody would interfere with those military courts of theirs but they should be tried by their officers." And the tsar "ordered that their laws and privileges be held inviolate, and that they be tried by their officers in accordance with their former laws." In addition, mention was made in the articles attached to the writs of town offices (in connection with the question of finances), and the towns were given

the right "to choose" their own officials, representatives of the *lava*, burgomeisters, representatives of the *rada*, and assessors.⁴⁸

Inadvertently, the writ of Bohdan Khmelnyts'ky and the "articles" were known in the Ukraine for a long time not in their original but in the version of one of the first outlines which had been discussed by the Moscow boyars with the hetman's envoys in Moscow in 1654. This was the so-called "fourteen article" version. It was this document which was confirmed by the "clauses" of the following hetmans and served as a guide in official relations with Little Russia.⁴⁹ I point this out here because in the version of the "fourteen articles" the formulation of the "freedom" of the internal organization of Little Russia was especially popular and it was one of the components of autonomy most dear to their hearts. It said: "His imperial majesty would deign to grant the confirmation of the laws and liberties of the army as the custom has been since ancient times in the Zaporozhian Host and that they should be tried in accordance with their own laws and should have their liberties regarding their possessions and courts; and neither the boyar, nor the *voyevoda*, nor the *stolnik* should interfere but they should be tried by their own officers: *Where there are three Cossacks, then two of them should try the third.*"

The principle expressed here was acknowledged without any argument up to the time of Peter. Having been confirmed as a part of the Treaty of 1654, it was seldom repeated in the new articles.⁵⁰

In the evaluation of the significance of the situation expressed symbolically in the words, "where there are three Cossacks, then two of them should try the third," and which embraced the idea

48 By the way, Bohdan Khmelnyts'ky also received in 1654 a writ which guaranteed the rights of the Ukrainian *szlachta*; it provided for the formation of "rural and town courts" on the Polish pattern. The writ was published in Bantysk-Kamenski, *op. cit.*, I, 69 ff. However, Miller, *Ocherki*, I, 3 ff. has proved that these courts did not actually come into existence.

49 See footnote 4.

50 Paragraph 2 of Yu. Khmelnyts'ky's articles; paragraph 2 of Mnohohrishny's articles.

of freedom as expressed in another document⁵¹ which stated: "In all the affairs, the administration and judicial processes are to be conducted in accordance with military laws," we must bear in mind that in the seventeenth and even in the eighteenth centuries the court was one of the most vital expressions of state power. The state of that time did not know the multitude of functions of the contemporary state; the need for general legislature and for well-educated administrators was still very weak. There was only one matter which could vie with the court in importance and this was the matter of finance. Naturally, the articles had to dwell on that question, too.

In this regard, a curious struggle was going on between the Ukraine and the Moscow—it began with the articles of Bohdan Khmelnyts'ky and ended with Mazepa's articles. Moscow had not the slightest desire of assuming the direct financial administration of Little Russia. She left the forms of taxation and the exaction of taxes to the Host, but she still wanted to derive some profit from the autonomous budget of the country. The Host in its turn wanted to profit at Moscow's expense, hoping to make her pay for the military service. These two antithetical tendencies resulted in a compromise—Moscow did not derive any financial profit from the Ukraine, and the Host in turn did not attain its goal.

In the basic act, the articles of Bohdan Khmelnyts'ky, we already find the elements of this compromise. On the one hand, they contained the following rule confirmed by the tsar: "The town officials are to be chosen from *their people* who are worthy of the office. They will be in charge of the subjects of his imperial majesty and will truthfully deliver all revenue to the treasury of his imperial majesty; for if the *voyevoda* of his imperial majesty on his arrival began to *break their laws and establish codexes* this would cause great vexation since the local people, who had precedence, *would have to act against their own laws*" (paragraph I). On the other hand, the articles contain the following request of the Host: "Our custom is such that the

⁵¹ The writ to Samoylovych of 1682, *PSZ*, 943.

Zaporozhian Host was always paid. And they petition his imperial majesty also to give the colonels 100 *efimki* each; regimental captains, 200 Polish *zloty* each; captains of the Host, 400 *zloty* each; *sotniki*, 100 *zloty* each; and Cossacks, 30 Polish *zloty* each." The tsar gave a generally evasive answer but one which contained many well-reasoned arguments. The general sense is as follows: "His imperial majesty is not familiar with the incomes in towns and rural areas in Little Russia and our great sovereign, his imperial majesty, is sending his noblemen to make inventories of the incomes. And when this has been done, and an estimate prepared, then his imperial majesty will issue a decree regarding the pay for the Zaporozhian Host" (paragraph 9).

No inventories of the Little Russian incomes were ever made; neither Moscow nor the Host itself ever attempted it. It is true that the Moscow government several times returned to this idea in connection with the requests of the Host regarding the pay, but it was apparently too complicated. Thus, in 1664 in the preliminary Baturyn articles of Bryukhovetsky, which were later replaced by the Moscow articles, the central government reproached the Host because "there are no lists of Cossacks, townspeople, or villagers, nor of their land, mills, pastures or forests, nor of shops or stores; and no tax has been imposed. Neither you, hetman, nor your officers, know how many Cossacks there are in the Host now nor how much his most serene sovereign majesty will have to pay them annually, nor how much tax can be collected from the townspeople and from their land annually." The hetman and his officers answered: "During this period of war, when the enemy stands before us, it is impossible to make lists or collect money; but when the war is over, it will be possible."⁵² Finally both sides came to an agreement and Moscow did not spend anything on the Ukraine and the Ukraine did not have to make any payments to the Moscow treasury. . . .

Thus, to summarize all that has been said about Little Russia in the first period of her autonomous existence, we can state that at that time she possessed *her own* governmental organs,

administrative and judicial, and *her own* law, both formal and based on custom.

With Peter the struggle against this autonomy begins. The main facts of that struggle are known to us. First, the functions of the hetmanate began to be weakened. Brigadier Velyaminov and his staff officers; then "Minister" Naumov; then, the direction of the administration of the hetmanate by Shakhovskoi, and later, by Razumovsky; then, Rumyantsev and Little Russian College, and, finally, the general instruction on gubernias—such are the main stages in the history of the principal local administrative organs of Little Russia during the second half of her autonomous existence. These basic reforms which were introduced and then revoked were accompanied by a number of others directed toward the same goal: the unification of the Ukraine with the rest of Russia. . . .

In this manner autonomy of Little Russia, which had been guaranteed by treaties and writs, disappeared. But it did so without giving rise to complications. The only evidence that the original state of things—which had existed in the Ukraine for over a century—had not passed unnoticed, can be found in the documents of Catherine's Commission on the Drawing Up of a New Codex. The old charters were dear to many people in Little Russia, and some Ukrainians defended them with great energy and passion. A certain Natalin, a collegiate councilor and a member of the Little Russian College, was elected from this College to participate in the work of Catherine's Commission. He had received an "instruction," which was thoroughly permeated with indifference to the traditional fundamentals of Little Russian political life. A deputy of the Little Russian gentry, Hryhory Poletyka, answered this instruction with a very detailed "objection" which serves as the best expression of the opinions of the Ukrainian autonomists of that time. "The voluntary dependence of Little Russia rests," asserted Poletyka, "on the treaty with Bohdan Khmelnyts'ky, which was confirmed both by the treaties with other hetmans and by writs." The benefits derived by the Russian Empire from this voluntary union with Little Russia are, in the authors opinion, "great and manifold." Poletyka

enumerated them in great detail: the extension of the state title, a bloodless acquisition of new territory, the service of the Cossack army, etc., etc. "For all their service, for all the benefits they have brought to the Russian Empire, the people of Little Russia," Poletyka stated, "cherished as their best reward, as their greatest treasure, the following frequently repeated assurances of the all gracious sovereigns: 'And we shall always preserve for you all your laws, privileges, and liberties, for which, you may rely on our sovereign graciousness.'" Poletyka continues, "And so I leave it to the just and impartial consideration of the honored committee of deputies to decide whether the Little Russian College acted properly and was within its jurisdiction, in view of all the many confirmations, which were supposed to preserve their rights and privileges, clearly and firmly expressed to the people of Little Russia by crowned heads, in attempting to destroy all of these and to introduce into Little Russia such institutions which are contrary to *those laws and liberties* and, thus, violate the holiness of treaties, the preservation of which does honor to sovereigns and asserts the integrity and welfare of peoples."⁵³

This was how a representative of Little Russia defended the perishing autonomy of his country.

⁵³ The instruction to the deputy of the Little Russian College, Natalin, and the objection of deputy Hryhory Poletyka to that instruction, 1852, 23 ff. (*Otdelnyie ottiski iz chtenii*). The instructions to the deputies of Catherine's Commission were published in *IRIO*, 68. In all of these instructions the representatives of Little Russia asked for the preservation of their rights and privileges. However, none of them contains such a detailed juridical and political argument as that which was set forth in Poletyka's objection. In the debates, the Little Russian privileges were rather weakly reflected. The main struggle centered around the privileges of Esthonia and Livonia and here the hostile attitude to autonomies of border countries was quite vividly expressed. We shall speak about this later. There is nothing surprising in it since little was left of the old autonomy of the Ukraine towards 1767.

BOHDAN KHMELNYTS'KY'S TREATY WITH THE TSAR OF MUSCOVY IN 1654

ANDRIY YAKOVLIV

The Tercentenary of the treaty of Hetman Bohdan Khmelnyts'ky with the tsar of Muscovy, Aleksei Mikhailovich, was observed in 1954. For 110 years (1654-1764) this Treaty of Pereyaslav was considered the formal basis of the relationship between the Ukraine and Muscovy, notwithstanding its many violations, amendments, and even forgeries. There is a wealth of historical and legal writing on it in Ukrainian and Russian; and, under normal conditions, the Tercentenary of the treaty should provoke new research and ideas, a new evaluation of its historical, political, and legal meaning. Unfortunately, there is no freedom of research, press, or speech in the present Soviet Ukraine. Ukrainian scholars living in the Free World can not forget nor ignore this important act. New studies of the treaty have been published which supplement earlier writings with critical observations, and new ideas and new studies of the treaty have been made from different points of view.

Without repeating what has already been written, I wish to offer a few explanations which, I believe, will help reveal the true contents of the legal aspects of the treaty. I would like to first call attention to the "diplomats" of the Treaty of 1654, i. e., a description and evaluation of the acts which contained the text of the treaty. The text is contained not in one, but in three acts of different origin and form.

(1) A draft of an agreement composed in Chyhryn during Khmelnyts'ky's conferences with his staff. The original of this draft, dated February 17, 1654, bears the signature of B. Khmelnyts'ky and the seal of the Zaporozhian Host. The envoys of the Host, Advocate General Samiylo Bohdanovych Zarudny and Colonel Pavlo Teterya of Poltava, took the draft to Moscow and

delivered it to the council of the tsar's boyars who were to draw up the treaty. In Moscow, this draft was translated by Muscovite clerks from the Ukrainian chancery language of the period (which the Muscovites called "Byelorussian") into the Russian language. After finishing the preliminaries, the translation of the draft was divided into twenty-three articles, and each article was subscribed with a resolution of the tsar and boyars. In this form, i. e., not in the original but in the translation from the "Byelorussian" language, *Spisok s beloruskago pisma*, it was delivered by the boyars to the envoys, who had brought it to Chyhryn. *The original draft of the agreement bearing the signature of B. Khmelnyts'ky remained in Moscow.* In 1870, when researching documents pertaining to the Treaty of 1654 in the Moscow archives, H. Karpov was unable to find this original in the Ukrainian language. He only found the *Spisok s beloruskago pisma* or, more accurately, a copy of the document delivered to the envoys of the Zaporozhians. Karpov published it in the tenth volume of *Akty, otnosyashchiesya k istorii Yuzhnoi i Zapadnoi Rossii*. What happened to the original draft is not known. It is possible that it was kept at one time in one of the Moscow archives or destroyed for some reason. We do not know. The *Spisok* brought by the envoys to Chyhryn has not been preserved either.

Thus, only the text of the draft, which was published by H. Karpov, remains. It is impossible to state with any degree of certainty to what extent this text corresponds to the original draft, since both the original draft and the copy brought from Moscow are missing. I will only state that the published text contains additions which were certainly not in the original delivered to the envoys. Thus, following the last article (23) on the Kodak fortress and the tsar's resolution, the following addition had been inserted: "The boyars told the sovereign to add, whoever of the sovereign's people [and whatever] their rank who start to go into the sovereign's Cherkassian cities and towns, should be sought and delivered." In the other acts pertaining to the treaty there was no mention of this. Moreover, the translated text reflects an imperfect command of the "Byelorussian" lan-

guage, i. e., the language of the original, on the part of the Muscovite translators; this created some confusion.¹

The tsar's title read: *vseya Velikiya i Malya Rusii samoderzhavets*. Moscow began to use the title *i Malya Rusii* after the Pereyaslav Council, i. e., after January 8, 1654. The Moscow clerks had to use this "newly-acquired title," but it is doubtful whether the hetman and his officers knew about it when they prepared the draft of February 17, 1654.

Matters are even worse when it comes to the second and third treaty documents: the act with eleven articles and the tsar's writ dated March 27, 1654. These documents were prepared in Moscow in Russian and immediately translated into the "Byelorussian" language; in this form they were delivered to the envoys of the Zaporozhian Host. These translations, which were to serve as *originals* (the writ bore the tsar's new seal with the inscription "newly-acquired titles"), perished along with the archives of B. Khmelnyts'ky. In the Moscow archives H. Karpov found the rough drafts of these acts in Russian with the many corrections, additions, and notes of the clerk of the council, Almaz Ivanov. The texts of these rough drafts were included in the first volume of *Polnoye sobraniye zakonov Rossiiskoi Imperii*. The texts could only be verified against the copies in the "Byelorussian" language which were handed to B. Khmelnyts'ky's envoys and which have disappeared. Researchers were compelled to study, elucidate, and make conclusions on the basis of these rough drafts. However, these documents are filled with crossed out words and phrases and with various notes; thus, there is no criteria for determining what part of the preliminary drafts was inserted into the text given to Khmelnyts'ky's envoys.

The rough drafts of the eleven article acts and of the tsar's writ were composed in Moscow by the Muscovite clerks and therefore filled with various forms of "Muscovite praise of the

¹ For example, article four reads: "Uryadniki iz nashikh lyudei budut poddannymi t. ts. v-va ispravlyati ili urezhati"; or article five: "Starestvo chigirinskoye chtob i nyne dlya vsevo ryadu prebyvalo"; or article twelve, "o zime, takozh i o stanekh." The Muscovite text is so obscure that it is impossible to translate it into English.

tsar," e. g., "the tsar's grace," "the tsar's mercy," "we bow our foreheads to the face of the earth," "grant us bounteously," "have mercy," and so forth. This contributed to a great extent to the incorrect interpretation of the treaty by Russian authors, even to their failure to recognize the bi-lateral nature of these acts.

So much for the text of the treaty from the standpoint of its documentary authenticity. It must be added that in the interpretation of treaties, the determination of the true intent and wishes of the contracting parties is of great, if not decisive, importance. And in this regard, prime significance is attached not only to the actual text of the treaty, but to all the notes on the preliminary negotiations and to the explanations of the signatories at the time of its composition. It is well known that Khmelnyts'ky and his officers spent over a month drawing up the draft of the treaty (January 14 to February 17); they must have kept notes on explanations, propositions, projected articles, which were accepted or rejected, etc. But no minutes of conferences, or notes have come down to us. The negotiations with the Muscovite envoys in Pereyaslav, the course of the Pereyaslav Council, the transactions of the Cossack envoys with the boyars in Moscow have been preserved in the notes of V. Buturlin, an envoy, in the Diplomatic Record and in the minutes of the Foreign Office in Moscow. They were also published in the tenth volume of *Akty Yuzhnoi i Zapadnoi Rossii* by H. Karpov. Some explanations of the Cossack envoys are of utmost importance, e. g., those which concerned the foreign relations of the Zaporozhian Host, the tsar's tribute, pay to the Zaporozhian Host, and they have been utilized in interpreting the treaty. But the authenticity of the Diplomatic Record has long been suspect. The well-known councilor of the Foreign Office, Kotoshikhin, a prototype of modern Soviet Russian official-escapees, very accurately characterized the veracity and objectivity of these documents in his work, *O Rossii v tsarstvovanii Alekseye Mikhailovicha*. He wrote: "They (the Muscovite envoys) write in the Diplomatic Record not what had been said, but beautifully, cleverly, using their intelligence for deceitful purposes, so that they can get honors from the tsar for themselves and many benefits. And they are not ashamed to do

this, for who would give them away in those deeds?" In all truth, who would give them away if all did the same?

Since researchers of the Treaty of 1654 never saw the original, nor any additional explanatory documents except those mentioned above, it is not surprising that the opinions of researchers were uneven and contradictory. The disagreements and errors of scholars also resulted from their failure to analyze not all three acts, which constituted the treaty, but only the eleven article act drawn up by the boyars in Moscow on March 27, 1654. More frequently they studied a forged version of the latter with fourteen articles which made its appearance in 1659 after the death of Khmelnyts'ky. This was considered to be the authentic Treaty of 1654 until almost the beginning of the twentieth century. This forgery was introduced into the first volume of *Polnoye sobraniye zakonov* under the date of 1659. It contained essential restrictions on the rights of the Ukraine which were not included in the Act of 1654, e. g., the complete prohibition of diplomatic relations with foreign states, subjection of the Kiev Metropolitan to the Moscow Patriarch, introduction of Muscovite *voyevody* in Kiev and Pereyaslav (who were granted the right of financial control over the Ukraine), and some changes of lesser importance. The forgery of the Treaty of 1654 was executed in Moscow; this is evident in the fact that *Belyya Rusii* was added to the tsar's title of *Malyya Rusii* (*vseya Velikiya i Malyya i Belyya Rusii samodержavets*). This very point gave rise to a controversy between the late Professor V. Shcherbyna and myself concerning this additional title. He asserted that the fourteen article act was authentic and that the title *i Belyya Rusii* made its appearance simultaneously with *i Malyya Rusii*. To support his position he referred to the tsar's seal on his writ to B. Khmelnyts'ky in Hadyach, March 27, 1654, the legend of which supposedly contained the title *i Belyya Rusii*.²

In opposing this conclusion, I referred to the text of the entire writ in which the tsar's title was spelled without *i Belyya Rusii*,

² V. Shcherbyna, "Do pytannya pro statti B. Khmelnyts'koho," *Yubil. zbirnyk VUAN na poshanu ak. Mykhayla Hrushevs'koho*, (Kiev 1928), Vol. I.

which made the seal contradict the text of the writ. The tsar's chancery would never have permitted this. Subsequently, V. Prokopovych proved that Shcherbyna had been the victim of an error which occurred in the publication of the book, *Snimki drevnikh russkikh pechatei* [Pictures of Old Russian Seals].³ This book contains a picture (No. 50) of the seal used in the writ to Hadyach; it does not contain the title *i Belyya Rusii*. However, another picture (No. 51) shows another type of seal with the legend *i Belyya Rusii*. Shcherbyna picked the second seal, but Prokopovych proved that this seal was made in 1667 after the Treaty of Andrusiv. Still, our controversy was not decided by seals, but by the tsar's decree of September 3, 1655. This decree that henceforward the tsar's title was to carry the addition *i Belyya Rusii*.⁴ In Moscow, any mistake in the tsar's title committed by a clerk was very severely punished. Therefore, when the treaty was being forged in Moscow in 1659, changes in the text of the real treaty were in order; since it was inadmissible to write the tsar's title as it had been written in the Act of 1654, i. e., without *i Belyya Rusii*, this title had to be added. This is precise evidence of the fact that the Treaty of 1654 in the eleven article version was forged after the decree of 1655.⁵

Another major error occurred when scholars, in interpreting this seventeenth century treaty, used legal theories, concepts and terms of the nineteenth and twentieth centuries, or the hindsight of historical events which took place after the Treaty of 1654.

In my earlier studies of the Treaty of 1654⁶ and in a more recent work,⁷ I had the opportunity to review and critically evaluate the conclusion of almost all Ukrainian and Russian authors

³ V. Prokopovych, *Sfragistychni anekdoty*, "Pratsi istorychno-filolohichnoho t-va v Prazi," (Prague 1938), pp. 15-16.

⁴ *PSZ*, Vol. I, No. 164.

⁵ A. Yakovliv, *Ukrains'ko-moskovs'ki dohovory XVII-XVIII st.*, (Warsaw 1934), pp. 68-70.

⁶ *Ibid.*, pp. 49-52.

⁷ A. Yakovliv, *Dohovir B. Khmelnyts'koho z Moskvoyu 1654 r.*, (New York 1954), pp. 64-69.

on the juridical nature of this treaty. Therefore, at this point I will only resume my conclusions.

On the basis of studies of the text of the treaty in the 1654 version, relevant documents, historical facts of the period of the treaty, and formal declarations of neighboring states and their diplomatic representatives, I have come to the conclusion that the Ukrainian state organized by Hetman B. Khmelnyts'ky under the name of the Zaporozhian Host (*Voys'ko Zaporoz'ke*) was both before the treaty with the tsar of Muscovy as well as after (until the death of B. Khmelnyts'ky in 1657), an independent, sovereign state—sovereign in its internal affairs and in its relations with other nations.

In regard to the internal organization, the Ukrainian state had its supreme national government, headed by a "supreme master," the hetman, who was freely elected by the Ukrainian people at a General Elective Council. It possessed central and local administrative offices and institutions, its own army, courts, and codes of laws, treasury and financial institutions, and, finally, national boundaries and custom offices. Therefore, the Ukraine possessed all the elements of an independent nation: territory, people, and governmental authority.

In the international forum, the Ukraine acted as a sovereign and independent nation in its relations with foreign powers. It was a competent subject of international law, a fact recognized by other nations. In the name of the Ukrainian state Hetman B. Khmelnyts'ky maintained diplomatic relations with foreign states, including Poland and Muscovy; he sent ambassadors abroad and received foreign diplomatic representatives. Count Parchevich, the ambassador of Ferdinand III, the Holy Roman Emperor, stated that early in 1657 in addition to himself there were the following people in Chyhryn accredited to the hetman: the envoys from the Swedish king; the two Princes Rakoczy; an envoy from the Turkish Sultan; one from the Crimean Khan; three envoys from Moldavia; three, from Wallachia; an envoy from the Polish king; a representative from Lithuania; and the envoys from the tsar who had just arrived. B. Khmelnyts'ky concluded treaties and conventions with foreign nations in the

Ukrainian name; in addition to an alliance with the Khan of the Crimea, Khmelnyts'ky concluded a treaty with the Turkish Sultan in 1655. In this same year he signed a military convention with the Swedish king and joined the Baltic League against Poland which was under the protection of the Swedish king and the Lord Protector of England, Oliver Cromwell. Relations with the tsar of Muscovy were maintained by the Ukraine through diplomatic envoys and the tsar sent his own envoys to the hetman. The Muscovite Foreign Office administered the relations between Muscovy and the Ukraine and they were on the same terms as the relations of Moscow with other nations. During the hetmanate of B. Khmelnyts'ky, the Ukraine was recognized by other nations as a competent subject of international law.

The Treaty of 1654 had no effect on the international position of the Ukraine, which was indicated in the letter from the Swedish king to Khmelnyts'ky, dated July 15, 1656. "We know," wrote the king, "that a certain agreement has been made between the Grand Duke of Muscovy and the Zaporozhian nation, but one which has reserved to the nation a complete and inviolate freedom. With reference to this freedom of yours, we desire to enter into correspondence with your highness quite openly, even with the knowledge of the Grand Duke of Muscovy."⁸

From the standpoint of national as well as international law, the Ukraine was *formally* and in fact an independent and sovereign nation of Ukrainian people. The Treaty of 1654 did not introduce any essential changes in the status of the Ukrainian state. It had a special object: a defensive alliance between the Ukraine and Muscovy. As a result it imposed obligations upon both signatories, e. g., mutual military aid, exchange of information concerning relations with foreign states, payment of tribute to the tsar for military aid, and pay to the Zaporozhian soldiers when they had to go beyond the borders of their state to aid Muscovy. These mutual obligations flowed from the nature and objects of the treaty and had no bearing on the sovereignty of the contracting parties, the Ukraine and Muscovy.

⁸ M. Hrushevs'ky, *Istoriya Ukrayiny-Rusi*, IX, 1280.

The Treaty of 1654 was defined as "perpetual," and yet its legal effect was to end immediately with the death or resignation of the hetman of the Zaporozhian Host. According to the concept of the times, he personified the Ukraine as the contracting party. In order to re-establish the force of the treaty, it was necessary for a newly-elected hetman to proclaim it to the General Elective Council and to reaffirm it under oath. The Ukraine ceased to be a party to the treaty with the death or resignation of the hetman. After the death of Hetman B. Khmelnyts'ky, the Hetman-elect, Ivan Vyhovsky, proclaimed the Treaty of 1654 and reaffirmed it under oath at the General Council of 1657, but he refused to accept the addendum, the so-called "new articles." Starting with Yuriy Khmelnyts'ky, who was elected hetman at the General Council of 1659, all succeeding hetmans had to proclaim and reaffirm under oath the text forged in Moscow; this was not the authentic Treaty of 1654, but the fourteen article act known by the name of "Treaty of Pereyaslav."

The proclamation and reaffirmation of the "Treaty of Pereyaslav," the so-called "articles of B. Khmelnyts'ky," eventually became an empty formality, since relations between the Ukraine and Muscovy were not determined by these "articles of B. Khmelnyts'ky," but by new agreements, "new articles." With the aid of such articles, Moscow began to realize its plan of gradually ("with imperceptible progression"⁹) depriving the Ukraine of those rights which had been established by the Treaty of 1654. Hetman Cyril Razumovsky, following the usurpation of tsarist power by Catherine II, presented new articles to the Empress for approval in 1763 for the last time. He demanded in these articles the restoration to the Ukraine of all the rights accorded by the Treaty of 1654; Catherine would not approve them and compelled the hetman under the threat of death for "treason" to abdicate his office. She then turned the administration of the Ukraine over to a Little Russian College at whose head she placed Count P. Rumyantsev as the "Governor General of Little Russia." The principles of Catherine's new policy towards the Ukraine were

⁹ Vladimirski-Budanov, *Obzor istorii russkago prava*, p. 112.

expressed in her secret order of 1764 to the Attorney General, Prince Vyazemski.¹⁰

In another document, "Secret Instructions," which was written in her own hand, Catherine expressed her views and intentions in regard to the Ukraine openly and with determination. Writing to P. Rumyantsev, she emphasized the importance of the Ukraine—its fertile soil, good climate, numerous population, natural resources—and noted the difficulty of ruling it because of the "alien laws and rights," the "inappropriate mixture of military and civil government," the privileges and freedoms of the population, and, most important, the *inner hatred against the Great Russians*. Therefore the Empress advised Rumyantsev not to apply "the power of authority entrusted" to him in all cases, but sometimes to show "a variety of kindness and tolerance." In general he was advised in his rule of the Ukraine "to have the teeth of a wolf and the tail of a fox."¹¹

Rumyantsev sincerely attempted to carry out the Empress' orders, but his acts did not only not alleviate the "inner hatred" of the Ukrainians for the Russians, but, on the contrary, revived the longing for lost rights and privileges and the desire to regain what had been lost. Rumyantsev, himself, in his letters to Catherine expressed resentment at the Ukrainian people for their stubborn refusal to understand her intentions "to lift the Little Russian people to a higher level of happiness" and, furthermore, "many Little Russians have acquired such a taste for capricious action that any law or imperial decree seems nothing else but a violation of their rights and freedom." Rumyantsev wrote further: "Blinded by love for their little patch of land, this small fraction of humanity says nothing else but that they are people distinguished from the rest of the world and that there are none stronger, braver, wiser than they and there is nothing more beautiful, more desirable and as free anywhere that might be

¹⁰ This secret order was made public only in the beginning of the century. See, *Sbornik imp. russ. istoricheskago obshchestva*, VII, 348.

¹¹ *Ibid.*, pp. 376-91.

suitable for them, because everything they have is the best."¹² The contemptuous tone, a Muscovite habit, employed by Rumyantsev in his letters to Catherine in regard to the Ukrainians, reflects the fact that they had no use for her "higher levels of happiness" and is the best evidence of the complete failure of her orders and their execution.

The sentiments of the Ukrainian people during the rule of Rumyantsev and their attitude to the abolition of the hetmanate are illustrated by the numerous instructions issued to the representatives of the nobility, Cossacks, and townspeople, who had been elected as deputies to the Commission of 1767.¹³ One idea and one wish are expressed in these instructions: the restoration of the rights and freedom, by which "Bohdan Khmelnyts'ky with the entire body of the Little Russian nation entered the Great Russian state." More details were contained in the joint petition of the deputies to Catherine, which read: "We (the deputies) have the temerity to remind the Empress of the 'circumstances' known to the entire world that the Ukrainian people, having thrown off the Polish yoke, voluntarily joined the Muscovite state on the condition that all their liberties, freedom, and customs would be reserved to them forever, without any violation or change."¹⁴ The instructions, declarations, and petitions did not have the desired effect, but only accelerated the end of Ukrainian autonomy. However, they provide convincing evidence that the Ukrainian people, having endured for 110 years the "Ruin," the Russo-Swedish War, the destructive regime of Peter I, and the many attempts at Russification, still emerged victorious, with every right to call themselves a *Ukrainian nation*.

Finally, a few words in defense of the creator of the re-established Ukrainian state of the seventeenth century, Hetman Bohdan Khmelnyts'ky. At the present time, when the Soviet government in its orders and propaganda on the "celebration of the

¹² I. Telychenko, "Soslovnyya nuzhdy i zhelaniya Malorossii," *Kiyevskaya starina*, VIII, 1890, 167, 170.

¹³ *Kommissiya novago ulozheniya*.

¹⁴ Telychenko, *op. cit.*, IX, 249.

re-union" praises Hetman B. Khmelnyts'ky as a great leader, statesman, and strategist, here in New York in the Ukrainian press and at Ukrainian public affairs, our great Hetman is not spoken of with kindness. He is accused of committing a "fatal error" which brought about the Ukraine's loss of statehood and threw it into the Russian prison of nations for hundreds of years. Attempts are made to support these accusations by excerpts from the poems of T. Shevchenko. To me, as an historian, lawyer, and Ukrainian, it was frequently very unpleasant to listen to, or read, these unexpected attacks upon one of our great national leaders, and, particularly so, since according to my deepest convictions, the attacks are entirely unjustified.

During his lifetime, B. Khmelnyts'ky did not permit a single violation of the Ukraine's sovereign rights by Moscow and, when the tsar concluded an armistice with Poland in 1656 and ceased fighting, Khmelnyts'ky protested vigorously; from that time on, he treated Muscovy merely as a neighboring state and did not admit any obligations established by the Treaty of 1654. At the same time, the Ukraine was land of freedom and prosperity in comparison with Moscow and, like a magnet, it attracted people from neighboring lands who sought freedom; and this included many fugitives from Muscovy of all classes. "We do not refuse anyone, we do not chase anyone away of those who come to us," was the reply of B. Khmelnyts'ky's government to the demands of the tsar that fugitives from Muscovy be extradited. The Ukraine of that time was free, rich, and happy, and, thus it was when B. Khmelnyts'ky died in 1657. For everything that happened after his death, the blame should fall, not on B. Khmelnyts'ky, but upon his inept successors and upon the tsars of Muscovy who broke the "tsar's word" which had been solemnly given.

Reading the material on these "jubilee days," works of historical research, different documents, including the acts pertaining to the Treaty of 1654 and other treaties concluded by B. Khmelnyts'ky's successors with the Muscovite tsars, and works of our own historians, I lean more and more to the opinion that the 110 year symbiosis of the Ukraine and Moscow and of the Ukra-

inian people with the Muscovite people—alien to them in origin, culture, language, customs, and even religious beliefs—greatly helped the Ukrainian people in the process of their unceasing struggle for their national “Ego”; it helped them pass through a period of apprenticeship and become truly a *Ukrainian nation*. And having become a nation, it will sooner or later win “its own rights and its own freedom.”

THE PROBLEM OF THE JURIDICAL NATURE OF THE UKRAINE'S UNION WITH MUSCOVY*

Dedicated to Professor Andriy Yakovliv

VYACHESLAV PROKOPOVYCH

The problem of the juridical nature of the Ukraine's union with Moscow has interested scholars for a long time. In addition to this interest the problem has a long and impressive literature. The most recent treatment in Ukrainian historical literature and those resumes dealing with its present state are to be found in the works of Hrushevsky, Yakovliv, and Doroshenko.¹

According to the late Hrushevsky, "an overwhelming majority of scholars found that the Ukraine, upon coming under the supremacy of the tsar of Muscovy, continued to retain its state rights and attributes and for this reason the state-political evaluation of this act hovered between such forms of state unions as personal or real union, and a vassal-protectorate. There were only a few scholars, who, after considering the centralist trends of Moscow and the reservations introduced by the latter, which in the process reduced the Ukraine's sovereign rights to zero, termed the union of the Ukraine and Moscow an incorporation, although incomplete, or an annexation with the reservation of autonomous rights (Nol'de, Rozenfeld)."²

In this presentation it is accepted as a fact—by both Ukrainian and older Russian historians—that the union of the Ukraine and Moscow was a union of two nations. Professor Sergiyevich has concluded: "In the seventeenth century the incorporation of

* This article has been edited and abridged slightly by Professor Yakovliv.

1 M. Hrushevsky, *Istoriya Ukrayiny-Rusy*, (Kiev, VUAN, 1931), Vol. IX Part 2 (Khmelnychchyna, 1654-1657).

A. Yakovliv, "Ukrayins'ko-moskovski dohovory v XVII-XVIII st.," *Pratsi ukrayinskoho instytutu* (Warsaw, 1934), Vol. XIX.

D. Doroshenko, "Narys istoriyi Ukrayiny," *ibid*, Vol. I (1932), Vol. II (1937), Vol. IX, XVIII (1934).

2 Hrushevsky, *op. cit.*, p. 866.

Little Russia was based on a union of states.”³ And Professor Filipov asserted, “With the annexation of Little Russia, the Muscovite state, hitherto a simple state, became a compound, because at this moment the process of a union of two states was taking place.”⁴ These opinions of two eminent Russian scholars sufficiently illustrate this point.

With the retention of her rights and liberties, the independent Ukraine joined the Muscovite state under certain conditions (the act of the *Zemski sobor* of October 1, 1653 stated that the “Cherkassy have today by a sovereign oath become free people”⁵). It does not matter how we designate the relationship which was to follow—the entire scale from autonomy to alliance is evident in literature—since we have before us two nations.

However, the term “subjection of Little Russia” has found its way into historical literature, particularly Russian; it appears in schools and everyday life. How did this term arise? Its source is in historical documents and, as a matter of fact, Muscovite documents of the period related to the Pereyaslav Treaty, as well as subsequent documents, contain the words subjection (*poddanstvo*), perpetual subjection (*vechnoye poddanstvo*), subject (*poddany*), subjects (*poddanyie*).⁶

The record of the *Zemski sobor* of October 1, 1653 does not use these words in its resolutions and does not mention “subjection,” although such expressions as subjection and subject are to be found in its other sections but in another connection.⁷ Subsequent documents have a generous sprinkling of it. It started on March 27, 1654 when the tsar responded to the request of the hetman and the Zaporozhian Host by agreeing to take compassion on God’s churches and the Christian people and “receive you under our tsar’s glorious protection.”⁸ This formula was

³ N. Sergiyevich, *Lektsii i izsledovaniya*, p. 103.

⁴ A. Filipov, *Uchebnik istorii russkago prava*, p. 359.

⁵ *Ibid.*, p. 414.

⁶ *Sobraniye gosudarstvennykh gramot i dogovorov*, III, 495. (Hereafter, *SGGD*.)

⁷ *Ibid.*, p. 488.

⁸ *Akty, otnosyashchiesya k istorii Yushnoi i Zapadnoi Rossii*, X, 502-3. (Hereafter, *AYuZR*.)

repeated in the tsar's decrees, "Under our sovereign's glorious protection. . . they have pledged faith to us for perpetual subjection."⁹ This became the standard for subsequent decrees which usually mentioned this "perpetual subjection."¹⁰

The tsar called the hetman a "subject" in his letters to him¹¹ and, in writing about the hetman to the boyars, he also ordered them to address him in this fashion.¹² This term was also applied to other "Cherkassy," such as officers and townspeople.¹³ It was also used by the boyars in their correspondence with the hetman,¹⁴ or in their references to him in their reports to the tsar.¹⁵

The Ukrainians even used this term to refer to themselves. Until the Pereyaslav Treaty, the letters of the hetman to the tsar and boyars did not use the term "subject," but the customary expression of courtesy in vogue at that time was used.¹⁶ After the oath the hetman and the Host signed in the following way: "Your sovereign highness' loyal subjects and most humble servants."¹⁷ In the articles delivered in Moscow by the Ukrainian envoys, S. Bohdanovych and P. Teterya, the expression "his sovereign highness' subjects, Bohdan Khmelnyts'ky, the hetman, and the entire Russian Christian people," was used.¹⁸ Thereafter, this standard was the rule.¹⁹ Secretary General Vyhovsky imitated the hetman and signed his name in the same way, usually adding the words, "subject and servant," and also, "footstool."²⁰ Similar

⁹ *Ibid.*, to the nobles, p. 495; to the hetman in Chyhryn county, p. 496; to Hadyach, p. 497; to Subotiv and Novoselytsya, p. 499; to Medvedivka, p. 500.

¹⁰ For example, the writ to Pereyaslav of April 13, 1654, *ibid.*, p. 534; the writ to Kiev of July 16, 1654, *SGGD*, III, 529.

¹¹ *AYuZR*, p. 657.

¹² *Ibid.*, p. 658.

¹³ *Ibid.*, p. 511.

¹⁴ *Ibid.*, p. 513.

¹⁵ *Ibid.*, p. 685.

¹⁶ *Ibid.*, pp. 70, 96.

¹⁷ *SGGD*, III, 501.

¹⁸ *AYuZR*, p. 478.

¹⁹ *AYuZR*, X, 261-2, 728, 670, 610, 718, 733, 438, 550, 320, 436, 740, 724, 318, 599. See also, *SGGD*, III, 517.

²⁰ *AYuZR*, X, 740, 736.

terms were used in appeals to the Muscovite sovereign by officers, communities, Cossacks, and nobles.²¹

In the official acts, writs, and other documents issued by Muscovy and in the Ukrainian letters and petitions, the terms "subjects" and "subject" started to cling to the hetman, the Host, the officers, different classes, towns and individuals.

These terms were used so frequently in communications with Muscovy that they became indispensable additions to the rank and name of the closings. In time, the word acquired a meaning bordering on some honorary profession and was envied by those who did not possess it. Thus, in 1678, Bishop Gedeon of Lutsk, Prince Svyatopolk-Chetvertynsky, wrote to the tsar: "Although we are not worthy of being your subjects, still we pray for this. You are the only Orthodox tsar in the world, as the sole sun in the sky."²²

Sometimes it assumed all the aspects of a privilege and those who possessed it would not share it with others. Thus, after March 17, 1674, when the colonels of the Right-Bank took an oath to the tsar to be received "in perpetual subjection according to their rights and liberties," those of the Left-Bank were denied the right to call themselves the tsar's subjects, as if that right belonged only to the former group.²³ This idea of "subjection" was even instilled in schoolchildren. Public celebrations were held in honor of this. Thus, in 1674 in Kiev, the students from Mohyla College staged a dialogue in honor of the tsar as a "sign of faithful subjection."²⁴

II

Obviously, the simplest thing would be to accept the present meaning of the word, "subject." Frequently, when people read about the "subjection" of the Ukraine, they accept the word in

²¹ *Ibid*, p. 472, 516, 614, 765, 767.

²² K. Kharlampovich, *Malorossiiskoye vliyaniye na velykorusskuyu zhizn*, (Kazan, 1914), I, 341.

²³ SGGD, IV, 302.

²⁴ K. Kharlampovich, *op. cit.*, I, 413. He added that the *voyevoda*, Prince Trubetskoi, expressed a wish that this dialogue be printed (see, V. A. Undolski, *Ocherk slavyano-russkoi bibliografii*, Moscow, 1871, No. 881).

its present meaning without further analysis. Our modern science of law interprets this term as indicating the relationship between the citizens and the state, the individual and the collective; thus, they attribute to the term a clear meaning, understandable by all.

"By subjection or citizenship," according to Gradovski, "we understand the sum total of relations which tie a human being exclusively to a given land and its government. A person can only belong to one political body, one state. As Herman Schultze correctly observed, 'The duty of loyalty and obedience cannot be divided among several states.'"²⁵

According to a later and more accurate definition, subjection means the juridical connection between the individual and the state. In the field of international law, as it pertains to individuals, subjection determines the personal status of an individual abroad (a synonym of nationality) and within this meaning it is a modern concept. In the field of political law, subjection determines the rights and duties of a person in relation to the state.

According to some scholars, e. g., Seidel and Jellinek, it is impossible to define isolated elements of subjection. It consists of the sum total of an individual's rights and duties, which are founded upon the law of the land. Therefore, subjection does not have an immutable meaning, since it varies with the passage of each new law. It is even more difficult to come up with a definition which would apply to subjection in all states. Thus, according to Leband: (1) subjection imposes a duty of obedience to the state authorities regardless of whether the person is within the state or abroad. Obedience means not merely passive submission, but also positive activity in carrying out those responsibilities due the state (particularly, military service). (2) Subjection is also connected with loyalty, i. e., it imposes the responsibility of not acting to the detriment of the state; an alien can be prosecuted for acts detrimental to the state but not for treason.²⁶

²⁵ A. Gradovski, *Nachala russkago gosudarstvennago prava*, (St. Petersburg, 1875), I, 194.

²⁶ M. Braun, "Poddanstvo," *Entsiklopedicheski slovar Brokhauza*, 47, pp. 70-1.

From the viewpoint of modern science, the problem of the so-called dual subjection (dual citizenship) might also be considered, since it will be met with many times. "Multiple subjection is an anomalous phenomenon, contrevening the accepted idea of the state," said Gradovski.²⁷ Modern authors agree with him. One of them finds that "dual subjection is an anomaly, because the demands imposed upon its subjects by one state are frequently incompatible with the simultaneous subjection to two, e. g., loyalty, military service."²⁸

From all that has been said above, it is most pertinent for us to bear in mind that subjection refers to the relationship between the individual and the collective, i. e., the citizen and the state according to modern views. However, certain formulas are derived from the above quotations which may not, under any circumstances, be applied to older times. Legal concepts, which are often very familiar to us, have not been in existence for ages, but have acquired their meaning by constant development, supplementation, and change. Filipov writes: "Legal concepts which have become apparent after a sequential study of individual stages of national awareness of law and which have influenced in one way or another the organization of institutions and the formulation of juridical norms at a given moment of the law's development, are not constant magnitudes through the ages. On the contrary, they have been subject to constant change which is directly related to the development of the entire complex of social intercourse in the given country. No matter what juridical concept is considered in history, be it the concept of nationality, supreme authority, crime and punishment, property, or an institution which either by itself or in unison with others carries out certain functions in the state, etc., each has been subject to changes over a period of centuries. Finally, it comes before us as a complete picture, capable of being separated into its component parts. And it is precisely in this way that it appears in modern juridical theory or legislation of different countries."²⁹

²⁷ Gradovski, *op. cit.*, p. 194.

²⁸ Braun, *op. cit.*, p. 72.

²⁹ Filipov, *op. cit.*, p. 2.

An illustration of this continual evolution of juridical concepts is provided by Jellinek, an eminent German scholar, and it is precisely from the field which most interests us. "The concept of subjection," he says, "was only fully developed after the downfall of the feudal state. . . ." ³⁰

With the development of juridical norms, those terms which were applicable to them were filled with a different content. This process encompassed life in general, for in the living language of any nation changes are observed in the meaning of words—frequently of profound depth—while the word retains the same linguistic form. This phenomenon can not be overlooked, since we must contend with it in order to solve our problem. Let us take the word *boyarin* (boyar). It signified different ideas during the course of centuries and, particularly in Ukrainian, was subject to profound changes. During the period of the Galician-Volhynian kingdom, a *boyarin* was a person of great power, one who belonged to the circle of magnates who ruled the state. During the Lithuanian-Rus' principality, the *boyarin* had nothing in common with his predecessor except personal freedom. In the modern vernacular, the word *boyarin* still exists in the wedding ritual, but its meaning is purely ceremonial and its existence just as ephemeral as "prince" in the same ritual. The word is identical in all three instances, but the meaning entirely different. ³¹

Another example is supplied from the Russian language. The words, "well-born nobility" (*blagorodnoye dvoryanstvo*), had merged into a single indivisible unit during the last period of the Empire. And yet there was a time when this permanent adjective of the noble estate, "well-born," had no connection with the nobility at all, but was a epithet of a higher order, applicable only to grand princes and grand princesses, the children of the tsar. It was only during the time of Peter I that the adjective *blagovernny* (truly faithful) replaced *blagorodny*; the latter was applicable to the rank-and-file nobility. ³²

³⁰ G. Jellinek, *Pravo sovremennogo gosudarstva*, 1903, p. 479.

³¹ Novitski, *op. cit.*, p. 4.

³² Gradovski, *op. cit.*, p. 230.

After considering these facts, we must agree with Nol'de, who, having explained the meaning and limits of the "rights and privileges" of the Ukraine after the union, observed: "This task is further complicated by the fact that the people of the seventeenth and eighteenth centuries did not know these forms of political thought to which we have become accustomed and in their documents do not answer many questions which seem basic to us. In this connection it must first be noted that the documents of the seventeenth and eighteenth centuries do not contain a clear idea of the fact that in these acts the matter concerned the relations of two political units, Russia as an entirety and Little Russia. This abstract construction was unknown to the people of the period. For them, juridical relations between Russia and Little Russia were relations between the tsar and the hetman with the Host."³³

The words of M. Solovyov assume a deep significance against the background of the differences in acceptance of facts, their interpretation, and the ultimate expression of them in words and deeds. He said in a different connection, "Problems which appear incapable of being detached from the present time and the habit of transposing modern demands to the past ages, greatly impede the study of history and a correct understanding of the past; and by the same token they impede the modern connection with them."³⁴

A truly grave error is committed by the historian who approaches the past with the yardstick of the present, subordinating past conditions to modern patterns, e. g., imputing twentieth century meanings to seventeenth century terms. Modern norms and patterns cannot be applied to the past, and the modern meaning of certain words cannot be applied to the same words in old documents. The modern meaning of these documents is not important. What is important is the meaning intended by the people who wrote them, the purposes they wished to achieve, and how the documents were interpreted by contemporaries.

³³ B. Nol'de, *L'Ukraine sous le protectorat russe*, p. 34.

³⁴ Solovyov, *Istoriya Rossii s drevneishikh vremen*, XIII, 143.

Hence, the facts and terms of the past must be approached using the yardstick of the past; no exception can be made in regard to the problems of "subjection." It must not be forgotten for a single moment that the Pereyaslav Treaty was concluded in the seventeenth century; political ideas and concepts were entirely different and political ideas were conceived in different terms.³⁵

It is not always possible to enter into the spirit of another epoch and to appreciate its atmosphere, but it is our duty to make such an attempt. That is the reason for the attempt to explain the meaning of "perpetual subjection."

In order to be able to answer the question posed, we have to begin with a *determination of the true contents of the Ukraine's "subjection"* and then proceed to explain the meaning of the word itself during that period.

The true contents of "subjection"—what did the "rights and liberties" of the Zaporozhian Host consist of exactly—have already been explained by Ukrainian and foreign scholars. In our presentation of earlier analyses, we only have to attend to some additional facts, place some neglected source material in place, emphasize some unutilized points, which are significant in our opinion, and then unify all this material.

Our task is more complicated when we come to the explanation of the term "subjection" during the period of the Ukraine's union with Muscovy. This undertaking, in all probability not attempted by anyone else, will require enlisting the aid of spheres that lie beyond this author's specialization, the history of language and the history of law: philological, i. e., what a given word was supposed to mean at the time, and provide illustrations of how Ukrainians, Muscovites, and neighbors understood the word; and juridical, i. e., what contents a given formula had in the Muscovite laws of the seventeenth century.

If we are in error as to some points, it is up to the linguists and lawyers to offer arguments and conclusions, amendments or additions, reservations or rebuttals.

³⁵ Yakovliv, *op. cit.*, p. 37.

III

First, the contents of the meaning of "perpetual subjection" must be analyzed on the basis of contemporary documents. The tsar wrote in a writ of March 27, 1654 to Hetman B. Khmelnytsky and the entire Zaporozhian Host: "That in the present year 162, by the grace of God, Hetman Bohdan Khmelnytsky and the entire Zaporozhian Host have come under our majestic hand and pledged faith to us, the great sovereign, and to our sovereign's children and successors in perpetual subjection...."³⁶

The essence of the Pereyaslav event was explained in more detail, and with emphasis upon some very important aspects, in the tsar's writ to Secretary General I. Vyhovsky of April 12, 1654: "And we, the great sovereign, for the glory of the Orthodox Christian faith and the holy churches of God, and for no other purpose, save this, that all true believing Orthodox Christians be liberated from Latin persecutions and oppression, have accepted you under our sovereign hand. You have pledged faith to us, the great sovereign, according to immaculate Christian commandment, and you will serve us, the great sovereign and our ruling children and successors with faith and truth, and desire the good in all measure and you will remain under the hand of our sovereign highness with towns and lands forever inseparable, and for the Kiev and Chernihiv principalities and for all of Little Russia not to wish another ruler."³⁷

In the oath sworn by the Ukrainians to the tsar in Pereyaslav, they promised according to the *Chinovnaya kniga* to "remain with lands and towns under the sovereign's high hand forever inseparable," and to "serve and aim and desire good and in all to do the sovereign's will, without any hesitation, as was written in the promise."³⁸

As it appears from these excerpts, the essence of "perpetual subjection" consisted in the fact that the hetman and the entire Zaporozhian Host came under "the majestic hand of the sover-

³⁶ *AYuZR*, X, 491.

³⁷ *Ibid.*, pp. 575-6.

³⁸ *Ibid.*, p. 228.

eign" together with "lands and towns" which made up the grand principalities of Kiev and Chernihiv and of all Little Russia, and at the same time they pledged the Muscovite monarch "not to leave him ever, to serve him in faith and truth, and to submit to his will."

It must be emphasized that all the documents relating to the Pereyaslav Treaty and its drafting, such as B. Khmelnyts'ky's letters to the tsar, the articles of the treaty, the writs of the tsar and Buturlin's "List of Articles" and others, contain, as far as the Ukraine is concerned, all those elements which, even under present standards, determine a state: government, territory, and population. The Zaporozhian Host, i.e., the Ukrainian state with its government, the hetman, and the territory, "lands and towns" and population ("all the Christian Russian people," "all the Orthodox people," "the honorable military and all people") were entering a certain relationship with Muscovy.³⁹ The irrefutable statehood nature of the Zaporozhian Host, is reinforced by the additional monarchical elements inherent in the aforementioned titles of the principalities of Kiev and Chernihiv and of all Little Russia which the Ukraine delivered to the tsar of Muscovy along with "subjection."⁴⁰

The hetman, who, according to contemporary customs, personified the state of the Zaporozhian Host, which he headed, affirmed the treaty with Moscow on the transfer to "subjection" by oath, but under certain conditions: the Ukraine submits "under the majestic hand of the sovereign" preserving inviolate her "rights and liberties," which were guaranteed earlier by the tsar's word. Buturlin, the head of the tsarist mission, assured the Pereyaslav Council that the tsar's word is "never broken,"⁴¹ and this promise was subsequently confirmed by a series of writs issued in Moscow.

Nol'de summarizes the rights which the tsarist authority had acquired over the Ukraine and the rights of the Zaporozhian Host, guaranteed by the same treaty: "The limits of dependence

³⁹ *Ibid.*,

⁴⁰ M. Hrushevsky, *Velyka, Mala, i Bila Rosiya* (Kiev, 1917).

⁴¹ *AYuZR*, Vol. X.

were defined so obscurely that it is difficult to draw any clear juridical conclusions from the formulas in the acts pertaining to the matter. What precisely 'subjection' consists of is explained in the writs in the following manner: 'To serve us, the great sovereign and our son the tsarevich Aleksei Alekseyevich, and our heirs, to serve us and to submit to us and to wish us all good, and to go there, where our highest command orders, against the enemies of our state and to fight them, and in all things to be in our will and in our obedience forever.' The concluding words are so categorical that it would appear as if Little Russia had been completely subjugated by Muscovy. But the acts obviously do not attach too much weight to this formula, because, while it appears that the formula should make everything else superfluous, they recite carefully, one after the other, the prerogatives of the Muscovite authorities in the Ukraine."⁴²

This Russian scholar lists the tsar's prerogatives in the following order: the hetman's duty was to serve faithfully and wage war on the tsar's enemies; certain restrictions upon foreign relations and even the prohibition of them in time, and the right of the tsar to maintain in the Ukraine military commanders with their units. ⁴³ "This list," writes Nol'de, "exhausts the question of Moscow's influence upon the Ukrainian administration during the first period of Little Russia's autonomy until Peter I. All else is within the realm of the 'rights and privileges' of the Ukraine."⁴⁴

In his work on this subject, A. Yakovliv, after careful consideration of the problem indicated by Baron Nol'de, came to the following conclusion regarding the scope of the tsar's rights: "The rights of the Ukraine which were due the tsar of Muscovy according to the Treaty of 1654 were restricted to the fictitious right of receiving monetary tribute and overseeing the Ukraine's foreign relations, and this only in certain cases. This, and perhaps also the very name 'subjects,' covers the whole essence of the term 'subjection' expressed so categorically in the writ of the

⁴² Nol'de, *op. cit.*, p. 41.

⁴³ *Ibid.*, pp. 39-43.

⁴⁴ *Ibid.*, p. 44.

tsar.”⁴⁵ This author continues: “No matter how categorical this meaning of ‘subjection,’ it cannot be explained in this manner, as if the Ukraine had united with Muscovy forever and had lost her independent national existence by becoming part of the Muscovite state. The text says that the Ukraine has to be under the majestic hand of the tsar, but according to all her previous rights and privileges and according to all the articles of the treaty. And these rights, privileges, and articles, as we shall see later, reduce ‘subjection’ to a mere nominal protection of the tsar over the Ukraine.”⁴⁶

And M. Hrushevsky characterizes the condition of Ukrainian statehood at the time: “Actually, even after coming under Muscovite supremacy, the territory of the Ukraine was considered as the territory of the Cossack Host, ‘the Cherkassian cities’ were separated by customs and political boundaries from the tsardom of Muscovy. . . her people were under the protection of the Host and they even thought in terms of the army, as we have seen. The Metropolitan calls the hetman ‘leader and commander of our land.’ The highest social stratum was the nobility, which ‘served in the Zaporozhian Host.’ The omni-national character of the hetman’s power, and its control over the entire population of the Ukraine, is emphasized in the Muscovite formula of the hetman’s investiture. The Ukrainian structure was based on her own laws, guaranteed by the treaty with Moscow; in the acts of union the term ‘rights and liberties’ are used. These had existed under the great princes of Rus’ and Poland; the tsarist government can broaden them, but not curtail them. To the extent that life in the Ukraine was governed by this right, the interference of the tsarist authorities was not tolerated.”⁴⁷

Having listed the actual content of the Ukraine’s subjection, as it appears in sources and as it is interpreted, the characteristics which appear upon analysis of its essence and which make it even more peculiar and even more incompatible with modern

⁴⁵ A. Yakovliv, *op. cit.*, p. 41.

⁴⁶ *Ibid.*, p. 38.

⁴⁷ Hrushevsky, *Istoriya* . . . , pp. 866-7.

concepts as applied to that term must be considered. And these are: incompleteness, instability, and duality.

The incompleteness of this subjection is explicable in what has previously been said, i. e., it had been much restricted. This was perceived in Moscow, which used every opportunity and attempted at any cost to curtail these "rights and liberties." She used every possible means to introduce new amendments, which were to her benefit, into the context of the treaties in order to change the incomplete subjection into full dependence. If Moscow considered Khmelnyts'ky a "subject" of the tsar, then, says A. Yakovliv, in her own eyes this subjection was peculiar and incomplete. It was only in Bryukhovetsky's time, who "threw all the cities of Little Russia at the tsar's feet" and declared that it was not proper for a hetman to rule over subjects, only for monarchs, that it was stated that "Little Russia comes under the complete subjection of his sovereign majesty."⁴⁸ But this formulation (of Rigelman), which holds that in 1665 Ukrainian subjection (*poddanstvo*) actually changed into complete dependence (*sovershennoye poddanstvo*), does not conform to reality. First, the Ukrainian people in shedding their blood, lodged an active protest. Second, the Moscow resolutions of 1665 were destined for a brief life, since they were shortly cancelled by the Hlukhiv Treaty of D. Mnohohrishny in 1669.⁴⁹

It is precisely in this treaty that we find the contraposition of the two powers, the Ukraine and Moscow, and their interests. Matters of a special Ukrainian resident minister in Moscow, Muscovite escapees in the Ukraine, Ukrainian war prisoners in Muscovy, the return of property confiscated during the war, and, particularly, the prohibition against Ukrainians trading in tobacco and spirits within the boundaries of the Muscovite tsardom—all these clearly indicate the incompleteness of subjection.⁵⁰

Even much later, during the election of Hetman I. Mazepa in 1687, a special resolution had to be introduced into the articles of Kolomak at Moscow's request and against many protests which

⁴⁸ N. Rigelman (Riegelman), *Letopisnoye povestvovaniye o Maloi Rossii*, II, 85.

⁴⁹ Yakovliv, *op. cit.*, p. 103.

⁵⁰ *Ibid.*, pp. 100-3.

asserted that the Ukraine was "the land. . . of the hetman's regiment" and was different from the Muscovite state. The tsar's decree imposed upon the newly-elected hetman the duty "to unify the Little Russian people with the Great Russian people by all measures and means and to bring them into inseparable and firm union by marriages and other conduct, so that they would be together under one government of the tsar's excellent highness of one Christian faith, and that nobody would voice such statements that the Little Russian land is the hetman's regiment, but instead, they should proclaim in unison: the hetman and officers and the Little Russian people together with the great Russian people of his most excellent sovereign majesty of the autocratic state, and residents of Little Russian cities are free to move to Great Russian cities."⁵¹ If in 1687 such extraordinary measures were required to achieve at any cost a real union of the Ukraine and Muscovy and the closest approach between the Ukrainian and Russian people, it is apparent that contemporaries "of the hetman's regiment" sharply and clearly opposed their Ukrainian state to the Muscovite and the hetman's authority to the tsar's.

However, even after Poltava we encounter the "Little Russian state" along with the "Great Russian." In a book published in 1713 by the Kiev-Pecherska Lavra in honor of Prince D. Golitsin, the dedication mentions his mission to Turkey, undertaken "for the common good of both states, the Great Russian and the Little Russian."

The existence of two states during Peter I's time, a fact noted by the scholars of the Lavra, was surely considered by the Muscovite tsars. It must be emphasized that the tsars themselves looked upon the Ukraine, notwithstanding its "perpetual subjection," as a state separate from that of the Muscovite tsardom.⁵² In the seventeenth century the tsars readily gave concessions to

⁵¹ *SGGD*, IV, 556.

⁵² It is sufficient to recall that even a boundary and customs office, which separated the Ukrainian territory from Muscovy, existed until 1754, when they were abolished by an order of the Senate (*Polnoye sobraniye zakonov*, Vol. I, Nos. 10218, 10258, 10486. Hereafter, *PSZ*).

foreign merchants and entrepreneurs and hired many foreigners, particularly for the military services. Many of these people were accepted as "subjects." And here is a fact which speaks for itself: In granting privileges and letters patent to these foreigners, the tsars of Muscovy stated clearly that they had effect in the "Great Russian tsardom of our sovereign majesty."⁵³ The tsar would not even think of granting foreigners privileges which would be valid in the "Little Russian state."⁵⁴ The Ukraine was a different state and the tsar had no right to interfere in the internal affairs of the Ukraine, in the so-called "Little Russian principality," in the principalities of "Kiev, Chernihiv, and all Little Russia."

There is further evidence of Moscow not being sure of the "subjection" of the Ukraine and of the imperfection and unfinished state of the union in a prayer which had been printed in Moscow annexes long before 1718 and used until 1734. It was a prayer to Saint Metropolitan Oleksiy and was read in churches in the name of the tsar and his family. It read: "May the throne of Kiev unite with the God-erected throne of Moscow and may the Little Russian principality join the God-protected Great Russian tsardom."⁵⁵ Therefore, from the viewpoint of Muscovy, notwithstanding the "perpetual subjection" of Bohdan Khmelnyts'ky and his successors, the union of the Ukraine and Muscovy was not an accomplished fact: even after the union there were still two thrones and two states; prayers were offered to God for many years for their union.

The area of church life offers very interesting evidence of that "subjection" and discloses the cardinal differences between Moscow's policy in this respect in Byelorussia, which had been annexed directly by the Muscovite tsardom, and the Ukraine, which had agreed to come under the supremacy of the tsar, but had remained independent. The tsar's authority was quite different

⁵³ SGGD, IV, 594-5. This was a letter patent of Tsars Ivan and Peter to refugees "of the Evangelical faith" who escaped from France, issued at the intervention of Frederick III of Brandenburg on January 21, 1689.

⁵⁴ Hrushevsky, *Istoriya*..., p. 866; *AYuZR*, X, 575-8; SGGD, III, 529.

⁵⁵ Kharlampovich, *op. cit.*, p. 501, note 3.

on land which was considered within his control, while a different measure was applied to the neighboring Ukrainian church, although it was bound to him in a certain way.

In Byelorussia, which had been conquered "by the sword," annexed immediately to the Muscovite tsardom, and actually joined with the Patriarchate of Moscow, Moscow did not tarry with the appointment of their own administrators and bishops.⁵⁶ Moscow did not dare do anything like that in the Ukraine, no matter how much she was tempted to do so, and the Ukrainian Church remained independent of Moscow for a period of thirty-two years following the Treaty of Pereyaslav (1654-1686).⁵⁷ The tsar's orders had no force in the Metropole of Kiev and it continued to be governed by its "old rights."⁵⁸

It might be said in this connection that political supremacy and canonical hierarchy are two different things. The answer to this, however, is that at that time in the Ukraine the elements of religion, politics, nationality were closely intertwined with social matters. The prime motive, as evidenced in contemporary Ukrainian and Russian documents, for the union on both sides was "one faith";⁵⁹ it would be natural to assume that there should be a church union. There were many reasons why this expected event did not materialize, but we cannot pause here to analyze them.

⁵⁶ *Ibid.*, p. 171. The consecration, for example, of Kalikst Ritoraysky as Bishop of Polotsk in Moscow on March 8, 1657.

⁵⁷ This very deep difference in the behavior of the tsarist government in religious matters in Byelorussia and the Ukraine is the more significant in that its source did not lie in a difference of views and plans of Moscow regarding Ukraine and the Western lands, but in her actual inability of having her own way in the "Cherkassian cities," i. e., the territory of the Zaporozhian Host. The inability flowed from the legal position of the Ukraine and her Church at the time, dangerous perhaps, not by reason of the Pereyaslav Treaty, as by the fact that in defense of the Church stood the entire, mighty military force of the Ukraine. The Church of Kiev was at that time nominally under the supremacy of the Patriarch of Constantinople, and the Ukraine, as we have seen, remained a separate and independent nation even after "subjection."

⁵⁸ Kharlampovich, *op. cit.*, I, 74.

⁵⁹ It is sufficient to recall the record of the *Zemski sobor* of October 1, 1653.

We must bear in mind the general importance of religious matters during this period and, particularly, its acuteness during the as yet unfinished struggle with Poland. The Church with its elective structure occupied a peculiar position in contemporary Ukraine. The clergy, whose role in the nation was so important, was not a caste, but was continually supplemented by all social classes of the nation; it represented the flesh and blood of the people and was intimately tied to them in a thousand ways. The clergy was at the forefront in cultural work and active in politics, where its influence was frequently felt. In the Ukraine of that time, according to K. Kharlampovych, "church and temporal politics were closely interwoven; and to the extent that the higher clergy participated in political matters, so the Cossack officers, and particularly the hetman, introduced their views into the realm of Church politics."⁶⁰ The Mohyla-Mazepa College produced church princes and statesmen, educating equally future scholar-monks and soldiers. We see the signatures of church fathers on the hetman's acts of election; and lay persons taking part in elections of metropolitans, bishops, and superiors of monasteries. Mykhaylo Vuyakevych, who was a lay delegate to the Lavra for the election of the superior, suddenly became the Archimandrite of the Pecherska Lavra (he had been a military judge) and ended his days in a monk's cowl. We encounter Hetman Pylyp Orlyk at the beginning of his career as capitular secretary of the Metropole of Kiev. We might also mention such typical figures (who are still quite antithetical): Metropolitan Iosyf Nelyubovych-Tukalsky and the Byelorussian Bishop Metodiy Filymovych, who played political roles.

It is necessary to point this out in order to get a clear idea of the large and significant area of Ukrainian life which was formally and actually beyond the limits of Muscovite rule during the first decades of subjection.

A further serious gap in the true value of subjection was caused by its instability, its temporary nature. This particular problem will be analyzed later in section V.

⁶⁰ Kharlampovych, *op. cit.*, p. 180.

Finally, the last characteristic of this subjection was its duality, i. e., the dual subjection of a part of the Ukraine, the Zaporozhian Sich with the lands which were part of its "Free Lands." This duality was circumscribed and guaranteed by treaties. The Andrusiv Treaty of January 20, 1667 recognized in article 3 that Zaporizhzhya was under dual subjection to Poland and Muscovy: "And the Zaporozhian Cossacks are to be obedient to both rulers and carry out common service against Turkish and Tatar attacks; all of them are permitted the free exercise of their religious faith."⁶¹ According to Kostomarov, "Zaporizhzhya was subject to two states at the same time."⁶²

The anomaly of dual subjection might be disregarded from the standpoint of modern law.⁶³ However, we must not lose sight of the fact that some norms of the European Middle Ages were carried over into modern times: Feudal lords could be simultaneously vassals of several monarchs.⁶⁴ The position of Zaporizhzhya remained nominally in dual dependency until the Perpetual Peace of 1686.⁶⁵ In fact, it was independent and this made the term "subjection," in relation to this integral part of the Ukrainian territory, pure fiction; it had no meaning, nor validity.

Thus, after a factual analysis of its contents and an explanation of its peculiarities, very little remains of this subjection.⁶⁶

IV

It is not our task to offer here a survey of historical events which took place after the Pereyaslav Treaty, nor to concern ourselves with international relations concerning the Ukraine, nor, finally, to analyze the relations between the Ukraine and Moscow as they ultimately developed. Our purpose is to shed some light on this "subjection" from the Ukrainian and, in part, from the foreign point of view, using as our basis the formulas found in

⁶¹ D. Bantysh-Kamenski, *Istoriya Maloi Rossii* (Moscow, 1822), II, 47.

⁶² M. Kostomarov, "Ruyina," *Rus'ka istor. biblioteka*, XVI, 162.

⁶³ Gradovski, *op. cit.*, p. 194.

⁶⁴ Braun, *op. cit.*, p. 70.

⁶⁵ Bantysh-Kamenski, *op. cit.*, p. 169.

⁶⁶ See Vladimirski-Budanov, *Obzor istorii russkogo prava*, pp. 112-3.

documents of that period, principally in the salutation and closing. While it is true that not all documentary material of this period has been surveyed from this diplomatic aspect, nevertheless, we are able to cite some examples. It is proper to note here the initiative of Professor Ivan Krypyakevych and his noteworthy studies in this field.

The Ukrainians, carefully underlining this "subjection" in papers to Moscow, or writing it out calligraphically next to the words "Of the Zaporozhian Host," or next to the writer's rank—in some instances as if they were sacramental words belonging to "his imperial highness" and in other instances, words belonging to domestic Ukrainian affairs or international relations—do not always carry it out. They do not sign themselves "subjects," they are not in a hurry to display it before the eyes of the world, and they likely to forget about the existence of "his highness." Occasionally, with an inborn Ukrainian sense of humor, they would makes jokes about it.⁶⁷

In this connection there is an interesting occurrence which took place during the hetmanate of Ivan Vyhovsky. The Muscovite envoy, boyar Khitrovo, complained to the hetman during the Council of Pereyaslav in January 1658, on the tsar's orders, that the hetman had signed his name as a "free subject" in a letter to the tsar, while it was proper to sign it simply as "subject of your imperial highness" and not to use the word, "free." He also wrangled with the hetman because the latter, in communicating with the Crimean khan did not sign his name as a "subject of his imperial highness, the tsar."⁶⁸ In reference to the "free subjects," the hetman said that it was an error and promised that it would not occur again.⁶⁹ In the published material there are many significant instances when the hetman, or other officials, in addressing the tsar omit "subjects" from their signature. Thus, B. Khmelnyts'ky in his letter to the tsar of July 4, 1654, which dealt with the Vydubysky Monastery, signed himself,

⁶⁷ Kharlampovich, *op. cit.*, p. 186.

⁶⁸ *AYuZR*, IV, No. 58 and Yakovliv, *op. cit.*, pp. 56-7.

⁶⁹ *Ibid.*

“hetman with the Zaporozhian Host of his imperial highness”; he did not use the word “subjects” in the signature, but confined himself merely to “servants.”⁷⁰ The colonel of Kiev, Antin Zhdanovych, in his petition to the tsar, also signed his name without “subject.”⁷¹ And Hetman Ivan Vyhovsky, in his reply to the complaint transmitted through envoy Khitrovo, signed his name: “Hetman Ivan Vyhovsky of the Zaporozhian Host of his imperial highness,” without adding “subject.”⁷² If we are not dealing with words omitted through editorial oversight, then all this is very significant, especially so in view of the fact that everything pertaining to the tsar’s title and person was strictly followed in the Muscovite chanceries.

If the possibility of error is admissible in these texts dealing with the relations with Muscovy, there is no doubt about documents from Ukrainian life. In the internal affairs of the Ukrainian state, the hetman’s signature contains no reference to this “subjection.” There is, for example, a whole series of proclamations from 1656, which were issued to persons or cities. In these, the hetman signs his name: “Bohdan Khmelnyts’ky, his own hand.”⁷³

“Particularly significant,” says Professor Krypyakevych, “is the title ‘hetman with the Zaporozhian Host’ without any additions and where no mention is made of dependence on anyone.”⁷⁴ This title, which was customarily used by Bohdan Khmelnyts’ky after the liberation from Poland, is encountered in proclamations even after the transition to the tsar’s authority. Thus, a proclamation issued in Chyhryn on April 21, 1654, begins: “Bohdan Khmelnyts’ky, Hetman with the Zaporozhian Host, make it known by this our writing to whomever is concerned...” and ends: “Bohdan Khmelnyts’ky, in his own hand.”⁷⁵ Krypyakevych

⁷⁰ *AYuZR*, X, 740.

⁷¹ *AYuZR*, III, 541.

⁷² *AYuZR*, VII, No. 75.

⁷³ *AYuZR*, III, 544-6, 549.

⁷⁴ I. Krypyakevych, “Studiyyi nad derzhavoyu B. Khmelnyts’koho,” *Zapysky Naukovoho Tovarystva imeni Shevchenka*, CXLVII, 58.

⁷⁵ *AYuZR*, III, 507.

subsequently notes, "after 1654, the title 'hetman with the Zaporozhian Host' appears in the proclamation of March 9, 1656."⁷⁶

In the area of foreign relations, those acts which were issued by the Military Chancery to other sovereigns, or which came from them to the hetman, contain no mention of this "subjection." Thus, in relations with Turkey, B. Khmelnyts'ky signed ian Host of his imperial highness."⁷⁷ Hetman I. Vyhovsky signed his name in the same way in his transactions with the his name without the title "subject" in "hetman of the Zaporozh-Crimea."⁷⁸

In the Treaty of Alliance concluded on September 7, 1656 between the Ukraine and Transylvania, Yury Rakoczy negotiated with the "illustrious hetman and with the entire Zaporozhian Host."⁷⁹ This historical document even reached Moscow under the title: "The peace of the Transylvanian Prince with his grace, the Pan hetman, and entire Zaporozhian Host, resolved for all time..."⁸⁰

Emperor Ferdinand III, when dispatching the mission of Parchevich to the Ukraine in January 1657, directed him to "our illustrious and truly beloved Bohdan Khmelnyts'ky, Zaporozhian General-Hetman..."⁸¹ And the envoy of "the Roman Emperor by the grace of God the most august head of all Christian sovereigns" at an audience with the Hetman addressed him as follows: "I am disclosing this message of fatherly love of the holy imperial majesty to your illustrious and magnificent lordship and your excellent councilors, who constitute this glorious and martial republic."⁸²

From this point of view, the relations with Sweden are probably most significant. First, it must be noted that, in Swedish

⁷⁶ Krypyakevych, *op. cit.*

⁷⁷ Hrushevsky, *Istoriya...*, IX, 1098.

⁷⁸ *AYuZR*, IV, 58.

⁷⁹ *AYuZR*, III, 546.

⁸⁰ *AYuZR*, II, 547.

⁸¹ *Ibid.*, p. 594.

⁸² Yakovliv, *op. cit.*, p. 48.

opinion, the Treaty of 1654 in no way diminished the rights of the Ukraine as an independent state, since it left "the freedom of the nation whole and inviolate."⁸³ Likewise the Korsun Treaty with Sweden of October 1658, recognized "the Zaporozhian Host as a free nation, subject to no one."⁸⁴ King Charles-Gustave addressed his message of November 3, 1656, thus: "To our illustrious and our well-beloved lord, Bohdan Khmelnyts'ky, Hetman of the Cherkassian and Zaporozhian Armies,"⁸⁵ and the hetman signed the letter of June 28, 1656 to Queen Christina: "To your most illustrious highness from the most well-wishing of all your friends, B. Khmelnyts'ky with all the Zaporozhian Host."⁸⁶

The old hetman ostentatiously emphasized his alliance with Sweden before the Muscovite envoys; deliberately turning his attention to the Swedish envoy, Lilienkrona, he stated openly that "he, the Hetman, wishes to be the friend of the friends and enemy of the enemies of the Swedish king" and that he can even "march immediately, both against Poland, as well as against Moscow."⁸⁷

Buturlin, the Muscovite envoy, vainly taunted the hetman (whose life was already ebbing) and recriminated against him bitterly, writing the following report to Moscow: "And we, your servants, spoke to Hetman Bohdan Khmelnyts'ky with much resentment: 'How did it happen that he, the Hetman, had forgotten the fear of God and the oath and his faithful subjection, which he promised you, the great sovereign, and today is sending all kind of greetings and is giving armed aid to the Swedish king, the enemy of our great sovereign?'"⁸⁸ Bohdan Khmelnyts'ky stood firm, insisting "that the alliance of the Ukraine and Sweden antedates the alliance with the tsar and that the hetman trusts the Swedes, because the Swedish word is sure."⁸⁹

⁸³ *Ibid.*

⁸⁴ V. Lypynsky, *Ukrayina na perelomi*, (Kiev, 1920), p. 163.

⁸⁵ *AYuZR*, III, 518.

⁸⁶ Hrushevsky, *Istoriya...*, IX, Part 2, p. 916.

⁸⁷ Lypynsky, *op. cit.*, p. 51.

⁸⁸ *AYuZR*, III, 588.

⁸⁹ Lypynsky, *op. cit.*, p. 52; Hrushevsky, "Shvedsko-Ukrayinsky soyuz," *Zapysky Naukovoho Tovarystva imeni Shevchenka*, Vol. XCII, Lviv.

It was an odd triangle: The Ukraine at the base tied by treaties of alliance to the right and left with Moscow and Sweden, who, irreconcilably hostile, converged at the apex, each in open warfare against the other.

These illustrations furnish ample material in reply to the question posed: What precisely was subjection? Was it not one of the unique and essential duties flowing from the oath of "perpetual subjection" and the relative agreements to fight the enemies of the tsar? But here we see the Ukraine, tied by treaty with Moscow, helping Sweden with whom the latter was at war.

What in reality remained of "subjection," "perpetual subjection" at that? Actually, nothing!

Bohdan Khmelnyts'ky, who, after the liberation from Poland was an "autocrat," i. e., the ruler of the Ukrainian state of the Zaporozhian Host and completely independent, remained, after the treaty with Moscow, the same kind of "autocrat."

It is significant that scholars of different periods, nations, schools, and tendencies have agreed in their evaluation of this fact.

It will perhaps not be out of place to quote two scholars, one Russian and one Ukrainian. "Khmelnyts'ky, remembering that he made subjection to Turkey only nominal, both in fact as well as juridically, and in this instance without paying any attention to the fact that he was violating a treaty with the tsar (but without severing the juridical connection), actually remained the very same independent sovereign (*nezavisimym gosudarem*) of Little Russia as he had been before," wrote Rozenfeld.⁹⁰

"Formally, B. Khmelnyts'ky was perfectly right in considering that the Vilna agreement violated the Treaty of 1654. Therefore, he continued to conduct himself as if the treaty had ceased to exist, and, while nominally in treaty relations with Moscow, he actually ruled the Ukraine completely independent of Moscow," wrote Professor A. Yakovliv.⁹¹

⁹⁰ I. Rozenfeld, "Prisoyedineniye Malorossii k Rossii," *Istoriko-yuridicheski ocherk*, Petrograd, 1915.

⁹¹ Yakovliv, *op. cit.*, p. 43.

Although both authors start from different points, employ different arguments, and blame different parties for violating the treaty, their conclusions are similar and they agree on one of the points of this work, namely, Bohdan Khmelnyts'ky was, even after the oath of "perpetual subjection," a ruler independent of all.

Since this is so, then the term "subjection" in which we are interested, has little in common with the contemporary meaning of the word. What then was its meaning in the seventeenth century?

V

"Perpetual subjection" sounds definitive. It would seem that the Ukraine had subjected herself to the tsar of Muscovy forever, that there would be no end or limit to this "subjection."

First, the adjective at the beginning of the term, "perpetual." An exact definition of this word is necessary, because even today there are attempts to accept this word in its literal sense.⁹² It is not important, however, how this word is understood and explained by modern scholars: what is important is the meaning it possessed for those who used it three centuries ago.

Irrefutable facts of Ukrainian history for fifty years following the Treaty of Pereyaslav prove that the Ukrainians regarded the agreement with Moscow of 1654 as a temporary, transitional combination, having little in common with "eternity." The Swedish alliance of Bohdan Khmelnyts'ky had as its objective the strengthening and safeguarding of the independence of the Ukraine, but this agreement with the Swedish king, an agreement, it must be emphasized, equally "perpetual," did not formally sever the ties with Moscow. Only Khmelnyts'ky's successors struck out all obligations in regard to the tsar of Muscovy and substituted a rapprochement with other nations. It is sufficient to recall the Hadyach Treaty of I. Vyhovsky with Poland, P. Doroshenko's protection of the Ukraine by Turkey, and, finally, the Ukrainian-Swedish alliance of I. Mazepa. All these events, which followed one another within a comparatively short time,

⁹² E. g., H. Fleischhacker, *Aleksej Michajlovic und Bogdan Chmelnickyj*, pp. 44-5.

are difficult to reconcile with the "perpetuity" of relations with Moscow. Actually, these events exclude the "perpetuity" of the Ukraine's subjection.

Poland did not recognize any "perpetuity" in this subjection of the Ukraine to Moscow. She believed that the "subjection" was temporary, and the official representatives of Poland openly declared this to the Russians. Thus, for example, at the reception given for the envoys of the Polish king, Jan Gninski and Pawel Broskowski in Moscow in December, 1671, they stated: "We consider Hetman Demyan Mnohohrishny a subject of his imperial highness only during the armistice years, and when these years are over, then he will be considered a subject of his highness the king."⁹³

Let Moscow deny these historical facts by explaining the above-mentioned treaties of the Ukraine as "Little Russian vacillation" or in the formula of Peter I: "All the hetmans, from the first to the last, are traitors."⁹⁴ Let them disregard the clearly-stated Polish opinion about "perpetual subjection" as something temporary. Let them allege that the Poles did not sign and did not recognize the Pereyaslav Treaty, and that, as an interested party, they could not very well assume a different attitude. It is unnecessary to enter into petty polemics; however, it must be pointed out that Moscow herself was not sure of this "perpetuity" and by her subsequent policy proved that she regarded Ukrainian "subjection" as a temporary affair.

This first appeared during the peace negotiations in Vilna between Muscovy and Poland in connection with the proposed offer of the Polish crown to Tsar Aleksei Mikhailovich, even at the expense of Ukraine, as the widely-circulated rumor had it. During that sharp exchange between Khmelnyts'ky, who was seriously ill, and Buturlin in the summer of 1657, the former said: "The great sovereign was merciless with me and the Zaporozhian Host in making peace with the Poles and by wishing to hand over our Fatherland to them."⁹⁵ Even if in this year

⁹³ Solovyov, *op. cit.*, XII, 77.

⁹⁴ Bantysh-Kamenski, *op. cit.*, p. 222.

⁹⁵ Yakovliv, *op. cit.*, p. 40 and Fleischhacker, *op. cit.*, p. 50.

these were only plans or rumors of plans, the Muscovite policy had to consider them as real and be prepared to give all of the Ukraine or part of it to Poland without any regard for the "perpetuity" of the recent treaty.

This was shown in the Andrusiv Treaty. The tsar, in accepting B. Khmelnyts'ky with the entire Zaporozhian Host, and, it must be emphasized once more, "with cities and lands" under his high hand, had automatically obligated himself to defend these "cities and lands" from enemies and also to keep them "perpetually" inviolate.⁹⁶ Moscow, on the sole basis of the Andrusiv Treaty and at her own volition, presented Poland with the Right-Bank Ukraine and brought to nought the "perpetuity" of the Pereyaslav Treaty.⁹⁷ In truth, if the tsar of Muscovy considered himself authorized to turn this "perpetual subjection" of a part of the Ukraine into a temporary one by a unilateral act after only thirteen years (1654-1667), then what was to prevent him, if it seemed convenient, to do the same with another part of the Ukraine, the Left-Bank, by refusing to keep it?

This was the precise aim of the well-known radical project of O. Ordin-Nashchokin: to give up the Ukraine once and for all in order to get a free hand for the struggle with Sweden in the north for access to the sea.⁹⁸ While it is true that the tsar did not agree to this, principally because of religious reasons,⁹⁹ still, that project originated with none other than the chancellor of the Muscovite state, who was the soul of the foreign policy and the most talented diplomat of his time and nation. It is very likely that his opinion, which was expressed with such force and finality and for which he did not hesitate to sacrifice his brilliant career by refusing to depart from it,¹⁰⁰ demonstrated more than anything else that in Moscow's eyes the Ukraine's "perpetual subjection" was unstable and evanescent. It was not without

⁹⁶ SGGD, III, 529.

⁹⁷ PSZ, Vol. I.

⁹⁸ Matveyev, "Moskva i Malorossiia v upravleniye Ordyna-Nashchokina posolskim prikazom," *Russki arkhiv*, 1901, Book II,

⁹⁹ *Ibid.*

¹⁰⁰ *Ibid.*

reason that in the Ukraine, where the Andrusiv Treaty had provoked much indignation, they talked of nothing else but the fact that "the tsar did not need the Ukraine, for he surrendered her to the Poles along with Kiev."¹⁰¹

Finally, "perpetuity" was refuted by the articles of the treaties themselves, beginning with Pereyaslav. The restriction of the treaty's duration, formally "perpetual," to the comparatively short period of a person's lifetime, was evidenced by the repeated conclusion of a new and the confirmation of the old treaty by each new hetman. A. Yakovliv says in this connection: "The Treaty of 1654 was qualified as 'perpetual,' yet its legal force was binding only for the period of the hetmanate of B. Khmelnyts'ky. During the period of B. Khmelnyts'ky's successors, on the occasion of the election of a new hetman, a new treaty was concluded between the Zaporozhian Host, headed by the new hetman on the one side, and the tsar of Muscovy on the other."¹⁰² And he continues: "On the basis of the thesis accepted by us that the Treaty of 1654 was a bilateral act manifesting the will of two parties with equal rights and considering the juridical-state concept of the time, terminology, and the use of the forms of personification in the place of abstract ideas, the fact of the confirmation of the Treaty of 1654 and of the conclusion of additional agreements on the occasion of a change of hetmans must be explained in this way: On every change of the person of the hetman, who personified the Ukrainian state, the Treaty of 1654 lost one of the contracting parties, the Ukraine, and so, it automatically lost its legal force."¹⁰³ Had the original treaty really been concluded in "perpetuity," then it would have been binding forever, not only on B. Khmelnyts'ky, but on all his successors. They would not have been required to confirm it and conclude new articles every time. These articles, which were in the nature of official bilateral documents, were binding also on Moscow and placed a very definite limit to this "perpetuity": the lifetime of a human being, i. e., until the end of the hetman's life, or

¹⁰¹ Yakovliv, *op. cit.*, p. 92.

¹⁰² *Ibid.*, p. 3.

¹⁰³ *Ibid.*, p. 4.

even for a shorter period in the event of voluntary resignation or removal of the hetman from office. Such precisely was the official commentary to the word, "perpetual." This was accepted by Moscow and even dictated by her as is evident in the Konotop Articles of Hetman Samoylovych. The *obozny*, the officer corps, and the Cossacks, in confirming the article proposed in the name of the tsar, "promised to serve the tsar, his children, and heirs, without fail unto death."¹⁰⁴

Therefore, it was not only for the Ukrainians and Poles that this "perpetuity" contained elements of impermanence, but Moscow also considered that it bordered on instability, being restricted to a human lifetime.

If we refer to diplomatic terminology of the period we can see that the word "perpetual" was widely used in treaties and international acts of the time. Enough examples are furnished by the Ukraine alone from the Pereyaslav Treaty through the remaining years of B. Khmelnyts'ky's life. The latter himself, in addition to "perpetual subjection" to Moscow, swore an oath of "perpetual alliance" with Sweden¹⁰⁵ and signed a "perpetual alliance of friendship" with Transylvania, a treaty "concluded forever."¹⁰⁶

When we turn to Moscow, we find that in her various chanceries this word was widely used. Thus, in addition to the renowned "Perpetual Peace" of 1686, to which this word seems to adhere with particular force, it was also applied elsewhere in the seventeenth century, e. g., the Peace of Polyanov, signed by Poland and Muscovy on May 17, 1634. The fate of the above "perpetual conclusion," which was of very short duration, parallels some other state acts of Muscovy and various international agreements of the period. This supplies us with material which helps explain the precise content of the word "perpetual" in tsarist diplomatic terminology of that time.

This "perpetual conclusion" was confirmed by the two monarchs in their own name, and the name of their children and suc-

¹⁰⁴ *Ibid.*, pp. 109-10.

¹⁰⁵ Yakovliv, *op. cit.*, p. 46.

¹⁰⁶ *AYuZR*, III, 546-7.

cessors "by kissing the Cross . . . and instruments under seal,"¹⁰⁷ and this "perpetual confirmation was to be unchanged forever."¹⁰⁸ Within sixteen years the actual situation gave rise to the need for a new confirmation of the peace which had allegedly been concluded forever. And within a short time the *Zemski sobor* of October I, 1653 put a definite end to what had been meant to last forever.

Contemporary Muscovites did not interpret the word "perpetual" literally and conceded the possibility of a termination of "perpetual" treaties at any moment. Authoritative evidence of this is provided in the "Compact" (*ulozheniye*) of Tsar Aleksei Mikhailovich. Section VII of this codex begins: "The sovereign, tsar, and Grand Prince Aleksei Mikhailovich of all Rus' is at *peace forever and to the end* with the Polish, Lithuanian, German and other surrounding states." Article 1 reads: "And if some measures will be taken against a state and war will begin, it will be at the time the sovereign deigns to revenge himself against another's hostility."¹⁰⁹ Apparently the thesis of "perpetual peace" with all neighboring states as expressed in the preamble to the section was most categorically "peace forever." But Article 1 of this section already includes the antithesis: War may put a time limit to "perpetuity." And this might occur at any moment the "sovereign deigns." It depends on the will, feeling, or mood of only one person.

What kind of "perpetuity" is it that can be terminated at any moment? The answer is that the chancery language of contemporary Muscovy understood the word "perpetual" in a fairly restricted sense; the real meaning becomes clearer in those documents where the word is counterposed against another. For example, in the protocol on the cessation of military operations between the hostile armies signed in Andrusiv on May 25, 1666, we read: "And in this time, by the Grace of God, we shall decide in our pleasant accord, upon the desired perpetual or temporary

¹⁰⁷ *SGGD*, III, 529.

¹⁰⁸ *Ibid.*

¹⁰⁹ *PSZ*, I, 8-9.

peace.”¹¹⁰ In the preamble to the agreement between Moscow and Sweden, concluded in Valliesar, the plenipotentiaries of the two contracting parties sought “an everlasting peace between the two great sovereigns, but they could not conclude such peace at the present time, and, therefore, they have now reached an armistice between the two great sovereigns and potentates and their great kingdoms and sovereignties.”¹¹¹

We can conclude from these excerpts that in the seventeenth century diplomatic terminology of Moscow the word “perpetual” was counterposed to the word “temporary,” and “perpetual peace,” to “armistice.” Perhaps it would not be in error to say that at this time the northern neighbors of the Ukrainians understood the term “perpetuity” to mean something permanent, without a limit in time; however, while lasting and without determination in time, it could have a natural ending in time. In any event, it had nothing in common with “eternity.”¹¹²

In addition to this evidence from the highest governmental levels, it would not be amiss to quote a document from everyday life. During the first half of the seventeenth century and for some time thereafter until the union with Moscow, the Ukrainians carried out a fairly heavy migration to Muscovy, which was the

¹¹⁰ *Ibid.*, p. 639.

¹¹¹ *Ibid.*, p. 469.

¹¹² We must beware of a confusion of terms: it is necessary to distinguish expressions in the Church language then used in Moscow, and in living Russian. The former was a dead language preserved only in the bible and official books, and it was disappearing from literary works; the latter was alive in daily usage and the vernacular, and was making its way into writings and documents which were closer to life and its needs. Hence a certain difference in the meaning of ecclesiastical terms rooted in the ossified Old Church Slavonic, and of terms of diplomacy and law reflecting daily changes and closely connected with the living vernacular which is more susceptible to foreign influence. The word “eternal” is precisely an example of this difference. While the ecclesiastical language in use in Moscow at that time operated in abstract categories and understood “eternal” as endless in time: “eternal life” (after death), “eternal salvation or eternal punishment”; in the diplomatic usage and in legal terminology, *vechny* was not endless at all, but merely permanent. Therefore, it must be emphasized that “eternal life” in the Muscovite use of that time was not “eternal life” in the ecclesiastical sense, but life on earth with a finite meaning.

result of the continuous warfare and the Polish persecution of the "pious." Kharlampovych has collected a wealth of interesting material on this subject. Thus, with reference to the migration of Ukrainian monks to the lands of Muscovy, he cites a number of examples and provides the customary formula under which these facts were recorded by officials in the first Muscovite city across the border and which was adhered to in subsequent administrative correspondence. This was: "He came to the sovereign's name for perpetual life."¹¹³ These documents indicate that these words "perpetual life" meant "to the end of his life."¹¹⁴ Here, then, "perpetual" concludes with a person's life, sometimes even sooner. And "perpetual life" in Muscovy frequently ended by returning home for one reason or another. Sometimes these people would return in droves. According to Kharlampovych: "The years 1635 and 1636 marked the period of return to the southwest of those Ukrainian monks who had left to 'live forever' in the tsardom of Muscovy."¹¹⁵ Just as in state matters, the "perpetuity" of life, which usually ended with the person's death, could also be terminated earlier by a poor friar by his voluntary return to his native land. Thus, the term "perpetual" as taken from everyday life extended merely to the "end of a lifetime." It coincided exactly with the official interpretation of the word as issued by the Foreign Office. This was evident in the formula of the oath "in perpetual subjection," and "irrevocable until death comes," which was taken by the Zaporozhian Host in Kozacha Dibrova.¹¹⁶

As indicated by the example of the monks' migration for "perpetual life," the contemporary meaning of the word "perpetual" was not connected with "eternity" or infinity, but with a lifetime as the termination of the outside limit of "perpetuity."

Criminal law of the tsardom of Muscovy, and, subsequently, of the Russian Empire used the word "perpetual" in the sense of "for life." In the second half of the seventeenth century a com-

¹¹³ Kharlampovich, *op. cit.*, p. 72.

¹¹⁴ *Ibid.*, p. 59.

¹¹⁵ *Ibid.*, p. 51.

¹¹⁶ Yakovliv, *op. cit.*, pp. 109-10.

mon kind of punishment in Muscovy was exile. According to M. Vladimirski-Budanov, "every banishment was perpetual or, to put it better, it was at first so considered."¹¹⁷ Further, in addition to "perpetual exile" during the time of Peter I, we encounter "perpetual penal servitude,"¹¹⁸ and then during Elizabeth's reign in addition to the latter,¹¹⁹ there was also "perpetual settlement."¹²⁰ Later, in Catherine II's reign, there was added "perpetual imprisonment."¹²¹ Particularly significant is the explanation, perhaps unintentional, of the term "perpetual" in Catherine's *Nakaz*. She planned to substitute for the death penalties "perpetual imprisonment," which was to be coupled with the labor of the condemned "continuing throughout his life."¹²² Thus, in the penal system of both the tsardom and the Empire, "perpetual" meant "for life."

The accuracy of this explanation of the word is corroborated by the Latin text of the Andrusiv Treaty, where the Russian word *vechny* was translated not into *aeternus* and *aeternalis*, but into *perpetuus*, viz., *perpetua pax stabilitatur*.¹²³ This is also confirmed by the French translation of the Latin text of the Andrusiv Treaty contained in Scherer's *History of the Ukraine*: "*une paix perpetuelle*."¹²⁴

On the basis of this material, our attempt to explain the term within the meaning of the period undermines seriously not only the "eternity" of subjection beyond time, but also its stability within time. In any event it proves conclusively that the worn coin of diplomatic currency cannot be taken at face value and that certain rigid formulas of chanceries and historical phraseology cannot be taken too literally.

¹¹⁷ Vladimirski-Budanov, *op. cit.*, p. 358.

¹¹⁸ *Ibid.*, p. 435.

¹¹⁹ *Ibid.*, p. 371.

¹²⁰ *Ibid.*, p. 372.

¹²¹ *Ibid.*

¹²² *Ibid.*, p. 372.

¹²³ Scherer, *op. cit.*, II, 251.

¹²⁴ *Ibid.*, p. 252.

VI

Now to turn to the problem of "subjection" and the Ukrainians' understanding of it. It must be borne in mind that a seemingly identical word in related languages frequently has a different meaning and often represents entirely different ideas. We must therefore consider what the word was supposed to mean to the Ukrainian and to the Muscovite people. We must introduce comparative material from our neighbors and confirmation from Western Europe, and, having explained the agreements and divergences, seek an answer to the question posed.

The word "subjection" was not unfamiliar to contemporary Ukrainians; it was long known from the relations with Poland. It denoted the usual complex of relations with changing standards, depending on success or failure, fortunes and actual disposition of forces, "rights and liberties" of the Zaporozhian Host, and their relation to the king and Crown. "Subjection" to the Polish Republic, which once had been considered "a natural thing"—a fact which could not be forgotten later by Poland—was destroyed by the Khmelnyts'ky movement, "voided by the Cossack sword," and the Ukraine was transformed into an independent state. The Ukraine became absolutely free. But it was not easy for Poland to forget the past, and King Jan Casimir in a proclamation to the Ukrainian people of June 1654, wrote: "Out of our usual affection for our subjects, we warn you that you should come to your senses early and remain in the subjection which is natural to us and the Polish Republic."¹²⁵

The Ukraine severed her ties with Poland, but the acceptance of Polish law remained. As to subjection, there are traces even today in the political and social sphere.¹²⁶

The Ukrainians of B. Khmelnyts'ky's time, when asking the tsar for protection, made use of this precise term. The *Sobor* on

¹²⁵ *SGGD*, III, 523. A Muscovite translation of this or a similar document, dated February 28, 1654, appears in *SGGD*, III, 506.

¹²⁶ See, Scherer, *Annales de la Petite Russie*, (Paris, 1728), I, 851; *AYuZR*, X, 472; M. Drahomanov, *Proפשчы chas*, (Lviv, 1909), p. 28; and the Hlukhiv articles of D. Mnohohrishny of 1669.

“Lithuanian and Cherkassian Affairs,” as was evidenced by the record of the proceedings, had been called “in order to inform the mission of the Zaporozhian Hetman B. Khmelnyts’ky that they most humbly petition to pass under the high hand of the sovereign in subjection.”¹²⁷

The meaning of “subjection” for those who represented the Ukraine in negotiating the Pereyaslav Treaty was made clear in certain sections of the drafts of the articles, which were taken to Moscow in the name of the Zaporozhian Host by S. Bohdanovych and P. Teterya, and from the hetman’s instructions to the envoys.¹²⁸ First, the wish was clearly expressed in the Ukrainian part, as noted by Professor A. Yakovliv, “that future relations between the Ukraine and Muscovy should be of the same order as relations between Hungary, Moldavia, Wallachia, and the Turkish Sultan, i. e., as a result of the Treaty of 1654 between the Ukraine and Muscovy, relations of nominal vassalage were to be established, with the Ukraine paying Muscovy a monetary contribution in the form of a tribute.”¹²⁹

Thus was the essence of the new treaty and of “subjection” understood by the political leaders of the Ukraine at that time. How was this relationship, which came into being as a result of the treaty between the Ukraine and Muscovy, described by the Ukrainian public in general, by contemporaries of these events, by representatives of succeeding generations in public documents, everyday life, historical works, and literary writings? To pose this question is tantamount to offering a theme for a separate study, a study not yet undertaken, but nevertheless very interesting. We cannot undertake this task. Here we offer only a few illustrations from the past. In writings and declarations of public leaders, the clergy, officers, and writers of the past we encounter words which denominate “subjection.”

A Cossack chronicler considered the union of the Ukraine and Muscovy as an alliance: “There in Council were read pacts

127 SGGD, III, 481.

128 Yakovliv, *op. cit.*, p. 22.

129 *Ibid.*, p. 39.

of that alliance before drafting and preparation," wrote Samiylo Velychko.¹³⁰ Hetman P. Orlyk in his *Devolution of Ukraine's Rights* called Khmelnyts'ky's pacts a "solemn treaty of alliance."¹³¹

Representatives of the higher Ukrainian clergy characterized this act as a "union." Monks, sent to Warsaw in 1654 by the Metropolitan of Kiev and by "other people of the clergy," informed the king (of Poland) in the name of those who had sent them "that they cannot remain in union with the people of Muscovy and that they never wanted it."¹³² The spiritual fathers offered very significant motives for this inability "to remain in union" which cannot be discussed here because of lack of space.¹³³

Let us pause for a moment on this word union (*soyedineniye*) employed by the Ukrainian clergy to describe the ties between the Ukraine and Muscovy after the Pereyaslav Treaty. The word was attributed to the metropolitan in a report of the conversation held by the monks in Warsaw; some one else delivered this report to the tsarist government, and it has come down to us in this Moscow edition. However the word not only described the relations of the Ukraine and Muscovy, but, in general, in the diplomatic acts of Eastern Europe of the time, the word indicated ties of friendship, which were established by a treaty between contracting parties. Thus, e. g., the protocol of the *sobor* of 1653 on the Peace of Polyana stated that it was concluded by the two monarchs, the Polish and the Muscovite, their children and successors, "in brotherly friendship and love, and in union."¹³⁴ The Moscow announcement of the Bakhchisarai Treaty of May 1681, informed all that henceforward the sultan and khan will remain in "firm union" with the tsar.¹³⁵

Whether the bishops and superiors had used that very word or whether it had only been imputed to them in the Moscow

¹³⁰ S. Velychko, *Litopys*, I, 95.

¹³¹ P. Orlyk, "Vyvid prav Ukrayiny," *Stara Ukrayina*, 1925, pp. 1-11.

¹³² *AYuZR*, X, 773.

¹³³ *AYuZR*, X, 773 and Kharlampovich, *op. cit.*, I, 178-9.

¹³⁴ *SGGD*, III, 482.

¹³⁵ *Ibid.*, IV, 381.

chancery, cannot now be determined, inasmuch as it has come down to us through Muscovite hands. But this is not important. What is important is that in the Muscovite diplomatic terminology of the time, the word (union) meant *friendly relations between two states*.

Among the Ukrainians, however, the most frequently used word to indicate that "subjection" was defense (*oborona*) or the widely accepted Latin term, protection. Authors of this, and later periods, do not differ from us in defining the essence of the Treaty of 1654, as we shall see in section VII.

We found at the bottom of one of the proclamations of B. Khmelnyts'ky (October 10, 1656) the following note: "And this proclamation is issued two years after subjection."¹³⁶ Another proclamation contains an explanation of what type of subjection the matter referred to. At the bottom of a copy of the proclamation of April 21, 1654, there is written in a different hand: "In this year, he, Hetman Bohdan Khmelnyts'ky, came under the protection of his imperial highness and accepted articles from his imperial highness."¹³⁷

The term "defense-protection" runs like a red thread through Ukrainian documental and literary monuments. It is present in solemn documents of great state importance, in declarations for foreign and domestic use, in correspondence, historical works, and personal notes. It is applied both to the union with Muscovy and to other political alignments undertaken by the Ukraine to safeguard her independence. It must be noted that in the opinion of Ukrainians as well as foreigners, "protection" in no way restricted the independence of the Ukrainian state.

An extraordinarily lucid formulation and statement of this idea came from Hetman I. Mazepa: "I had decided to write a letter of thanks to his imperial highness for this *protection*, and to list in it all the insults to us, past and present, the loss of rights and liberties, the ultimate ruin and destruction being prepared for the whole nation, and, finally, to state that we had bowed

¹³⁶ *AYuZR*, III, 508.

¹³⁷ *Ibid.*, p. 549.

under the high autocratic hand of his imperial highness as a free people for the sake of the one Eastern Orthodox faith. Now, *being a free people, we are freely departing*, and we thank his imperial highness for this *protection*. We do not want to extend our hand and spill Christian blood, but will await our liberation *under the protection* of the Swedish king."¹³⁸

"And in truth," wrote Professor Doroshenko, "they came to an understanding with Charles (in Velyki Budyshchi on April 8, 1709) concerning a new Ukrainian independence under the protection of the Swedish king."¹³⁹ The grounds for this transfer under Swedish "protection" are given in the Constitution of the Ukraine (*Pacta et constitutiones legum libertatumque...*) which was adopted in Bendery in 1710: "The illustrious Hetman, Ioann Mazepa, moving forward in truth and zeal for the unity of the Fatherland, the rights and liberties of the military, and wishing most passionately to see during the time of his rule as hetman, and after his death to leave for the everlasting glory of his memory, this Fatherland, our beloved mother, and Zaporozhian Host, the cities and countryside not only inviolate, but under greater and multiplied freedoms, flowering and prosperous, has *submitted to the unbroken protection* of the most glorious Swedish king."¹⁴⁰

This same word, "protection," designating Ukrainian-Muscovite relations from 1654 on, is used in the *Short Summary of the Reasons Prompting the Ukraine, or, Properly Speaking, Forcing Her to Forsake the Protection of Muscovy*. This work is very interesting and valuable for understanding Ukrainian ideology; and, according to M. Hrushevsky, "in spirit and form it is very close to the Charter of 1717." It was discovered in the Swedish State Archives by N. Molchanovski.¹⁴¹ The term "protection" is used systematically throughout this document.¹⁴²

¹³⁸ *Ibid.*, p. 508.

¹³⁹ D. Doroshenko, "Mazepa v istorychniy literaturi i v zhytti," *Pratsi naukovoho instytutu u Varshavi*, Vol. XLVI, 1938.

¹⁴⁰ Hrushevsky, "Shvedsko-Ukrayinsky soyuz," *op. cit.*, Vol. CXII.

¹⁴¹ Doroshenko, "Mazepa v istorychniy...", *op. cit.*, pp. 28-9.

¹⁴² *Ibid.*, pp. 27-8.

Hetman Pylyp Orlyk, in his well known memorandum written in French in 1712 under the title *Déduction des droits de l'Ukraine*, also very firmly describes "eternal subjection" with the word "protection."¹⁴³

Later documents also use the same term in referring to this subject. It is also encountered in literary works concerning Ukrainian history. Below are a few sample quotations from the renowned *Istoriya Rusov*.

On meeting B. Khmelnyts'ky, the Crimean khan complained about the former's "union with Moscow and his placing himself with his people *under the protection* of the tsar."¹⁴⁴ In connection with the ceding of the Right-Bank Ukraine to Poland by Peter I, there is mention of "free land, remaining only under Russian *protection*, with its own rights and special provisions from the tsars."¹⁴⁵

The view that subjection was "protection" typified the political outlook of the entire educated class of the Ukraine in the eighteenth century, and this outlook was transmitted to their heirs and children in the nineteenth century. And this specific meaning was so deeply rooted among the enlightened strata of the Ukrainian people that it even influenced the work of Rigelman. We must not forget that he was a Russified German, a Russian patriot, who, "although he had lived the greater part of his life in the Ukraine, was a stranger to all local tradition."¹⁴⁶ He finds among the Ukrainian Cossacks "haughty ideas"; they believe "that they have the right to remain forever free, under no one's rule, and only under the 'protection' (*zashchita*) of those lands with which they maintain relations. Therefore, they do not consider themselves anyone's subjects."¹⁴⁷ Thus, this author, a stranger, speaks of the political outlook of Ukrainians and

¹⁴³ See, Hrushevsky, "Shvedsko-Ukrayinsky soyuz," *op. cit.*

¹⁴⁴ See, "Deduction des droits de l'Ukraine," *Stara Ukrayina*, 1925, I-II.

¹⁴⁵ *Istoriya Rusov*, (Moscow, 1846), p. 134.

¹⁴⁶ *Ibid.*, p. 220

¹⁴⁷ Doroshenko, "Mazepa v istorychniy..." *op. cit.*, p. 5.

is unable to reject the Ukrainian term "defense-protection," translating it into the Russian, *zashchita*.¹⁴⁸

The same word "protection" is applied by Ukrainians both to the "subjection" or "union" with Muscovy of 1654 as well as to the alliance with Sweden of 1708.¹⁴⁹ The object of this continuous search for protection, at first as a defense against Poland and, then, Muscovy, was always the desire to safeguard the independence of the Ukrainian state. This leading idea of the period of the hetmanate has been forcefully expressed by Pylyp Orlyk, that ideologist of, and unwavering fighter for, independence, in his instruction to the envoys, which he dispatched to Constantinople on November 3, 1711.¹⁵⁰

Even after her "subjection," foreign rulers treated the Ukraine as a completely independent state, whose alliance with Moscow did not damage her sovereignty. The envoy of the Crimean Khan, Alkas Kegito, said to B. Khmelnyts'ky: "And now you, the Hetman, and the Secretary General with all the officers have *concluded eternal peace (primirye)* with his highness, the tsar, without our knowledge."¹⁵¹ Thus, in Crimean eyes, "eternal subjection" meant "eternal peace." We have already encountered this word *primirye* and it meant, as was evident from the Ukrainian treaty with Transylvania, "alliance."¹⁵² This term was derived from the Polish *przymierze* (alliance) and its more detailed meaning is given in Linde's *Dictionary of the Polish Language*.¹⁵³

Thus, for both Ukrainians and foreigners, "subjection" meant *primirye*, *przymierze*, or peace, agreement, alliance in friendship, defense pact, protection, or, simply, alliance.

The content of "eternal subjection" was, as we can see from the opinion of the Ukrainians, the neighbors, partners, and

148 B. Olkhivsky, *Vilny narid*, (Warsaw, 1937), p. 21 and Rigelman, *op. cit.*, p. 1847.

149 Some later Ukrainian writers stressed the connection between alliance and protection, e. g., M. Drahomanov, *op. cit.*, p. 112.

150 Doroshenko, "Mazepa v istorychniy..." *op. cit.*, p. 28.

151 *AYuZR*, X, 593.

152 "Alliance in friendship," "armistice," "eternal," in *AYuZR*, III, pp. 546-7.

153 *Słownik języka polskiego*, (Warsaw, 1807-1812), II, 1211.

states allied with or favorably disposed towards the Ukraine, not the same as it is now, in the twentieth century. It was entirely different even in other aspects: It did not apply to relations between the individual citizen and the collective-state, only to relations between states. It did not apply to internal affairs of a state, only to external affairs of two governmental bodies. It was not of state law, only of international law.

VII

How was this word "subjection" interpreted in the works of foreign authors who analyzed the great historical event of the union of the Ukraine and Muscovy or just mentioned it briefly.

A contemporary of the events of 1654, the French author P. Chevalier, in a book published in 1663, discussed the relations of B. Khmelnyts'ky with Muscovy, which led to "subjection," and noted that in 1654 the hetman *submitted to Muscovite protection*.¹⁵⁴ The well-known Dutch geographer of this period, Cellarius, in his book which was well known among his contemporaries, *Regni Poloniae descriptio nova*, published in Amsterdam in 1659, also used the term "protection" to describe the relations which developed between the Ukraine and Muscovy after Pereyaslav.¹⁵⁵

Later, Maximilian-Emanuel, Duke of Würtemberg, commander of a dragoon regiment of Charles XII, who died shortly after Poltava, left very interesting *Memoires*, which were published subsequently in Amsterdam and Leipzig in 1740. He writes about the "Ukraine, or the land of the Cossacks, a province which was *under the protection* of the Muscovites."¹⁵⁶ Because the rule of the tsar, who had begun to treat the Cossacks like slaves and like his own subjects, had turned into a Muscovite yoke, the hetman was waiting for an opportunity to regain his independence;¹⁵⁷ therefore, he went to meet the Swedish king to place himself under his protection.¹⁵⁸

¹⁵⁴ P. Chevalier, p. 9.

¹⁵⁵ Cellarius, *Regni Poloniae descriptio nova*, (Amsterdam, 1659).

¹⁵⁶ Maximilien-Emanuel duc de Würtemberg, *Memoires*, p. 283.

¹⁵⁷ *Ibid.* p. 284.

¹⁵⁸ *Ibid.*, p. 293.

Voltaire in his famous work, *Histoire de Charles XII, roi de Suède* gave the following terse, and at the same time apt, formula of the Ukraine's desire for independence: "L'Ukraine a toujours aspiré a être libre." He noted that the geographical position of the Ukraine, surrounded by three great powers, Poland, Turkey, and Muscovy, compelled her to seek a protector and she first submitted to the protection of Poland, then, Muscovy. However, both protectors attempted to enslave her and deprive her of her rights.¹⁵⁹

I.B. Scherer, author of the well-known *Annales de la Petite Russie*, customarily employs the word "protection" to describe Ukrainian relations with neighboring states. He says that the Ukrainians, after remaining under the protection of Lithuania and the Polish Crown, "submitted to the protection of Great Russia."¹⁶⁰ When he talks of the vicissitudes of this union this term is frequently used. Thus, B. Khmelnyts'ky during a critical period in the struggle for freedom harangues his countrymen that they "have no other way of saving their country, their wives, their children, even their own lives, than by submitting to the protection of the tsar of Great Russia."¹⁶¹ "The Host, officers and Cossacks unanimously accepted this idea of the hetman and sent envoys to the tsar of Muscovy. They would propose, in the name of the whole nation, that he should take under his protection the Cossacks and the entire Ukraine, on the condition of full and complete liberty and preservation of their privileges."¹⁶² The tsar agreed to this and "assured them of his protection."¹⁶³ The Muscovite mission headed by the boyar V. Buturlin, "after negotiating the preliminary articles of the treaty with B. Khmelnyts'ky and the Cossacks, promised in the name of their sovereign to take them under the protection of Great Russia with the reservation of all their rights, privileges, and liberties without

¹⁵⁹ Pages 165-6.

¹⁶⁰ Scherer, *op. cit.*, I, 93.

¹⁶¹ *Ibid.*, II, 58.

¹⁶² *Ibid.*

¹⁶³ *Ibid.*

exception, on their word and oath to remain forever under the protection of Russia. . . ."¹⁶⁴

If we turn to the *History of the Ukraine* by J. C. Engel—for its time a very thorough work—we find the following discussion of the subject of our research. In explaining “the history and conditions of Khmelnyts’ky’s submission under Russian defense,”¹⁶⁵ he points out the acceptance by the Russian envoy of all conditions which were demanded.¹⁶⁶ Then he describes the defensive agreement: “Thus, this defensive union was then concluded, and it was one of the most impressive increases of Russian power.”¹⁶⁷ It was completed by the mission of Bohdanovych and Teterya to “deliver to the tsar the solemn act of submission and to bring the acts, which confirmed all the privileges, from there.”¹⁶⁸ In another place he calls this defensive union simply an “alliance.”¹⁶⁹ Thus, Engel considered the Ukraine’s “subjection” an alliance, a defense, or a “protection.”

Finally, Lesur, an author of the Napoleonic period, in his *Histoire des Cosaques* followed Scherer and considered the Ukraine’s “subjection” as moving “under the protection of Russia.”¹⁷⁰

It is understandable that these ideas and expressions of the above authors cannot be considered sufficient material for final conclusions. But a certain characteristic must be considered. All these authors are unanimous in their opinion that the newly-established relations between the Ukraine and Muscovy were essentially a protection, a defense, or an alliance.¹⁷¹

¹⁶⁴ *Ibid.*, p. 59.

¹⁶⁵ J. C. Engel, *Geschichte und Bedingungen der Unterwerfung Chmelnickis unter moskauischen Schutz 1654*, pp. 191, 195.

¹⁶⁶ *Ibid.*, p. 194.

¹⁶⁷ *Ibid.*

¹⁶⁸ *Ibid.*, p. 192.

¹⁶⁹ *Ibid.*, p. 200.

¹⁷⁰ C. L. Lesur, *Histoire de Cosaques*, pp. 396, 398. See footnotes 6, 7, 9.

¹⁷¹ Interesting details are to be found in the Swedish State Archival material in the publications of the Kiev Archeographic Commission (N. Molchanovsky and Aleksandrenko) and in D. Doroshenko’s *Ukraine im Lichte der Europäischen Literatur* and *Mazepa v zhytti ta literaturi*.

VIII

How did the Ukraine's neighbors to the north understand this "subjection"? What was the meaning attributed to it by those who used it in Moscow in the seventeenth century? As far as Moscow was concerned, the term "subjection" was alien. According to their law, the inhabitants of the tsardom's territory were "people of all ranks of the Muscovite state." We find this definition in the Muscovite code of law, the *Statute* of Tsar Aleksei Mikhailovich.¹⁷²

This term of nationality distinguished the Muscovite people from the others; the citizens of other states had their national names: Polish, Lithuanian, Crimean, Cherkassian people.¹⁷³ On occasion, Polish people are called "the Polish king's people," or, simply, the "king's people"; and the "Cherkassian people" are termed "Khmelnytsky's people" or "of the Cherkassian cities."¹⁷⁴ Thus it appears that calling people in this manner was used to designate their nationality, i. e., an adherence to this or that state body.¹⁷⁵

Sometimes the name, which was established by law, "people of all ranks of the Muscovite state" appeared in documents either in a long, or shortened, form, according to the particular application.¹⁷⁶ Variations encountered in documents of the period are "the sovereign's people of all ranks" or "people of the Muscovite cities."¹⁷⁷ For their part, the Ukrainians also applied this designation to the Muscovite people during the time of Khmelnytsky.¹⁷⁸

¹⁷² PSZ, I, 5.

¹⁷³ AYuZR, X, 661, 673, and SGGD, III, 488.

¹⁷⁴ AYuZR, X, 702 and Hrushevsky, *Istoriya...*, IX, 757.

¹⁷⁵ Kostomarov, *Russkaya istoriya v zhizneopisaniyakh*, II, 20; *Sobraniye pisem tsarya Alekseye Mikhailovicha*, p. 65; SGGD, III, 489; AYuZR X, 589; SGGD, III, 486; Solovyov, *op. cit.*, XVIII, 1116; SGGD, III, 529 and AYuZR, X, 589. 587. 507.

¹⁷⁶ SGGD, IV, 154 and AYuZR, X, 500.

¹⁷⁷ Karpov, *op. cit.*, p. 36; AYuZR, X, 512, 677, 228, 575, 589, 514, 663, 687; SGGD, III, 529 and IV, 154, 156; Filipov, *op. cit.*, p. 433.

¹⁷⁸ Kharlampovich, *op. cit.*, I, 77.

Thus, in legislative acts the Muscovite people, persons belonging to the Muscovite polity, were called "people of all ranks of the Muscovite state." However, in their attitudes and relations toward the tsar, the entire population of the tsardom were servants (*kholopy*). From the "lowest to the highest," from the "black drafting man" to the prince descended from Ryurik, not excluding the foremost dignitaries in the state, all of them in their addresses to the tsar designated themselves by demeaning and contemptible names. They dared not mention their dignity of birth or the high office granted from above; they were all, equally, servants who looked up to and addressed the tsar as God.¹⁷⁹

A few examples will suffice. In petitions to the tsar we read: "your servants, Vas'ka Buturlin, Ivashka Alferov and Larka Lopukhin, bow their foreheads,"¹⁸⁰ or "your servants, Fed'ka Kurakin, Fed'ka Volkonski and Andryushka Nemirov."¹⁸¹ Even later, at the time of Peter I, we encounter signatures of Prince Boris Golitsin as "your servant, Borisko," or "your very lowest slave, Borisko Sheremetyev."¹⁸² And who were these people? Vasil Buturlin was a *blizhny* boyar, a vicegerent (the highest honorary title in the Muscovite tsardom) and the great envoy to the Ukraine. Alferov and Lopukhin were the former's colleagues in the mission to the Ukraine; the first was a governor (*okolnichy*) and a vicegerent, the second, a high clerk of the council (*dumny dyak*).¹⁸³ Kurakin, Volkonski, and Golitsin represented the first princely families. The latter was a tutor of the tsar and Sheremetyev was a field marshal.¹⁸⁴

We need not pause here to analyze the reasons for this boundless disparagement of human dignity, nor how it came about, nor

179 Romanovich-Slavatinski, *op. cit.*, p. 152 and Kostomarov, *op. cit.*, II, 466.

180 *AYuZR*, X, 41.

181 *Ibid.*, p. 409.

182 Romanovich-Slavatinski, *op. cit.*, p. 151.

183 *AYuZR*, X, 276.

184 Romanovich-Slavatinski, *op. cit.*, p. 151.

what explanation Russian science offers for it;¹⁸⁵ the fact remains: Before the tsar, the "people of all ranks" of the Moscovite tsardom were "servants."¹⁸⁶

Compared with this, another fact becomes more vivid and deserves to be emphasized. The Ukrainians, even after the "subjection" of the Ukraine to the tsar, were not, and never became, "servants." They were "subjects" and that was all. From the beginning and through the union, the Moscow authorities referred to them as "subjects." In relations with the Muscovite power, including the tsar, they appeared as such and even added the term "subject" to their signatures.¹⁸⁷

Generally speaking, the term "subjection" did not seem to hold any position in the domestic affairs of the Muscovite state. It was not needed in the structure of its state body, nor in the functioning of its administration; nevertheless, it was known in Moscow. This was evident from the external affairs concerning aliens and, sometimes, even touched the Muscovite people.

In addition to the Ukrainians, to whom this word was applied systematically after 1654, it was also applied to foreigners who were accepted in the service of the tsar. This was evident from the letters patent which were issued to foreigners, who desired to remain "in subjection" after they entered the tsarist service, for freedom of passage to Muscovy. A good example was the warrants of January 21, 1689 issued to "Christians of the Evangelical profession."¹⁸⁸

Occasionally, people of the Muscovite tsardom are also termed "subjects" in international treaties, e. g., in the Valliesar Treaty

185 Some explain this as the "possible consequences of Tatar rule," Romanovich-Slavatinski, *op. cit.*, p. 152. Others see the "private law nature of the relationship between the ruler and his servant," Filipov, *op. cit.*, p. 437.

186 A. Lakiyer, *Istoriya titula gosudarei Rossii*, 1847, pp. 139-40; *Akty yuridicheskoye*, Nos. 38-41, 34, 35, 36.

187 Kostomarov, "Ruyina," *op. cit.*, p. 179; D. Bantysh-Kamenski, *Istoriya Maloi Rossii* in the table supplement. For further examples of the use of the word, see *AYuZR*, X, 591, III, 596, 591. For the use of the word "serf" see *AYuZR*, X, 323-4, 325, 727, 721, 720, 197.

188 *SGGD*, IV, 595.

of 1658 there are subjects of both parties, Sweden and Muscovy.¹⁸⁹ This transformation of the people of the Muscovite tsardom into "subjects of his sovereign highness," which they were not at home, was necessitated by the international nature of this act in order to equalize the expressions of a bilateral agreement, which was equally binding on both high parties signing it. It must be added that the terminology of the treaty evidences western influences.¹⁹⁰

This sporadic costuming of the Muscovite people in the garb of "subjects" had no effect on their internal standing, i. e., their relations with the Muscovite state. One might say that this "export" appellation of the Muscovites as "subjects" left them in the eyes of the law and the tsar "people of the Muscovite sovereign" and "servants" as of old. The word, "subject," used in some treaties in application to the Muscovite people, did not go beyond diplomatic chanceries and did not affect the matter; Moscow, as far as the mass of the population was concerned, did not know the term "subject." Its application in Russian law to designate the relation of an individual person to the state and its authority is a phenomenon of a much later period, the end of the eighteenth century.

This fact is confirmed by Russian legal history, both during the tsardom and the Empire. Professor Romanovich-Slavatinski in his *History of Russian State Law* notes the main evolutionary stages in the designation of people belonging first to the Muscovite and then to the Russian state. Some of the details shed light upon our subject. The line of evolution was: servant-slave-subject. Romanovich-Slavatinski said: "During the Muscovite period the people became servants in relation to the tsar."¹⁹¹ Almost on the threshold of the transformation of the Muscovite tsardom into the Russian Empire, the word servant (*kholop*) by an order of Peter I of January 1, 1702 was changed into slave (*rab*). This word remained in force almost to the end of the

¹⁸⁹ *PSZ*, I, 470-72.

¹⁹⁰ *PSZ*, I, 469.

¹⁹¹ Romanovich-Slavatinski, *op. cit.*, p. 151.

eighteenth century, when Catherine II changed it to "subject" following the pattern of Western Europe: *sujet*, subject, *untertan*.¹⁹²

The date when the term "subject" made its entrance into Russian state law, i. e., in 1786, must not be ignored in its relation to the Ukraine. The "subjection" of the Ukraine occurred in 1654 and this term must be explained in its meaning at that time.

IX

The resolution of the *Zemski sobor* of October 1, 1653 did not mention "subjection" and did not use the word.¹⁹³ This is not surprising. But in the text of the record, where the government's exposition and discussion leading up to the resolution are noted, we encounter "subjection" and "subjects" several times. This *Sobor*, as is known, was called especially to deliberate and resolve "Lithuanian and Cherkassian Matters," i. e., the problem of the Ukraine and the related decision of a possible change of attitude towards Poland. The theme of deliberations of the *Sobor* as officially determined was: "former and present falsehoods" on the part of Poland, which contributed to the "violation of the eternal agreement," and the dispatch of the mission of Hetman B. Khmelnyts'ky and the Zaporozhian Host to the tsar to seek acceptance "under the sovereign's high hand in subjection."¹⁹⁴ Thus, in the record of deliberations the term "subjection" was used first in connection with a Ukrainian request. The next time we encounter the word is in a discussion of the oath of King Jan Casimir. He had taken a pledge upon his coronation to defend equal religious rights. The king's breach of that promise freed his subjects from the duty of loyalty and made them free people.¹⁹⁵ Moscow finds that she is negotiating with a land "free from subjection to the king,"¹⁹⁶ and this fact is stressed by

¹⁹² *Ibid.*, p. 152; *PSZ*, No. 16329.

¹⁹³ *SGGD*, III, 488, 489.

¹⁹⁴ *Ibid.*, p. 481-2.

¹⁹⁵ *Ibid.*, pp. 487, 489.

¹⁹⁶ Cf. footnote 5.

Moscow voluntarily and publicly, e. g., V. Buturlin's speech to the Council of Pereyaslav.¹⁹⁷

In addition we find mention in this document of the fact that the hetman had been approached by the Turkish sultan who had called him into "subjection."¹⁹⁸ The Ukraine's relations with the Porte made Moscow want to prevent the Ukrainian-Turkish rapprochement; it was to be prevented at all costs. The fear that "they would enter into the subjection of the Turkish sultan or the Crimean khan" is noted in the record as one of the decisive facts contributing to the resolution of the *Sobor* "to accept the hetman and the entire Zaporozhian Host with their cities and lands."¹⁹⁹

While on the subject of the reason for the Ukraine's being accepted "under the tsar's high hand," it should be noted that among those motives, as recorded in this historical document, first place goes to *unity of faith*. This main reason for the union of two neighboring states of people of the same faith, stressed with particular emphasis in documents of 1654, is willingly returned to by Moscow in her relations with the Ukraine and in Moscow's appeals in similar circumstances to other lands of kindred faith. The Ukrainians did not fail, both in Ukrainian-Muscovite matters and in international events, to attach the proper significance to this precise element of "unity of faith," thus marking it as the principal reason for the union. It must also be noted that in the historical sources we have examined, there was no suggestion of *tribal unity*, and no thought of *community of nationality*.²⁰⁰

Moscow documents relating to the developments connected with resolutions of the *Zemski sobor* contain references to sub-

197 SGGD, III, 497-8.

198 *Ibid.*, p. 487.

199 *Ibid.*, p. 489.

200 For information on the motives which led to the acceptance of the Ukraine "into subjection" see SGGD, III, 529, 482, 484, 488, 472-3; on the unity of faith, see p. 488. In addition, see *AYuZR*, X, 503, 575 and SGGD, III, 529. On the Ukrainian attitude toward unity of faith, see, *AYuZR*, III, No. 197; SGGD, III, 495; *AYuZR*, X, 700-1, 588-9; Kostomarov, *Russkaya istoriya...*, II, 308; Hrushevsky, "Shvedsko-Ukrayinsky soyuz," *op. cit.*, pp. 11-12, 7, 9.

jection and subjects. Buturlin, speaking during the Council of Pereyaslav, asserted that the hetman and the Zaporozhian Host had become "free from subjection to the king."²⁰¹ Then the term "subjection" was repeated several times in his report of the well-known incident of the oath, "in Moscow the sovereign's subjects have always trusted the tsars . . ." and "every subject should trust his sovereign," etc.²⁰² Again, "our sovereign's subjects" are mentioned in the speech delivered in the tsar's name by the high council clerk, who greeted the mission after its return to Moscow. This expression was also used in the writs delivered to V. Buturlin and his associates in appreciation of their settling that "indecent matter," i. e., the Cossacks' demand of an oath by the tsar, to the advantage of the Moscow government.²⁰³

In the actual relations between the Ukraine and Muscovy, starting with the first letter of B. Khmelnyts'ky to the tsar of January 8, 1654 after the union, the words "subjection" and "subject" occur constantly and it is a rare document that does not contain them. While Moscow did not use the term "subjects" for her own people, she knew it and applied it to foreigners, primarily, the Ukrainians.

We shall not discuss the origin of this term in Muscovite law, except to state that its source is foreign.²⁰⁴ The meaning imputed to it by Moscow in the seventeenth century is of prime concern here. An analysis of the documents of this period and a comparison of them will be of help in this respect. This method will give us an approximate idea of what the people of Muscovy in the seventeenth century understood by the term "subjection."

First, let us recall the resolution of the *Zemski sobor*, which provided that the tsar should accept the Zaporozhian Host "with their cities and lands under his sovereign hand."²⁰⁵ Those who

²⁰¹ *SGGD*, III, 497-8.

²⁰² *AYuZR*, X, 225-6.

²⁰³ *Ibid.*, pp. 712-3, 716.

²⁰⁴ For the influence of the west upon Moscow in the seventeenth century, see Vladimirski-Budanov, *op. cit.*, pp. 222 f., 381.

²⁰⁵ *SGGD*, III, 488-9.

were responsible for the resolution obviously considered the expression "into subjection" and "under the tsar's high hand," as identical. In other documents, similarly authoritative, we find a confirmation of this in tsar's name.²⁰⁶ In accepting the Ukraine on directions from his sovereign, V. Buturlin—and this point must be emphasized here—made a promise in the tsar's name to hold the hetman and the entire Host "in defense and protection."²⁰⁷ These words must be stressed, because the speech was made according to prior instructions and its phrases could not but reflect the Muscovite government's position at the time. The essence of the historical event of 1654 is contained in the fact—as it appears from V. Buturlin's "List of Articles"—that the Zaporozhian Host was brought under "the sovereign's high hand."²⁰⁸

The tsar's writs of March of the same year and those of later date customarily connect the two expressions "under his high hand" and "into subjection," using the almost constant formula: "They came under our sovereign high hand... and swore an oath... for eternal subjection."²⁰⁹

The Andrusiv Treaty calls the Ukrainian Cossacks of the Right-Bank, which was being ceded to Poland, "Polish subjects," and both the tsar and king accepted Article 4, which obligated them not "to accept under their protection" Cossacks from the opposite shore of the Dnieper, who were ascribed to the other party.²¹⁰ It would appear from this that the makers of the treaty, including the Muscovite diplomats, thought the terms "subjection" and "protection" (*oborona*) to be interchangeable.

Of these expressions above, the most common were "into subjection" and "under the high hand," used either interchangeably or side by side. They were supposed to determine the attitude of the Ukraine to the tsar; but we encounter in documents the same words to determine the relations of the Ukraine to other

²⁰⁶ *AYuZR*, X, 503.

²⁰⁷ *SGGD*, III, 497-8, 499.

²⁰⁸ *AYuZR*, X, 228.

²⁰⁹ *AYuZR*, X, 495-500, 554; *SGGD*, III, 529.

²¹⁰ Bantysh-Kamenski, *op. cit.*, II, 47.

monarchs, or the tsar to other lands. A few excerpts taken from documents of the period are offered as an example. Several reflect the opinions of people who were not Muscovites, but this does not diminish their value as evidence; all the words are in the Moscow edition and written in the Russian language. The terminology with which we are concerned comes from the Foreign Office or its representatives and, of necessity, reflects the official Moscow position.

First, to recall the record of the *Zemski sobor* of October 1, 1653, which has already been quoted in another connection: "They should not be relased into subjection to the Turkish sultan or the Crimean khan," because the sultan had called the hetman "into his subjection."²¹¹ Somewhat later I. Vyhovsky mentions the same matter to the tsar's envoy; Vyhovsky said that the sultan had appealed to the Ukrainians to come "under his hand."²¹² The same applied to Ukrainian relations with Poland. The Crimean khan tried to convince B. Khmelnyts'ky "that he should be in subjection to the Polish king as before" and "the Zaporozhian Host should be under the king's hand as before."²¹³ From the words of Kievan monks, emissaries of the Ukrainian Metropolitan to Warsaw in 1654, Ivan Taflari related to the high clerk Larion Lopukhin, imputing the words to the king, that "the clergy wishes to be under his imperial hand as before."²¹⁴ The same terms are found in documents of the Muscovite diplomatic chanceries dealing with other lands or nations, which came, or were to come, under the tsar's supremacy, e. g., in a chancery report based on information furnished by the same Taflari there is the assurance that the Hospodar of Wallachia "will certainly come under the sovereign's hand."²¹⁵ And in the articles of submission of 1660 of the Nogai nobleman, Kaziya, the tsar ordered him, his associates, and underlings "to

²¹¹ *SGGD*, III, 487, 489.

²¹² *AYuZR*, X, 700-1.

²¹³ *AYuZR*, X, 590, 666.

²¹⁴ *Ibid.*, pp. 773-4.

²¹⁵ *Ibid.*, p. 775.

be under his sovereign high hand.”²¹⁶ The same expressions are used in documents of this and later periods, where the matter concerned the “subjection” of other rulers, the Northern Caucasus, Georgia, Wallachia, and Muntenia.²¹⁷

On this basis, we may conclude the following: In the Muscovite documents of this time the expressions “into subjection,” “under the high hand,” and its variant, “protection,” are equal in meaning. They sometimes are used side by side, sometimes separately, and, sometimes, they replace each other. The terms are applied to Ukrainian relations not only with the tsar of Muscovy, but also with other neighboring monarchs; the terms are also applied by Moscow in the tsar’s name to other lands under similar circumstances.

It is especially significant that Moscow used identical words to determine the relation of the Ukraine to the tsar, as it developed following the Pereyaslav Treaty, and the relation of the Ukraine to the sultan, as it was projected and later put into effect. “Subjection” to the sultan by the Christian rulers of South-eastern Europe comprehended the totality of relations with the Sublime Porte, long established and well-known; it was similar to vassalage. Therefore, the same applied to the mutual relationship of the Ukraine and the tsar, on one hand, and with the sultan, on the other. We can assume that the meaning of “subjection” was not understood otherwise in Moscow.²¹⁸

If our conclusions are correct and we have rightly determined the meaning of the term in Moscow immediately after the act of union, if the expressions quoted above reflect the position of the tsarist government in its relations with the Ukraine—then the definition of “subjection” as understood in Moscow would not be too far from the meaning given the word by Ukrainians

²¹⁶ SGGD, IV, 67.

²¹⁷ The geographic terminology of the Danubian principalities has not always been followed in Ukrainian historical literature. Following terms used by these sources, we have used: Muntenia and Muntenian to denote Ugro-Wallachia with Bucharest as its capital; and Wallachia, Wallachian to denote Moldavia with its capital of Jassy.

²¹⁸ See, Yakovliv, *op. cit.*, pp. 22, 46-7.

and their neighbors, i. e., "subjection" was "defense, protection, alliance."²¹⁹

That this was in contrast to the essence of the Muscovite tsardom and the secret objectives of its policy, was another matter. But these aspects—once Moscow had grown stronger—took precedence over all other considerations and were manifested in subsequent relations with the Ukraine.

We are even more deeply convinced of the correctness of our conclusions when we answer the question which arises: Who were those "subjects," so frequently mentioned in documents concerning the union of the Ukraine and Muscovy, whom the tsar possessed, or thought he possessed, or intended to possess? If we know on one hand that the term "subject" was alien to the Muscovite law of the seventeenth century, then on the other hand we may not disregard the references to some other "subjects" besides the Ukrainians, which are encountered in historical sources in connection with the unification of the two states.²²⁰

If, as has been established by Russian science, the entire mass of the population of the Muscovite tsardom was merely "people of the Muscovite state" or "servants," who then were the "subjects"?

X

The tsar himself answered the preceding question. In his letter to B. Khmelnyts'ky of June 1, 1654 informing the hetman that he had already started the march against the Polish king, Aleksei Mikhailovich wrote: "And with us, the great sovereign, are our sovereign highness' *subjects*, the Georgian and Siberian tsareviches, and our boyars and colonels with numerous armed men."²²¹ Those "subjects, the Georgian and Siberian tsareviches" are mentioned in Khmelnyts'ky's reply to the tsar from Mezhyrych of June 11, 1654. ²²² The same "subject tsareviches" are encountered in documents of this and later periods issued in

²¹⁹ Cf. the concluding paragraph of section VI.

²²⁰ *AYuZR*, X, 225, 284.

²²¹ *AYuZR*, X, 659.

²²² *Ibid.*, p. 669.

the tsar's name, e. g., the Siberian and Kasimovian tsareviches in the correspondence with the Swedish king,²²³ or in the writ to Colonel Petro Roslavets of February 1, 1676.²²⁴ To these "subjects" we might add others, these of Crimea, Cherkassy, etc.²²⁵

What were these "subject tsareviches"? Who were they? Where did they come from and what were they doing in Moscow? What was their role near the tsar's person? What position did they occupy in the structure of the Muscovite state?

These questions were answered by Kotoshikhin in his well-known work. He said: "The Siberian and Kasimovian tsareviches, who were baptized in the Christian faith, are of the tsar's rank. They are above the boyars in dignity; but they do not attend or sit in any council, because it is not customary, since their states and they themselves became subjects after the war period of not long ago. They fear them also."²²⁶ He further stated that the tsareviches "service" consisted of occupying the place closest to the tsar during ceremonies, walking with their arms in his, and seeing him every day to pay their respects. They were given large houses and considerable property and were married to daughters of wealthy boyars. Those who did not possess sufficient property received financial subsidies from the tsar; their titles were inherited by their children.²²⁷ In addition to these details, recent works of Russian historians add more information.²²⁸ The tsareviches were present at parades and were at the tsar's side during receptions for foreign envoys and it was their duty to meet them.²²⁹

The most frequently encountered tsareviches are the Siberian; they stayed in Moscow most of the time and led a courtier's life

223 Velyaminov-Zernov, *Izledovaniye o Kasimovskikh tsaryakh i tsarevichakh*, St. Petersburg, Vol. III, p. 396 and Vol. V, p. 452.

224 *Ibid.*, p. 397 and Rigelman, *op. cit.*, II, 150-2.

225 Belorukov, "O Posolskom prikaze," *ChMOID*, Moscow, 1906, Bk. III, pp. 92-3.

226 Kotoshikhin, *O Rossii v tsarstvovaniye Alekseya Mikhailovicha*, (St. Petersburg 1884). Quoted from Velyaminov-Zernov, *op. cit.*, III, 422-3.

227 *Ibid.*

228 See Velyaminov-Zernov's monumental work.

229 Belorukov, *op. cit.*, pp. 92-3.

almost exclusively.²³⁰ Further, in addition to the Crimean and Cherkassian, the Kasimovian tsars and tsareviches are mentioned constantly. They were descended from the family of the khans of Kazan and had received the principality of Kasimov as a vassalage from Moscow. They were used by Moscow against their own kinsmen. After accepting Christianity they preserved their titles, but the scope of their authority was more and more restricted. Former tsars of Kasimov were treated by Moscow as true sovereigns. However, during the period under consideration, this was a thing of the past and the Kasimovian tsarevich Vasili Arslanovich had been reduced to the rank of a "common serving" tsarevich like the Siberian, performing at the tsar's court the same functions as the latter.²³¹ There is one interesting feature: during the period when the Kasimovian tsars held real power in their land, their tsardom was under the jurisdiction of the Foreign Office. This was still the situation during the first half of the seventeenth century and Velyaminov-Zernov considers it "an important fact," perceiving in it "a special kind of privilege of the Kasimovian tsardom." Velyaminov-Zernov listed persons of their dynasty, who "at least from external circumstances, were the equals of foreign rulers."²³² This conclusion of the eminent Russian orientalist should be borne in mind for it is significant.

Then there was the Georgian tsarevich, Nikolai, the youngest in point of age, but the highest in rank, occupying first place.²³³ This "subject," who had been mentioned along with the Siberian tsareviches in the tsar's letter of June 1, 1654, is doubly interesting: First, he subsequently reigned in his homeland under the name of King Irakli I;²³⁴ second, Kotoshikhin provides some facts concerning him, which supplement the picture of a "subject" and help explain the contemporary Muscovite meaning of the word "subjection." Kotoshikhin says that the Georgian

²³⁰ Velyaminov-Zernov, *op. cit.*, III, 209.

²³¹ *Ibid.*, p. 421 and 319.

²³² *Ibid.*, p. 486; Yakovliv, *op. cit.*, p. 47; Vladimirski-Budanov, *op. cit.*, p. 191.

²³³ Velyaminov-Zernov, *op. cit.*, p. 421.

²³⁴ *Ibid.*, p. 216 and cf. *AYuZR*, X, 659.

tsarevich was held in the esteem due a "real tsar's son" and that there was the possibility of his marriage to a princess, the tsar's daughter or sister, because "he is not a captive and is of the same faith." He further adds that the tsar does not rule over his land [i. e., Georgia] and only with his [the tsarevich's] permission signs himself, the Georgian."²³⁵

Thus, we know who these tsareviches were and what they did. Kotoshikhin places them above the boyars, the highest rank in the state. Their first rank was also acknowledged in contemporary documents, which cite listings akin to Peter's "Table of Ranks."²³⁶ The tsarist social ladder started with the masses, the so-called "drafting people," and passed through "*stolniki*, governors, people of the *duma*, vicegerents, and boyars." Above all this, at the very summit, were the "subjects of our sovereign highness, the tsareviches."²³⁷

We can give some general characteristics of these subject-tsareviches. They were of foreign origin and from families of rulers of eastern or southern lands. Some of them were pagans or Moslems who had themselves, or whose sons had, accepted Christianity; others were Orthodox for many generations. On becoming tsareviches, they served, i. e., carried out honorary court functions at the tsar's throne. In regard to their external dignity, which was not connected with authority or influence, they held first rank in the state hierarchy, being above the boyars. Although most of them had lost the lands which had belonged to their dynasties, they still retained their titles. However, while being only nominal tsareviches, they still retained their "tsarist rank."²³⁸

In addition to tsareviches, we also find a tsar among the "subjects." This was the Imeretinian tsar, Argil, who, in his petition to the tsar of November 1654, stated among other things, "He bows humbly, remaining beneath your firm, supreme hand, your

²³⁵ Kotoshikhin, *op. cit.*, p. 22.

²³⁶ VeIyaminov-Zernov, *op. cit.*, III, 396-7.

²³⁷ *Ibid.*, p. 395.

²³⁸ Kotoshikhin, *op. cit.*, p. 22

subject, Tsar Argil.”²³⁹ This “subject-tsar” is mentioned in many acts, e. g., the Muscovite tsars send their “kind word to our sovereign highness’ subject, Argil, tsar of the Imeretian land,²⁴⁰ or they order him “to remain in subjection beneath our sovereign highness’ autocratic hand,”²⁴¹ or Argil turns to them in supplication as “your subject, Tsar Argil.”²⁴²

It would be worthwhile to examine by a more detailed analysis of documents the circumstances which led to the “subjection” of Georgia. Unfortunately, we are at present unable to do so.²⁴³

²³⁹ *SGGD*, IV, 641.

²⁴⁰ *Ibid.*, p. 474 (April 20, 1682).

²⁴¹ *Ibid.*, p. 476.

²⁴² *Ibid.*, p. 641.

²⁴³ Unfortunately, circumstances do not permit it. We are missing some notes taken from *PSZ*, among them the act of subjection of Tsar Aleksandr.

Addendum to footnote 243): After looking over the notes and material left by the late V. Prokopovych in order to put them in order, I have found some notations from *PSZ* relating to the “subjection” of the Georgian Tsar Aleksandr, mentioned in footnote 243. They are quoted below, although perhaps not in the same order as the author would have done.

1) “The boyars debated: This is new and unusual matter: if we accept Tsarevich Aleksandr, will we not set the Turkish and Crimean people against us?” Solovyev, *op. cit.*, X, 103).

2) “May 10, 1653. Writ to the Imeretian Tsar Aleksandr with his son, brother, and with all his subjects, regarding his remaining in *eternal subjection* to the Russian sovereigns. (Prayer—long, seal—golden, suspended. Motif—Christian faith.)

“We sent to him (Aleksandr) messengers of our imperial highness... to bring him, Aleksandr the tsar and his nearest people to kiss the cross so that he, Aleksandr the tsar, and his children and his grandchildren and the entire Imeretian state should be under the high hand of HRH in *eternal subjection*...” (*PSZ*, I, 280).

3) Tsar Aleksandr requested: “Not to estrange us, please, from his imperial highness’ hand and from enemies keep them in defense and *protection*...” (*ibid.*).

4) /continuation of Writ/ “and in this note (obviously of the tsar’s envoys) it was written: the tsar of the Imeretian land for himself, for his son, and for his brother Mashuka, and for their close kin, for us, the great sovereign’s imperial highness, kissed the cross so that he, Aleksandr the tsar, and his son, Tsarevich Bahrat, and his brother Mashukye (or Mamukye) and their children, and their grandchildren and their near people with the entire Imeretian land, should be under our imperial highness and our imperial children and grand-

For the time being we must confine ourselves to just two observations: first, Georgia's "subjection" was of an earlier date; second, it was purely nominal. According to Gradovski: "During the time of Tsar Feodor Ivanovich (1584-1598) there was established, for the time being, a nominal supremacy over Georgia (the Iverian land) and some other Caucasian lands. Therefore, the following was affixed to the title: 'Sovereign of the Iverian Land of the Georgian Kings and of the Kabardinian Land of Cherkassian and Gorski Princes and Sovereign and Master of Numerous States.'"²⁴⁴ This formula of the tsars title which might be called the Caucasian formula, subsequently supplemented and perfected, should be kept in mind. We shall refer to it again.²⁴⁵

Kotoshikhin also states categorically that the tsar's supremacy over Georgia was nominal: "And his land (Georgia) is not possessed by the tsar; it is only with his permission that he writes Georgian in his title to Christian potentates, but he does not

children, whom God, the great sovereign, will later give, eternal subjection and forever inseparable, and they should not join any other ruler..." (*ibid*)

5) and 6) "We, the great sovereign, tsar and Grand Prince, Aleksei Mikhailovich, autocrat of all Russia, have been gracious to the master of the Imeretian land, Aleksandr the Tsar, and his son..." (*PSZ*, I, 279).

"And Tsar Aleksandr and his children, and *grandchildren who shall come later* and all who will later be tsars in the Imeretian land, shall keep this our tsarist writ unto themselves, and in all things to us, the great sovereign, our imperial highness and our imperial children and *grandchildren* and later being Russian great sovereigns, tsars and great princes, give service and joy, and wish well, without any cunning and the seeking of honors and elevation, and remain under our imperial highness' high hand, and to remain inseparable from our imperial children and grandchildren and later Russian great sovereigns, tsars and great princes, *until the end of their lives*, and after kissing the cross." (*PSZ*, I, 280).

7) The Patriarch Filaret gave an order to the bailiffs: "If Aleksandr will ask to be admitted to church, then you answer him that he may not go to church as a *khokhol*, because now he has changed into a *khokhol* and calls himself a Pole, and in the Russian state they do not admit Poles to churches..." (Solovyev, *op. cit.*, I, 103). (Andriy Yakovliv.)

²⁴⁴ Gradovski, *op. cit.*, I, 158.

²⁴⁵ *SGGD*, IV, 474.

[use this term] when he writes to Moslems.”²⁴⁶ He explains this in more detail in a separate chapter of his work devoted to the problems of “why the Muscovite tsar writes to Christian states using his complete great titles.” In such titles, the tsar mentions his supremacy over the lands of the Kartalinian and Georgian kings and Cherkassian and Gorski princes, but he does “not use these titles in addressing Moslem states.”²⁴⁷ Kotoshikhin, well versed in these matters because of his previous service, asks: “What is the reason for this?” In his answer he states first of all that the “Iverian, Kartalinian, and Georgian kingdoms are under the rule of, and [owe] the greatest obedience to, the Persian Shah”; the tsar writes that he is the master of these lands “for his own glory”; and that the allegation that they are “eternal subjects, is not true,” because their position is analogous to that of the Duke of Courland. Finally, he concludes that this Caucasian title should not be used by the tsar for substantial, formal reasons—“he should not use [this title] in writing to the Persian Shah.”²⁴⁸

These conclusions of the talented writer and emigre are very valuable. In discussing these “subjects” and illustrating their position without prejudice, he adds much which helps in the solution of the problem.²⁴⁹

Among those subjects we have genuine sovereigns, who in fact head their own states, but who have come under “subjection,” using the terminology of the period, “with cities and lands.” We see in “subjection” certain lands, which contain all the elements of nationality, government, territory, and population.

For example, the land of the Don Host, formed a state body and concluded an alliance with Muscovy, without losing its independence. From 1549 the Don Cossacks designated themselves, as was noted by M. Vladimírski-Budanov, “subjects.” At ap-

²⁴⁶ Kotoshikhin, *op. cit.*, p. 30.

²⁴⁷ *Ibid.*, p. 43.

²⁴⁸ *Ibid.*, pp. 43-4.

²⁴⁹ It must be added that his letter to the Tsars Ivan and Peter of November 1694 was written from his own territory, *SGGD*, IV, 641.

proximately the same period the Caucasian rulers began to offer their "subjection" to the Muscovite tsars. After the conquest of Kazan, the khan of Siberia offered to pay tribute to Ivan IV, but "his subjection was only nominal."²⁵⁰

Another real ruler with his own land and substantial armed forces appeared in the second half of the seventeenth century. This was Kapsulat, a Cherkassian prince, who was also "our sovereign highness' subject."²⁵¹

We must also consider the Danube principalities, the immediate neighbors of the Ukraine. The history of their relations with Moscow offers analogous examples of "subjection."

Thus, in 1654, immediately after the union of the Ukraine and Muscovy, negotiations began concerning the "subjection" to the tsar of the Wallachian Hospodar. We offer some excerpts from the papers of an official of the embassy, Tomilo Porfiriev, who traveled in April-June of that year "to the Moldavian land, to *voyevoda* Stefan."²⁵² This official was sent on a special mission to ascertain whether it was true that "the Moldavian master bows his forehead to the sovereign in subjection."²⁵³ The hospodar assured him "under oath, while repeatedly looking at an image of God, that he wishes to be under the tsar's hand with all his possessions."²⁵⁴ Porfiriev added bitterly that "his sworn statements were unreliable,"²⁵⁵ because the *voyevoda*, the master of the Moldavian land, submitted "to the high hand of his imperial highness as a form of flattery, not in truth."²⁵⁶ This statement is of interest to us because of the terms used to determine future relations between the *voyevoda* and the tsar.

In addition to Wallachia there were also projects concerning the "subjection" of neighboring Muntenia. The Muntenian envoy to the hetman, as it appears from the report of Petro

²⁵⁰ Vladimirski-Budoanov, *op. cit.*, p. 112.

²⁵¹ SGGD, IV, 369-70.

²⁵² AYuZR, X, 577.

²⁵³ *Ibid.*, p. 501.

²⁵⁴ *Ibid.*, p. 581.

²⁵⁵ *Ibid.*

²⁵⁶ *Ibid.*, p. 603.

Protasyev, was supposed to have told B. Khmelnyts'ky: "Since he, the hetman, had come under the high hand of our sovereign highness in eternal subjection, their *voyevoda*, Konstantin, with all his land also wishes to be under your sovereign highness' high hand."²⁵⁷ On their part the Muscovite delegates advised the Muntēnian envoy that "his *voyevoda* and master should send emissaries "to seek the kindness of his imperial majesty" in coming under "the tsar's high hand."²⁵⁸ Again in a conversation with I. Vyhovskyy the Muntēnian envoy speaks of his Hospodar's intention to come "under the high hand of his sovereign highness in eternal subjection."²⁵⁹ These words require no further comment. The terminology is, as we can see, identical.

Of signal interest to us is a writ of the tsars Ivan and Peter of the late seventeenth century to Ivan Shcherban Cantacuzenu, "*voyevoda* and master of the Muntēnian land."²⁶⁰ In this writ, dated December 28, 1688, the tsars replied to the Hospodar's request "to liberate all living Orthodox Christians from the yoke of martyrdom and to accept them in eternal subjection under the high autocratic hand of our sovereign highness,"²⁶¹ in the following manner: "In reply to your letter to us, the great sovereign, our imperial majesty, your request that you are seeking the mercy of our imperial majesty and that you wish to be in subjection for the sake of the unity of Christians of the Orthodox faith, under our great sovereign, autocratic hand with your lands, is looked upon with favor and beneficently praised."²⁶² The tsars referred twice to the same motive, "the unity of Christians of the Orthodox faith," and advised the Hospodar not "to join other foreign states and not to surrender and not to issue papers confirming subjection."²⁶³ For their part they promised to "de-

²⁵⁷ *Ibid.*, p. 700.

²⁵⁸ *Ibid.*

²⁵⁹ *Ibid.* p. 701.

²⁶⁰ *SGGD*, IV, 591.

²⁶¹ *Ibid.*, p. 592.

²⁶² *Ibid.*

²⁶³ *Ibid.*, p. 593.

fend Muntenia from enemies" and that their "imperial mercy and defense will never be refused and that in all you can be sure of our sovereign mercy."²⁶⁴

A later document provides some interesting material on this point; this was Kantemir's act of submission to Moscow prior to the pogrom on the Pruth. We can discern here the tone long familiar to us.²⁶⁵

Fate saved the Danube principalities from "subjection" to Muscovy. With the exception of Bessarabia, Moscow was unable to annex them, but she opposed their liberation from Turkish dependence.

Thus, in the material dealing with the "subjection" of different lands, we observe the same expressions, the same terms, the same usage—in other words, a similarity of values.

From the foregoing, we believe that we can state fairly accurately who were the "subjects" in Moscow in the seventeenth century, and, at the same time, we can bolster our previous conclusions regarding the contemporary meaning of the word "subjection." The tsar's subjects were a peculiar category of people, beyond and above the population of the realm. They were small in number but of varied composition. Despite their heterogeneity, these people had certain common ties binding them together. They were either titular tsareviches with representative functions at court, or emigre tsars who lived on charity, or even actual rulers of their own territories. However, all of them were people of the "tsarist rank" who accepted for themselves and their lands certain obligations to the "great sovereign."

"Subjection" and imperial dignity did not exclude each other. One could be a prince, hospodar, hetman, tsar, or to use a general Muscovite term, "sovereign," and at the same time be a "subject."

The tsar's subjects were *vassals* in various degrees of dependency; sometimes, and this must be emphasized, this dependency was purely nominal. These were lands which accepted "sub-

²⁶⁴ *Ibid.*

²⁶⁵ Solovyov, *op. cit.*, XVI, 60.

jection" to the tsar on certain conditions, i. e., the tsar's "defense-protection" was only formally recognized by them. In such a case the tsar's supremacy was a *protectorate*.

And Bohdan Khmelnyts'ky's "subjection" was precisely this type. He was the "sole-ruling autocrat of Rus'," "Prince of Rus'," "glory of the Christian monarchs," "his hetman's highness," "hetman-general of the Zaporozhian Host by the grace of God," "*clementia divina generalis dux exercituum Zaporoviensium*." By the Treaty of Pereyaslav, the great hetman with the Zaporozhian Host joined the "Eastern Orthodox Tsar" in such subjection. This is quite evident, in our opinion, from our analysis of historical documents, which concern the union of the Ukraine with Moscow, and from a comparison of them with monuments relating to the "subjection" of tsars and princes of the Caucasus or the Hospodars of the Danube principalities.

Do these facts not prove conclusively that even after the Treaty of 1654, the Ukraine remained an independent state and the tsar had no actual control over her? The tsar was satisfied with her nominal dependence and with "newly-acquired titles."

By proceeding along somewhat different paths from our predecessors, by applying a different method, and by using heretofore unutilized material, we have arrived at the same conclusions as those resulting from historical and legal studies (Professor Andriy Yakovliv has summarized these in his latest work on the subject). The rights possessed by the Ukrainian state on the basis of articles, by which she joined Moscow in partnership, "reduce," said Professor Yakovliv, "subjection to a mere nominal protection of the tsar over the Ukraine."

THE SIGNIFICANCE OF THE SOVIET TERCENTENARY OF THE PEREYASLAV TREATY

JOHN S. RESHETAR, JR.

For a period of five months from January to May 1954 the Soviet regime expended very substantial sums of money in a campaign designed to further its internal nationality policy by utilizing the three hundredth anniversary of the Pereyaslav Treaty concluded between Ukraine and Russia in 1654. That this campaign was well planned is evident from a statement made by Alexander Korneichuk at the Nineteenth Party Congress in October 1952. At that time Korneichuk observed that preparations for the Tercentenary were already under way, and he sounded the keynote when he spoke of the "union of two fraternal peoples in a single Russian state" and stated that Ukraine's "greatest national pride" was that it "enjoyed the honor of being the first to follow the great Russian people on the glorious road of October."¹

This carefully planned Soviet Tercentenary can be fully understood only if its scope is appreciated. In the Ukraine itself it was announced that new buildings for the Shevchenko State University in Kiev would be constructed as well as a triumphal arch commemorating the event. Pilgrimages were made to the town of Pereyaslav (renamed Pereyaslav-Khmelnyts'ky) which boasted a new hotel, Palace of Soviets, and department store—all of which, although allegedly of recent construction, are in a style reminiscent of the *ancien régime's* nineteenth century classical revival in architecture. In March the Kievskaya Kol'tsevaya station of the Moscow Metro was formally opened with its eighteen mosaics depicting the "unbreakable fraternal friendship" of the Ukrainian and Russian peoples. The site for a monument commemorating the Tercentenary was dedicated in the square before the Kiev Railroad Station in Moscow. Innumerable lectures were delivered in all parts of the Soviet Union; newspaper

¹ *Pravda*, October 11, 1952.

editorials were written, receptions held, and concerts sung—all on the Tercentenary theme.

The first important concert was held on the evening of April 24 in Moscow's Bolshoi Theater and coincided with a session of the U.S.S.R. Supreme Soviet. A combined Ukrainian choir including the State Capella of Bandurists, the State Capella "Dumka," and the choirs of the Ukrainian Radio, the Shevchenko State University and the Kiev Opera sang a program of Ukrainian and Russian compositions including Shevchenko's "Zapovit." The concert was attended by every member of the Presidium of the Party except Molotov who was abroad at the time.

This concert foreshadowed the series of concerts held in Moscow and Kiev from May 6 to May 16. During that period the company of Kiev's Shevchenko State Academic Theater of Opera and Ballet played at the Bolshoi Theater in Moscow. A principal item in the repertoire was the opera *Bohdan Khmelnyts'ky* by K. Dankevych (the lyrics by Alexander Korneichuk and his wife, Wanda Wasilewska) which was presented three times. The May 10 performance was attended by Malenkov, Khrushchev, Bulganin, Kaganovich, Mikoyan, Suslov, and other prominent members of the Soviet ruling circle. On the preceding evening the traditional Ukrainian folk opera, Lysenko's *Natalka Poltavka*, was presented and the performance was attended by Malenkov, Khrushchev, Bulganin and Kaganovich.² Yet the series was not exclusively Ukrainian since the opera *Bohdan Khmelnyts'ky* was especially written to conform to the dogma of the Tercentenary, and the Ukrainian artists also performed Borodin's *Prince Igor*.

Russian artists performed in Ukraine during the same period on a greater scale than did the Ukrainian artists who visited Moscow. A delegation of Russian writers was headed by the poet Alexei Surkov and included Nicholas Tikhonov, Constantine Simonov and Vera Inber. The company of Moscow's Maly Theater performed in Kharkiv while the company of the Gorki Bolshoi Dramatic Theater visited Dnipropetrovsk. In Kiev the

² *Pravda*, May 10 and 11, 1954.

company of the Moscow Bolshoi Theater, the Russian Piatnitsky Choir, and the A. V. Alexandrov Red Star Ensemble of Song and Dance of the Soviet Army performed from a repertoire which included *Swan Lake*, *The Decembrists* (an opera by Yuri Shaporin) and Borodin's *Prince Igor*. It is significant that the *dekada* of Russian literature and arts which was held in Kiev was purely Russian while that of the Ukrainians which was simultaneously being presented in Moscow was not purely Ukrainian in content.

The range of Tercentenary activities included the usual presentation of especially made and inscribed ceremonial vases as well as especially woven carpets. The works of Shevchenko, Lesya Ukrayinka, Ivan Franko, Bazhan, Tychina and Ryl'sky were published in Azerbaidjanian and Kirghiz translations. Streets in Cheliabinsk and Tashkent as well as a school in the latter city were named in honor of Khmelnyts'ky. The town of Proskuriv was renamed Khmelnyts'ky, and a large statue of the Hetman was erected near the frontier of the Russian and Ukrainian Soviet republics in the Sumy *oblast*. Special museum exhibits were prepared; in May as the Tercentenary reached its climax, an exhibit in the Moscow State Historical Museum required two halls to display the gifts sent "to the Russian people" from the "fraternal peoples of the U.S.S.R."³ Military, civilian and air parades were held on the Khreshchatyk in Kiev on May 23 with a half million marchers participating and in Moscow's Red Square on May 30 under the slogan "Forever Together." Soviet Defense Minister Bulganin also ordered the troops to parade in Kharkiv, Pereyaslav-Khmelnyts'ky, Lviv, Sevastopil and Odessa as well as the firing of twenty-gun artillery salutes.⁴ Special jubilee sessions of the Ukrainian and Russian Supreme Soviets were held in Kiev on May 22 and in Moscow on May 29 and were attended not only by representatives of the fourteen other republics but also by a delegation from the Polish *sejm*. The Ukrainian Soviet Republic and the city of Kiev were awarded the Order of Lenin as was the Russian S.F.S.R. Nor were the

³ *Pravda*, June 2, 1954.

⁴ *Pravda*, May 22, 1954.

other Soviet-bloc states spared. In Prague an exhibit devoted to Ukrainian-Russian relations in Soviet terms and entitled "Eternal Friendship" was opened at the end of May. Even Peking celebrated the event—at least on the editorial pages of the Party press.⁵

The Soviet regime did not spare resources, funds, or personnel in commemorating the Tercentenary for it provided the ruling circle with an unusual opportunity in which to propagate certain basic themes pertinent to its nationality policy. The principal but by no means the only themes of the Tercentenary were those of the greatness of the Russians, their love for the Ukrainians, and the debt which the Ukrainians owe the Russians. The theme of the greatness of the Russians was expressed most succinctly in two issues of *Pravda* in which Russia was referred to as "the birthland of Leninism" and Moscow was termed "the light of all progressive humanity."⁶ A *Pravda* despatch from Kiev written on May Day announced: "Today in the heart and on the banners of the Ukrainian people there are words of love for the great Russian people-brother."⁷

The theme of the debt which the Ukrainians allegedly owe the Russians had several aspects. First, there was the cultural debt in Ukrainian literature and art: "Russian literature and art have always played a colossal [sic] role in the formation and development of Ukrainian culture."⁸ In science and technology the Russians also claimed pre-eminence and at a joint session of the Technical Sciences Divisions of the Russian and Ukrainian Soviet Academies of Science a paper was read on "The Development of Mechanics in Ukraine and the Influence of Russian Scientists upon this Development."⁹ Ukrainian collective farmers had to write letters acknowledging their "debt" to the Russians for allegedly having taught them improved agricultural methods. The Tercentenary attributed Ukrainian industrial development to the "daily... fraternal aid of the great

⁵ *Pravda*, May 28, 1954.

⁶ *Pravda*, May 29, 1954 and May 8, 1954.

⁷ *Pravda*, May 2, 1954.

⁸ *Pravda*, May 8, 1954.

⁹ *Pravda*, May 11, 1954.

Russian and other Soviet peoples."¹⁰ Another aspect of the indebtedness theme is political and national and stressed the reunification of "all" the Ukrainian lands in a single Soviet state while attributing the achievement to Moscow. Thus the Tercentenary was employed in an attempt to convey the notion that the Russians are the Ukrainians' best friend and, conversely, the hardly palatable view that without the Russians the Ukrainians would be doomed.¹¹

Yet the theme of Ukrainian indebtedness to the Russians did not prevent the use of another theme which provided a somewhat novel, although muted, variation. Soviet propaganda in the post World War II period has followed the tedious line that the Russians bestow every imaginable kind of gift upon mankind and magnanimously ask for nothing in return. While this line was still very much in evidence and can even be said to have been the dominant one in the Pereyaslav Tercentenary, a new theme—that of the cultural benefits which the Russians derived from the post-Pereyaslav relationship with Ukraine—was also present. Thus N. V. Podgorny, a secretary of the Central Committee of the Communist Party in Ukraine and former Kharkiv *obkom* secretary, wrote that "in its turn, the leading Ukrainian culture enriched and enriches the culture of the Russian people and makes its contribution to world culture."¹² A

¹⁰ *Pravda*, May 18, 1954.

¹¹ The Ukrainians-are-doomed-alone theme was also buttressed by an oft-cited quotation from Lenin: "By joint action of the Great Russian and Ukrainian proletariats a free Ukraine is *possible*, without such unity there can be no talk of it" (V. I. Lenin, *Sochineniya*, 4th ed., XX, 14). The italics are Lenin's. This quotation was cited by A. Kasimenko, director of the Institute of History of the Academy of Science of the Ukrainian S.S.R., in an article published in the May 16, 1954 issue of *Pravda*; it also appeared in a message sent by the Supreme Soviet of Ukraine to the "Supreme Soviet of the R.S.F.R.R. and the great Russian people."

¹² N. Podgorny, "Sovetskaya Ukrayina v bratskoi sem'e narodov SSSR." *Kommunist* No. 8, (May, 1954), p. 23. Podgorny, in his adulation of the Russians, repeats the ridiculous assertion handed down by the Moscow Central Committee that "at the end of the nineteenth and the beginning of the twentieth centuries the center of the world revolutionary movement was transferred to Russia; the Russian working class emerged as the vanguard not only of the all-Russian (*obshche-rossiiskii*) but of the international revolutionary movement and became the leader of the progressive forces which are fighting for democracy and socialism" (p. 14).

Pravda editorial on January 18, 1954 referred to the "mutual cultural enrichment of the two fraternal peoples" and pointed out that the Pereyaslav Treaty "in many ways facilitated the strengthening of the Russian (*Rossiiskoye*) state and the raising of its international authority..." The theme was also evident in the address of O. I. Kirichenko delivered on May 22 in Kiev at the jubilee session of the Ukrainian Supreme Soviet.

Indeed, Soviet publications dealing with the Tercentenary at times convey the distinct impression of an attempt on the part of the regime to picture the Ukrainians as junior partners of the Russians or as the eldest of the younger brothers. A recurring phrase in various pronouncements was: "the Ukrainian people were the first after the Russian people" to embark on "the path of socialism" or "the glorious road of October." A Kirghiz, one Useмбаev, expressed gratitude to the Ukrainians for having taught the Kirghizians so much regarding the cultivation of sugar beets and observed that the opera *Natalka Poltavka* was being presented in the Kirghiz language.¹³

Yet the Russians overshadowed all else in the Tercentenary, and all Ukrainians were depicted as having "eternally striven for unity" with Russia, with the exception of the "bourgeois nationalists" who were pictured as desiring to "sell" Ukraine to the "foreign imperialists." Soviet propaganda has sought to make it appear that the Germans, in invading the Soviet Union, had brought with them a Ukrainian regime as an alternative to Soviet rule. Thus Boris Polevoi, the Russian writer, asserted that "Hermann Goering, in awaiting the verdict of the people's court at Nurenberg, was compelled to admit that... Hitler was attracted by the thought of driving a wedge between the Soviet peoples and that in the baggage trains of his plundering army there was being hauled a puppet government prepared by him for Ukraine."¹⁴ This statement ignores the fact that Hitler did not permit any Ukrainian state to be proclaimed during the Nazi occupation. However, respect for historical evidence is not a characteristic of authoritarian regimes.

¹³ *Pravda*, May 22, 1954

¹⁴ In an article entitled "Forever Together" published in the May 22, 1954 issue of *Pravda*.

Accordingly, the Central Committee of the Communist Party of the Soviet Union issued a series of twenty-one historical theses on Ukrainian-Russian relations for the Pereyaslav Tercentenary. These were published in the January 12, 1954 issue of *Pravda* as well as in book form and almost all of the Tercentenary pronouncements referred to above are simply a verbatim parroting of this document issued by the Moscow Central Committee. The primary contention of these theses is that the Tercentenary commemorates the "reunion" of the Russian and Ukrainian peoples in 1654 despite the fact that Muscovy and Kiev cannot be said to have been parts of the same state during the Kievan period. It is also evident that reunion must be preceded by union—which did not occur in this case. The contention is also made patently absurd by the fact that the Western Ukrainians experienced a very different and completely separate historical development and had no relationship to the Russian state until 1939 when the Soviet Union and Nazi Germany partitioned the then-existing Polish state. The Central Committee, while recognizing the distinct languages and cultures of the Russians, Ukrainians and Byelorussians, seeks to gain acceptance of the view that the three "single-blooded" peoples had created the Kievan State (*Rus'*), are "descended from a single root" and at one time constituted a single people. Thus the Soviet regime attempts to equate *Rus'* with Russia and to foster the notion of a "common descent, a closeness of language and cultures and consciousness of . . . a common fate" among the three peoples.

The concept of the three "fraternal peoples" is part of an attempt of the Soviet regime to nullify Ukraine's political and cultural contacts with the West. This rewriting of Ukrainian history on a fabulous scale is designed to create the impression that the Ukrainians never fought the Russians and that they waged war against Poland and Turkey not to obtain their independence but to "reunite" with "the great Russian people."¹⁵

¹⁵ As an example of scholarly conformity see V. A. Dyadichenko, O. K. Kasimenko, and F. P. Shevchenko (eds.), *Vyzvol'na Viyna 1648-1654 rr. i Vozz'yednannya Ukrainy z Rosiyeyu*, (Kiev: Vydavnytstvo Akademiyi Nauk Ukrainskoi RSR, 1954). Cf., I. Boyko, *Pereyaslav's'ka Rada ta yiyi istorychne znachennya*, (Kiev: Derzhvidavpolitlit, 1954).

The Russians are depicted in the theses as being motivated solely by magnanimity in their attitude toward the Ukrainians, and in the fifth thesis they are exaggeratedly pictured as having saved the Ukrainians from near-extinction in 1654. In the seventeenth thesis the Russians are declared to be "the leading nation among all the equal nations of our multi-national Soviet state."

The twenty-one theses constituted an ex-cathedra pronunciamiento to be adhered to by school children as well as by professors and members of the Soviet Academy of Science in Ukraine. One cannot but ask why the Central Committee in Moscow felt compelled to issue such a document and have its contents reiterated in so many repetitious speeches, lectures, films, articles, and resolutions. A possible explanation is that beliefs and convictions contrary to those embodied in the Theses of the Central Committee are still widely held in Ukraine and must be combatted by the regime since they constitute a threat to its control over the Ukrainian subject population.

The Tercentenary provided the regime with a unique opportunity to capitalize upon a brief but fateful episode in the life of Bohdan Khmelnyts'ky—the decision to conclude a treaty with the Russians in order to obtain aid against the Poles. That Khmelnyts'ky lived to regret this action and sought means to denounce the treaty is a fact which is conveniently omitted from the Soviet Tercentenary.

On the surface, it would appear that the Tercentenary was an unqualified success and a triumph for the Soviet regime. Yet there are aspects of it which prompt the observer to doubt its efficacy and to raise the question of the possibility that it may have actually created a contrary effect amongst at least a part of the Ukrainian population.

One cannot but question how Ukrainians have reacted to the injunction that they praise "the great Russian people" as their "blood brother" and "friend" without whom the Ukrainians would be nothing. The secretary of the Central Committee of the Komsomol in Ukraine, one Shevel', in addressing the Twelfth Congress of Komsomols on March 20, 1954, thanked the Russians for their "unending fraternal aid" but also noted

that more than 11,000 Ukrainian Komsomols had gone to Kazakhstan as "volunteers" to cultivate the new lands.¹⁶ The presence of large numbers of Ukrainians in Kazakhstan was also indicated by the visit of the Ukrainian State Capella "Trembita" to the Kazakh S.S.R. in May for a series of concerts in connection with the Tercentenary.¹⁷ The March 25, 1954 issue of *Pravda* contained a despatch from Lviv which noted that "the toilers of Lviv received a wonderful [Tercentenary] gift—a Russian dramatic theater has commenced to perform here." The previously cited article by the deputy secretary of the Central Committee of the Party in Ukraine, N. Podgorny, in addition to its punctilious adherence to the twenty-one Theses prepared in Moscow, contained the following damning admission: "Lenin's closest pupils and comrades-in-arms—J. V. Stalin, V. M. Molotov, M. I. Kalinin, Ia. M. Sverdlov, F. E. Dzerzhinski, K. E. Voroshilov, M. V. Frunze, N. S. Khrushchev, L. M. Kaganovich—repeatedly traveled to Ukraine and personally participated in the work of the state and Party organs; in leading the troops on the Ukrainian fronts and the partisan movement, they gave priceless aid to the Ukrainian *soviet* state and to the Communist Party of Ukraine."¹⁸ This statement as well as the fifteenth thesis, which states that "thousands of workers and peasants of Soviet Russia" fought in Ukraine, unintentionally indicates the non-Ukrainian nature of the Soviet regime in Ukraine and the role which non-Ukrainians have played in its establishment and consolidation.

These random examples taken from Tercentenary pronouncements serve to illustrate the inherently double-edged nature of the event. Thus, the Soviet regime tried to dissociate itself from tsarist nationality policies in the ninth thesis and criticized the oppression of the Ukrainian national liberation movement and the nineteenth century policy of enforced Russification. Yet in the seventh thesis the Soviet rulers are at one with their

16. *Pravda*, March 21, 1954.

17. *Pravda* on May 27, 1954 printed a picture of the choir and part of its audience, which was mostly Caucasoid, at a concert being given at a collective farm in East Kazakhstan *oblast*.

18. Podgorny, *op. cit.*, p. 17. This statement also appeared in Kirichenko's May 22 speech in Kiev.

tsarist predecessors in condemning Hetman Ivan Mazepa as "a vile traitor, schooled by the Jesuits" who wished to separate Ukraine from Russia.

Yet the spirit of Mazepa lives on and is of some concern to the Soviet rulers if the vitriolic attacks on Ukrainian "bourgeois nationalists," which occurred throughout the Tercentenary celebration, are any indication. In seven of the twenty-one Theses of the Central Committee (numbers 10, 12, 15, 16, 17, 19 and 20), as well as in the conclusion, these "remnants of capitalism" and "paid agents of the imperialists" are vehemently denounced. The frequency and persistence of these attacks and the vituperative language employed in them require an explanation which goes beyond the assertion that the regime has always denounced internal enemies of some sort. It must be an explanation which accounts for the fact that Russian "bourgeois nationalism" is not denounced by the regime. It must explain why Party Secretary Kirichenko, in his Moscow address of May 29, dismissed the Ukrainian nationalists abroad as "powerless and afraid" and in the next breath denounced them in the tradition of Khrushchev.¹⁹ It must explain why the term "bourgeois nationalist" has come to be used in post World War II Ukraine as frequently as the term "wrecker" was employed in the thirties.

Indeed, one is prompted to question the efficacy of the boring and constantly reiterated assertion that the Soviet Union has solved the nationality problem and that the "friendship of peoples" is as "strong as granite." One must ask whether the "friendship of peoples" is really as "unbreakable" as it is claimed to be and whether the regime would make this assertion so frequently if it were really the case.

In this connection it is significant as well as ironic that just as the Tercentenary was about to get under way the execution of Lavrentii Beriia, former first deputy premier of the Soviet Union and minister of the interior, was announced in the De-

19 A week earlier, at the jubilee session of the Supreme Soviet of the Ukrainian S.S.R., Kirichenko employed extremely harsh as well as crude language in attacking the "bourgeois nationalists" abroad.

ember 25, 1953 issue of *Pravda*. The indictment of Beriya and his accomplices as well as a *Pravda* editorial of December 20 accused them of having attempted to "activate anti-Soviet bourgeois-nationalist elements in the union republics, sow differences and animosity among the peoples of our country and, first of all, to undermine the friendship of the peoples of the U.S.S.R. with the great Russian people." The irony is not merely in the timing of the execution which occurred just as the great celebration of the "friendship of peoples" was about to commence but also in the fact that this charge was brought against a non-Russian member of the Soviet ruling circle who held a position of "trust."

It seems evident that Beriya was attempting to bring into play, on his side at least, certain of the non-Russians within the Party organization and, more important, within the non-Russian population as a whole. Thus on June 12, only two weeks prior to Beriya's arrest, the Russian secretary of the Central Committee of the Party in Ukraine, Leonid G. Melnikov, was removed from his position on the grounds that he had condoned a policy of Russification in Western Ukraine. In all probability there was a relationship between the "bourgeois nationalist" charge made against Beriya and the removal of Melnikov and his subsequent appointment to the post of Soviet ambassador to Bucharest. Of course, this was also apparently part of a far wider struggle for power in which Malenkov and Beriya were the primary contenders and which began prior to Stalin's death with the announcement of the "doctors' plot" in January 1953—a move apparently designed to embarrass Beriya as security chief. Yet it is significant that the question of the treatment of non-Russian peoples and their relations with the "great Russian people" should have become an important counter in this internal struggle for power and should have figured so prominently in the indictment drawn up against Beriya.

The removal of Melnikov led to the appointment of O. I. Kirichenko, secretary of the Odessa *obkom*, to the post of first secretary of the Central Committee of the Party in Ukraine. He is the first person with a Ukrainian family name to hold this

post—his predecessors having been such non-Ukrainians as Nikita S. Khrushchev, Lazar M. Kaganovich and Stanislav V. Kosior. Other Ukrainian names figured prominently in the Ukrainian Soviet government during the Tercentenary: Demyan S. Korotchenko as president of the Presidium of the Supreme Soviet of Ukraine and N. T. Kal'chenko as president of the Council of Ministers played important roles in the celebration.

Thus it would appear that Moscow has been attempting to give the Soviet regime in Kiev a somewhat more Ukrainian complexion. This would be in accordance with certain other measures which have been taken since 1944 in an effort to enhance the appearance of the government of the Ukrainian S.S.R. These measures include the admission of the Ukrainian S.S.R. to the United Nations as a charter member and the addition of a strip of blue (one of the traditional Ukrainian national colors) to the lower part of the red flag of the Soviet Ukrainian regime.

The Tercentenary also aimed to create the impression of an enhanced status for Ukraine within the Soviet Union. In two of the Theses of the Central Committee, the tenth and twelfth, as well as in a *Pravda* editorial of December 9, 1953, Russian great-state chauvinists were attacked along with the Ukrainian "bourgeois nationalists." This was an unusual development in view of the fact that criticism of Russian chauvinism ceased for all practical purposes in January 1934 when Stalin openly began to cultivate Russian nationalism along with the cult of his own person.²⁰ It would also indicate at least a tactical shift in Soviet nationality policy by the post-Stalin Malenkov-Khrushchev regime.

The position of Ukraine was also enhanced as a result of the cession of the Crimea to Ukraine by the Russian S.F.S.R. on the basis of a decree of February 19, 1954. The timing of this action was important since it was made a part of the Tercentenary celebration. A number of spokesmen specifically related it to the Tercentenary as did Kirichenko, in an address delivered in Kiev on March 9, 1954, when he explained it as an "act testi-

tying to the boundless love and confidence of the Russian people toward the Ukrainian people . . . [which] will further strengthen the unbreakable and eternal friendship of two great peoples . . . ”²¹ The admission of the Ukrainians, at least in part, to the ranks of “great peoples” was not accomplished by the cession of the Crimea alone but was reflected in various aspects of the Tercentenary.

However, the case of the Crimea has certain implications which give it especial importance. The cession was effected ostensibly because of the close relationship of the economy of the Crimea to that of Ukraine and because it is geographically a part of Ukraine. It can be argued, of course, that the cession is a meaningless gesture which does not change the regime in the Crimea. It can also be argued—although without certainty—that this was a deliberate move on the part of Moscow to compromise the Ukrainians by giving them a piece of territory which was Tatar and Moslem for a lengthy period. This may be an attempt to drive a wedge between the Ukrainians and the Soviet Moslem peoples by making it appear that the Ukrainians enjoy a preferential position among the numerous “younger brothers”—thus limiting Ukraine’s capacity to serve as a potential rallying point for the millions of non-Russians in the Soviet Union.²² Related to this explanation is the anti-Turkish theme of the Tercentenary which presents the Turks and the Crimean Khanate as enemies of Ukraine who were subdued only with Russian aid. The anti-Turkish theme was also evident in the ballet, *Marusya Bohuslavka*, written by the composer A. Svehnikov and presented by the Ukrainian artists on two occasions in Moscow during May. The ballet has Marusya as well as other Ukrainian girls and youths taken into captivity; Marusya spurns the advances of the pasha and in the end kills him and the prisoners are liberated. Yet, whatever the implicit significance of the cession of the Crimea to Ukraine may be, there is no disput-

²¹ *Pravda*, March 10, 1954.

²² See the analysis offered in *The Bulletin of the Institute for the Study of the History and Culture of the U.S.S.R.*, I, No. 1, (April, 1954), 30-33.

ing its explicit enhancement of Ukraine's status within the Soviet Union.

The attempt to augment Ukraine's position was also evident in the references to it as "one of the great states of Europe." Kirichenko developed this line in his May 22 address in Kiev when he noted that "in terms of territory Ukraine is larger than France and almost twice as large as Italy and is considerably wealthier than those countries." He also pointed out that "the sovereign [sic] Ukrainian state has entered the international arena" as a founding member of the United Nations.²³

It seems to be quite apparent that the Soviet regime is simultaneously attempting to utilize and control Ukrainian national consciousness for its own ends. The Soviet Tercentenary of the Pereyaslav Treaty and the Central Committee Theses constitute a case study in the age-old attempt to rewrite history and place it in the service of politics. The innumerable lectures, concerts, delegations, receptions, mass meetings, parades, jubilee sessions, renaming of streets, and erection of monuments testify to the scope of this huge effort. Yet it is doubtful whether such an effort can succeed in the long run because it contains certain contradictory elements and cannot eradicate every last vestige of the views which it is designed to combat.

²³ *Pravda*, May 23, 1954. Ironically, Beriya's address to the Nineteenth Party Congress in October 1952 included the same kind of invidious comparisons between Ukraine and France and Italy. The since-departed security chief noted that Ukraine produces more pig iron and one and a half times as much coal as France and Italy together (*Pravda*, October 9, 1952).

THE ROLE OF INSECTS IN THE PROCESS OF POLLINATION OF THE FLOWERS OF SUGAR BEET*

A. ARCHIMOWITSCH

Sugar beets represent a rather interesting study of the part played by wind and insects in the process of pollination, since both factors are highly important in the cross-pollination of its flowers. An ample bibliography dealing with this problem exists (3). The majority of authors are inclined to attribute more importance in this respect to the wind, than to insects. This hypothesis, however, has not been experimentally proved thus far.

The majority of authors studied the role of insects in the process of transferring the pollen of sugar beet from the point of view of their species composition or by evaluating them quantitatively.

Once Vasylyev (10) observed in the Ukraine a swarm of bees (*Apis mellifica* Scop.) on the blossoming sugar-beet plantations. Later, however, it was proved that the bees visited the flowers of the sugar beet rather unwillingly, which makes the above case seem rather exceptional (Arkhimovych, 2).

Uzel (9) in Bohemia observed a great number of insects on plantations of sugar beet and quoted a list comprising over 60 different species.

Show (7) in the states of Utah and Idaho of the U.S.A. has observed a mass of thrips (*Thysanoptera*) on the flowers of sugar beet. It is possible that this phenomenon is peculiar to North America, because neither Munerati (6) in Italy, nor the author of this article in the Ukraine and Spain (1, 2, and 4, 5) succeeded in encountering large masses of thrips on the flowers of *Beta vulgaris*.

The author of this article devoted several years of study to the fauna of insects visiting the sugar beet plantations in

* On the basis of observations carried out in the Ukraine and Spain.

the Ukraine (1, 2) and Spain (4, 5). In the Ukraine this phenomenon was investigated in the provinces of Kharkiv (1) and Kiev (2).

The insects thus collected were identified by eminent entomologists, e. g., A. G. Lebedev, B. I. Bil's'ky, K. L. Shyshkyn, V. O. Grossheim (Grosgeim). Furthermore, research dealing with this problem was carried out in Spain over a period of three years, i.e., 1949, 1950, 1951. The insects collected were identified by well-known German and Spanish entomologists, as follows:

Diptera— Dr. E. Lindner, Stuttgart
Dr. V. Peris, Zaragoza

Hymenoptera— Prof. Dr. H. Bischoff, Berlin

Coleoptera— H. Freude, Munich
F. Stocklein, Munich
Dr. E. Franz, Frankfurt

Hemiptera-Homoptera

K. Huther, Munich
E. Wagner, Hamburg

Hemiptera-Heteroptera

Cicadina—W. Wagner, Hamburg
Aphidoidea—Prof. Gomez Menor, Madrid.

The complete list registered in Spain on plantations of *Beta vulgaris* comprised 270 different species. It is worth mentioning that a new species, i.e., W. Wagner 11, has been discovered and was described in the process of these investigations. On the basis of personal observations and bibliographical data the author biologically classified the insects that visit beet plantations, as follows:

A. Insects that directly contribute to the cross-pollination of beet flowers.

- B. Injurious insects, which damage the vegetative sections of plants or ripening seeds.
- C. Predators and parasites that devour other insects or live on them.

The principal representatives of these biological groups, as well as a comparison between the corresponding faunae of the Ukraine and Spain, where such appeared possible, are presented below.

A. Insects that transfer pollen from one flower to the stigma of another, thus directly contributing to the pollination of flowers of the sugar beet.

This group mainly comprises representatives of the orders Hymenoptera, Coleoptera and Diptera. A considerable number of wild bees, such as the species belonging to *Halictus* and *Andrena* genera (in both the Ukraine and Spain), as well as representatives of the families Braconidae, Chalcididae, Ichneumonidae, Evaniidae, Aphidiidae, Cynipidae, Bethyidae and Sphegidae should be also classified among the Hymenoptera. Representatives of these families visit the sugar beet plantations for two reasons: first, the adult specimens live on the sweet sap of flowers; second, the females of these species lay eggs on other insects, on whom the larvae that are eventually hatched from these eggs live. Among the Coleoptera there are many beetles that devour the pollen and may simultaneously damage the delicate tissues of the flowers. In Spain this group is mainly comprised of representatives of the Alleculidae (*Heliotaurus ruficollis* F. *Heliotaurus sanguinicollis* Rttz, *Omophlus lepturoides* F.) and Meloidae (*Cerocoma schreberi* F.) families and to a somewhat lesser degree the species of the Scarabaeidae (*Hoplia*, *Tropinota*, *Cetonia*), Cerambycidae (*Leptura livida* L., *Cartallum ebulinum* L.), Buprestidae (*Anthaxia*), Dermestidae (*Anthrenus*, *Attagenus*), Anthicidae (*Anthicus*, *Notoxus*) families. In the Ukraine the most numerous representatives of this group also belong to the families Alleculidae (*Omophlus lepturoides* F.) and Meloidae (*Cerocoma schaefferi* L., *Mylabris pusilla* Oliv.) and to a lesser extent the species of

Scarabaeidae (Anisoplia, Amphimallus), Cerambycidae (Leptura livida L., Strangalia melanura L.) and Elateridae (Malanotus) families. Representatives of the order Diptera appear on the flowers of sugar beet in large quantities. Representatives of the families Syrphidae (Sphaerophoria scripta L., Syrirta pipiens L.), Trypetidae (Camaromyia bullans Wied.) and Chloropidae (Oscinis frit. L.) constituted the largest group which was observed in Spain. In the Ukraine Sphaerophoria scripta L. of the Syrphidae family were also observed in mass. At last, this biological group comprises the thrips (Thysanoptera). Furthermore, I observed in Spain a few Aeolothripidae on the flowers of sugar beet.

B. Injurious insects that damage the vegetative organs of plants (i.e. leaves, pedicles, roots) or the ripening seeds. This group should be divided in its turn into the following sub-groups:

1) Coleoptera, which damage leaves of the beet plants in the imago stage. In Spain this group comprises the numerous representatives of the Halticinae beetles and in particular the Chaetocnema tibialis Illig. that appear in mass on the sugar beet plantations long before the period of blossoming and from the earliest stages of their development. During the blossoming certain beetles penetrate and injure the flower. In Spain the most numerous visitors of sugar beet are Chaetocnema tibialis Illig., although I observed a series of other species on plantations such as Phyllotreta atra F., Ph. nigripes F., Ph. procera Ralt., Longitarsus Pratensis Panz, L. ballotae Marsh, Haltica oleracea L.

In the Ukraine the Halticinae were observed on plantations in considerable numbers. I observed the presence of Chaetocnema concinna Marsh and Phyllotreta virtula Redtb. only.

2) Coleoptera, which injure the pedicles and roots, as well as the ripening seeds, while in the stage of larvae. The representatives of the families Curculionidae and Bruchidae (i.e. Lariidae) belong here. In Spain I observed a series of species belonging to these two families without a visible predominance of one or another species. Thus, for example, in the family

Curculionidae there were found representatives of the following genera: *Apion*, *Sitona*, *Lixus*, *Sibina*, *Nanophyes*, *Ceutorrhynchus* and *Gymnetron*, and in the family Bruchidae—the species of genera *Bruchus*, *Bruchidius*, *Spermophagus* (particularly *Spermophagus Kuesteri* Schilsky) and *Sp. sericeus* Geoffr. In the Ukraine I observed among the Curculionidae the *Nemonyx lepturoides* F. and *Tanymecus palliatus* F. and in the family Bruchidae—the *Spermophagus sericeus* Geoffr.

3) Hemiptera (Rhynchota), which suck the cellular sap of plants. The Aphididae, Cicadinae and a great number of Heteroptera belong to this group. In Spain I observed the following species of Aphididae in abundance: *Aphis fabae* Scop., *Doralis rumicis* L., *Myzodes persicae* Sulz, as well as a great selection of cicadae (19 species), among which *Empoasca pteridis* Dahlb. was most frequently encountered. Among the Heteroptera there were mostly found *Lygus pratensis* Reut., *L. Gemellatus* H. S. and *L. pubescens* Rf. (all these belonging to Miridae family). In the Ukraine I also frequently found *Aphis Fabae* Scop (Aphididae) and Heteroptera, *Lygus pratensis* L.

C). The third and last group comprises species which visit the sugar beet plantation in order to prey on other insects or to secure the parasitic existence for their posterity, or to take advantage in some manner of the fauna of insects visiting the plantations. This group can be divided into the following sub-groups:

I) Predators that prey on other insects, particularly on the Aphididae. In Spain I observed the following representatives of Coleoptera: the family Coccinellidae (lady-bugs and their larvae), *Coccinella septempunctata* L. and *Adonia variegata* Goeze. The family Malachiidae was represented by the *Malachius marginellus* Ol. *M. lusitanicus* Er. and other species of the genus *Malachius*; the family Cantharidae, by *Cantharis livida* L. and the family Dasytidae, by *Psilothrix viridicoeruleus* Geoffr. In the Ukraine I also observed a large collection of Coccinellidae (*Coecinnella septempunctata* L. and *Adonia variegata* Goeze) and to a lesser degree Malachiidae (*Malachius*

marginellus Ol.) and Dasytidae (*Dolichosoma lineare* Rossi).

Heteroptera includes a number of predators, which suck the blood from other insects. The latter fact, however, is little known as yet. On the sugar beet plantations in Spain I observed the following predatory Heteropterae: the family Nabidae, *Nabis ferus* L. and *N. limbatus* Dahlb; the family Reduviidae, *Coranus subapterus* Dg. and *C. aegyptius* F.; the family Miriadae, certain species of the genera *Camptobrochis* and *Orthotylus*; the family Anthocoridae, species of the genus *Orius*.

Diptera. The larvae of the family Syrphidae prey on Aphididae and destroy them.

Neuroptera. The *Chrysopa* larvae also prey on the Aphididae. In both the Ukraine and Spain I repeatedly encountered on the sugar beet plantations great numbers of eggs, larvae, and adult specimens of these insects. Among the representatives of other classes and types of the Articulate we should first mention spiders, in particular the family Thomisidae, which prey on other insects that visit sugar beet plantations.

2). Parasites. Here belong larvae of a series of genera Hymenoptera of the following families: Braconidae, Chalcididae Ichneumonidae, Evaniidae, Aphididae, Cynipidae, Bethyilidae, Sphegidae.

As it has been mentioned above, the imago specimens of these genera visit flowers and take the pollen from one flower to another.

3). Lastly, the ants (Formicidae) form an entirely specific group. These are attracted by the sweet sap discharged by the Aphididae. In Spain, as well as in the Ukraine, I observed great numbers of ants on the beet plantations.

When comparing the fauna of insects, which for some reason visit the beet plantations in the Ukraine and Spain, it becomes obvious that in both countries these insects can be classified according to the above named biological groups. Although the species composition of these groups may vary in each country, depending upon its peculiar fauna, nonetheless, the biological role of each group remains the same.

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REVIEW ARTICLE

THE REUNION OF THE UKRAINE WITH RUSSIA

ANDRIY YAKOVLIV

Vossoyedineniye Ukrainy s Rossiyei, dokumenty i materialy v 3-kh tomakh. [The Reunion of the Ukraine with Russia, Documents and Material in Three Volumes], Izdatelstvo Akademii nauk SSSR i USSR, Moscow 1954.

On the occasion of the Tercentenary of the Pereyaslav Treaty (January 8, 1654), the Academies of Sciences of the USSR and the Ukrainian SSR published three volumes of collected historical documents and related material covering the period 1620-1654. This edition was under the scientific-archeographical control of members of the Sources Publication Sector of the Institute of History of the Academy of Sciences of the USSR, A. A. Novoselski and L. N. Pushkarev and a member of the Institute of History of the Academy of Sciences of the Ukrainian SSR, F. P. Shevchenko. The collection of material and the composition of all three volumes were carried out by twelve co-workers of the Institute of History of the Academy of Sciences of the Ukrainian SSR and of the Central Archive of the Ukrainian SSR and by three co-workers of the Archives Administration of the MVD of the Ukrainian SSR (one to each volume).

Volume I is titled: *Ukraina pered osvoboditelnoi voinoi* [Ukraine before the War of Liberation]. This volume contains an introductory article by the editors for the three volumes (pp. V—XXXI), documents for the period 1620-1641 listed under Nos. 1-283, and a list of publications referring to those previously made public, notes on documents, a glossary of old words and expressions, a proper name and geographical index, and a list of the documents in the first volume. In addition there are the following illustrations: (1) Moscow, Red Square. A miniature in color from a manuscript book of 1672. (2) Photographs: a. (p.4) Memorandum of the Moscow Foreign Office concerning the reception of Hetman Sahaydachny's mission in 1620;

b. (p. 91) title page of the book *Gramatiki slovenskiya pravilnoye syntegma* by M. Smotrytsky published in 1619; c. (p. 93) title page of the book *Besidy Ioanna Zlatoustoho*, published in Kiev in 1624; d. (p. 94) title page of the book *Leksikon sloveno-rosski*, published in Kiev in 1627; e. (p. 154) a copy of a letter of 1635 by Khilkov, the *voyevoda* of Bryansk, concerning the erection of an inn and trading post for Ukrainian merchants in Bryansk; f. (between pages 400 and 401) pictures of the Kiev castle on Mount Kisilivka, from a painting by A. v. Westervelt of 1651.

Volume II. *Osvoboditel'naya voina ukrainskogo naroda i borba za vossoyedeniye s Rossiyei* [War of Liberation of the Ukrainian People and the Struggle for Reunion with Russia, 1648-1651]. This volume contains: (1) Documents and materials listed under Nos. 1-212. (2) Abbreviations and lists of publications, notes on texts of documents, a glossary of old words and expressions, a proper name and geographical index, an index of documents Nos. 1-212. (3) Photographs: a. a letter of Hetman B. Khmelnyts'ky to the tsar, dated August 8, 1648, in his own hand; b. the tsar's writ to the *voyevoda* of Putyvl, Pleshcheyev (p. 165); c. the tsar's writ to B. Khmelnyts'ky (document No. 110); d. insert pages from the following books: *Prolog*, Moscow, 1642; *Yevangeliya*, Moscow, 1644; *Psaltir*, Moscow 1649 (404-6); e. list of documents, Nos. 1-212.

Volume III. *Zaversheniye borby ukrainskogo naroda za vossoyedeniye s Rossiyei. Pereyaslavskaya rada*, (1651-1654) [The Completion of the Ukrainian People's Struggle for Reunion with Russia, the Council of Pereyaslav, 1651-1654]. This volume contains: (1) Documents and material listed under Nos. 1-252. (2) Abbreviations and a list of publications; notes on documents; a glossary of old words and expressions; a proper name and geographical index and a list of documents, Nos. 1-252. (3) Illustrations: a. On the frontispiece a color portrait of B. Khmelnyts'ky. This was copied from an oil portrait by an unknown seventeenth century artist and is from the State Historical Museum in Moscow. On the right side of the portrait there is the inscription: "Zinovei Bohdan Khmelnyts'ky, Hetman of the Zaporozhian Host and of Both Banks of the Dnieper." (4) Photographs;

1. letter of I. Shokhov, appointive colonel of Chernihiv to the *voyevoda* of Bryansk, D. Velikogagin, of 1651. 2. B. Khmelnytsky's proclamation in his own hand to the colonels, captains, mayors... concerning issuance to the tsar's envoys of food, horse teams, and a guide of 1651. 3. Photographs of title pages of the following books: *Sluzhebnyk* of the Metropolitan P. Mohyla printed by Kiev-Pecherska Lavra in 1639; *Perlo Mnohotsinnoe* by Kyrylo Trankvilion, Chernihiv, 1646; *Poluustav*, Kiev, 1646. (5) An enlargement on five insert pages of a writ of June 22, 1653 of Tsar Aleksei Mikhailovich resolving to accept the Zaporozhian Host under the tsar's high hand (document No. 169, pp. 320-321). (6) A photo-engraving, Kiev in 1651, from a painting by A. v. Westervelt (between pp. 368 and 369). (7) A photostat-insert on three pages of the resolution of the *Zemski sobor* of October 1, 1653 to accept the Zaporozhian Host under the tsar's high hand. (8) A photo-engraving between pages 464 and 465: a view of Moscow and the Kremlin from Red Square. Painting from Meyerberg's album of 1661-1662. (9) A photostat of the first page of the articles of B. Khmelnytsky, eleven in number, of March 27, 1654 (p. 562). (10) A photostat of impression of state seal used in communications with the Zaporozhian Host. (11) A separate sheet with a geographical map of the Ukraine after the Treaty of 1654. In addition the collection contains a few photostats of seventeenth century documents. It is unfortunate that there is no indication of the size of the originals from which photostatic copies were made.

The three volumes of this publication contain 747 documents and materials which pertain to the brief period of thirty-five years (1620-1654). Of these, 276 documents had been published previously in various Russian, Ukrainian and Polish publications; the remaining 471 documents have now been published for the first time. Most of them were taken from the Central Archive of Ancient Acts (*Tsentralny arkhiv drevnikh aktov—Ts. A. D. A.*) of the USSR, the funds of the following chanceries: Foreign, Military, Little Russian, Polish, Siberian. Funds of the Central State Historical Archive (*Ts. D. I. A.*) of the Ukrainian SSR provided some documents from record books of the Volo-

dymyr county and city court and the Zhytomir city court. Some documents were taken from the Kharkiv branch of this archive and one document from the record book of the Kiev city court, which is at present under the care of the Lviv branch of the Academy of Sciences of the Ukrainian SSR in its manuscript collection *Ossolineum*. All the documents relate to the territory of the Left-Bank Ukraine.

In addition to these, some documents have found their way into the collection relating to the territory and population of West Ukraine and even Carpathian Ukraine. They have been taken from the funds of the Lviv branch of the Central State Historical Archive of the Ukrainian SSR (a name which made its appearance after the annexation of West and Carpatho-Ukraine in 1945) and are from the record books of the city courts of Lviv, Syanik, Terebovla and Peremysl and the record book of city hall of Lviv. One document has been taken from the fund of the Transcarpathian Provincial State Archive, a decree of the Austrian Emperor of 1643. These lands were not, however, contracting parties in 1654 and had no relation to the acts concluded in 1654, and, therefore, the publication of these documents in the collection dedicated to "the reunion" of the Ukraine with Russia in 1654 is unwarranted.

Despite the very large number of documents and material in this collection, one cannot say that this three volume work is complete. It lacks many documents which the editors and their co-workers did not find but which are referred to in the published documents. Those documents which could not be found are noted in footnotes by the term, "document undisclosed." In the footnotes to the third volume there are seventy-one such undisclosed documents. There are also lacking some very important documents relating to the period of negotiations immediately before the conclusion of the Treaty of 1654, and, in particular: (a) a draft of the treaty containing twenty-three articles and written by Hetman B. Khmelnyts'ky and his staff in Chyhyryn on February 17, 1654 with the tsar's decrees; (b) the minutes of negotiations of envoys S. Bohdanovych and P. Teterya with the *dumnyie* boyars in Moscow on March 13, 1654; (c) the en-

voys' request for pay for the Cossacks; and (d) the request for permission for the Ukrainian mission to leave. These documents were published in volume X of *Akty Yugo-Zapadnoi Rossii* (AYuZR). Some of them, for example, the treaty draft containing twenty-three articles and the minutes of negotiations with the boyars of March 13, 1654, are of prime importance in explaining the Treaty of 1654. Also missing are some minutes of the negotiations of the boyars with B. Khmelnyts'ky's envoys which, as it appears from the course of these negotiations, must have been recorded, but which G. Karpov, the editor of volume X of the AYuZR, could not find. It seems that the editors of this three volume collection did not attempt to find these documents.

Now let us consider this publication from its external archeographic standpoint. The introductory article (pp. XXXI-XXXII) states that "scientific-archeographical" control of the publication was entrusted to two editors representing the Academy of Sciences of the USSR and one representing the Academy of Sciences of the Ukrainian SSR. It further provides a detailed explanation of the rules of "Soviet scientific archeographical publication of old archival documents" governing editors and their assistants in preparing selected documents for publication. We read there that *Muscovite* archival documents are printed in the collection in the language of the original but in *modern Soviet transcription*. Documents in the *Polish language* are printed in *modern Polish transcription* with a Russian translation. Documents in *Latin* are also printed in the original with a Russian translation. The editors explain that those archival documents written in the "*Ukrainian language common to written documents of the seventeenth century*" have thus far no *fixed rules for their publication*. However, "applying the basic rules concerning publication of documents of the State Archive Fund of the USSR" and the "wealth of experience of Soviet archeography," the editors of this collection have made the "first attempt" to give the seventeenth century Ukrainian documents in *modern Ukrainian transcription*, retaining, however, the peculiarities of the Ukrainian language of the period. And the

editors have taken into account the fact that this publication is aimed not at *specialists and philologists* but at *broad circles of readers*. The original text of the Ukrainian documents has been printed in "modern Ukrainian transcription." No Russian translation has been added to them, but at the conclusion of each volume there are separate glossaries of "difficult words and expressions." In applying a modern transcription to seventeenth century Ukrainian documents, the editors, as was stated in the introductory article, have made the following changes in the transliteration of the old Ukrainian documentary transcription: they have discarded the letter "Ѣ" in all cases where it has lost "all meaning," excepting words in which an apostrophe (') is substituted for this letter. As a rule, in Ukrainian documents of the seventeenth century, the letter "Ѣ" was pronounced as "i"; therefore, the letter "i" is used in this collection. Letters which are no longer used have been changed for the corresponding symbols of the modern Ukrainian alphabet: "н" to "i," "ы" to "и," double "о" to single "o," "ѳ" to "ф," "ѣ" to "e," "х" (Latin) to "кc." The Latin letters "n" and "g," if they occur in documents, have been changed to the Ukrainian "н" and "г." The explanation does not state, however, that modern Ukrainian transcription does not have just one letter "i" but three: the hard "и," the soft "i," and the iotacised "ї"; not one letter "r" as in Russian but two: the soft "r" which is pronounced like the Anglo-American "h" and the hard "r" or "g" which is pronounced like "kg"; not one "e" as in Russian but two: the short and hard "e" and the long iotacised "е."

It is not stated whether the editors have used such letters in the texts of Ukrainian documents, but in reading these documents in the new transcription of the editors, a state of complete chaos is apparent. In addition to the changes mentioned, the original texts of the Ukrainian documents have been further altered as have the other documents. Some of these alterations are indicated by quotation marks, but "*obvious errors in the text of documents have been corrected without explanation,*" which means that future students of documents published in the collection will not be sure in some instances whether this or that

word or even a whole sentence is as it was in the original or a creation of the collection's editors.

Another interesting innovation of this publication is the fact that all words relating to religion—capitalized in the originals (Boh, Hospod', Isus Khrystos, Bozha Maty, names of feasts, etc.)—are now in lower case letters. This seems to be a tribute to "Bolshevik godlessness." In the tsar's writs and the diplomatic documents, the full title of the Muscovite tsars and Polish kings has been omitted: there is only a note that the original text included the full title (e. g., P. T.—*polny titul*). This has created additional difficulties for researchers, since, as is known, Tsar Aleksei Mikhailovich used the "incorrect writing of the tsar's title in Polish documents, which demeaned the tsar's honor, and the superfluous additions to the titles of the Polish king," as a pretext for the declaration of war. It would have been better to give the full title of the tsar and the king in the Muscovite and Polish documents and to indicate where subsequent changes occurred, because it was precisely in this period that such changes took place.

The documents in the collection are numbered consecutively; the name of each document is given before the text (writ, letter, list of articles, etc.) and a short summary of the document follows. The name of the fund where the document was found and the name of the publication (if it had been previously published) is given beneath the text.

On the basis of the external description of the published documents and the method and rules which governed the editors of the collection, this publication cannot be recognized as a scientific-archeographic publication of seventeenth century archival documents, and this in spite of the fact that the introduction mentions "scientific-archeographic rules" and "wealth of experience of Soviet archeography." The very same editors admit that the publication is not destined for "specialists and philologists" but for the "broad circle of readers." In Soviet language this means that the purpose of the collection of archival documents, relating to the mutual attitudes of the Ukraine and Moscow over a period of thirty-five years and the conclusion of a treaty

between Hetman B. Khmelnyts'ky and the Muscovite tsar in 1654, is straight Soviet propaganda, and not an answer to a demand of free scientific research. This explains why the documents have been published in a *sui generis* manner and without adherence to standard scholarly rules, not to mention archeographic rules.

The documents contained in this collection, especially those published for the first time, will be read and studied primarily by students of history and law. It is of great importance for them whether the published documents are an *accurate rendition of the authentic text*. Will these documents—printed in a “new Soviet transcription” and with textual changes made for extraneous reason entirely unrelated to science—inspire their confidence? This observation is particularly applicable to the Ukrainian documents since their original text was most altered. In addition to the changes in words of a religious meaning and the omission of additions in the original texts, the “modern Ukrainian transcription” used in the collection and the substitution of letters have been so ineptly executed and with so many errors that they have changed the good Ukrainian language, in which almost all the originals of the Ukrainian documents were written, beyond recognition. It is quite apparent that the person who prepared the texts of these documents for publication had not mastered the Ukrainian language and frequently “Muscovized” Ukrainian words. During the course of manipulating the text of the Ukrainian documents, fundamental errors might have occurred, and, as a result, researchers will not have complete confidence in the published documents.

The editors have reckoned very little with works published by previous researchers and editors of documents pertaining to the Treaty of 1654. Thus, in some instances, they have compounded errors committed previously but subsequently corrected. For example, they have included in the preamble to the text of the so-called “Articles of B. Khmelnyts'ky” (Vol. III, Document No. 245) the date: in the year 162, March 12. G. Karpov, who was the editor of Vol. X, *AYuZR*, which included documents of the Treaty of 1654, stated that the date “March 12” in the origi-

nal was placed in an "erased spot" (this spot is even now visible on the photostat of this document contained in this collection, (Vol. III, p. 562). Karpov, relying on the antiquated *Istoriya Malorossii* by Markevych (Vol. III, pp. 146-154), changed the date to "March 21." The editors of this collection inserted this date in the title of this documents; now there are two dates in the collection: March 21 in the title and March 12 in the text. Both dates have been rejected by other researchers. They base their rejection on the fact that Khmelnyts'ky's envoys met the *dumnyie* boyars for the first time on March 13 and that, as attested by this document, it had not been drafted by the envoys, but by councilors in the Foreign Office. Another example: page 569 shows the imprint of the tsar's seal "for writs to the Zaporozhian Host of the time of Tsar Aleksei Mikhailovich." It has been proved (V. Prokopovych, *Sfragistychni anekdoty* [Sphragistic anecdotes], Prague, 1938) that this seal is inapplicable to the tsar's writs of 1654 because it was only made in 1667.

Propaganda of the so-called "Reunion of the Ukrainian People with the Brotherly Russian People"—the object of the publication of this three volume collection—becomes particularly clear when we consider the *internal contents* of documents published in the collection. The introductory article contains a short description of the collected documents alluding to their contents and historical meaning.

It states: "In the first volume there are documents which illustrate events on the eve of the Ukraine's struggle for liberation from 1620 to 1647. The year 1620 has been taken as the starting point, for then, the Zaporozhian Host *in a letter to the Muscovite government, showed a desire to serve Russia*. But if we turn to the text of this document, we find that *there was no letter from the Zaporozhian Host to the Muscovite government at all* and that the Cossack mission, headed by Petro Odynets', was received by the tsar's boyars. They "orally declared their service" and their "wish to serve him, their great sovereign, as of old with their heads, just as they had served former Russian sovereigns..." Whether the Zaporozhian mission had declared its desire to serve the tsar by such statements, is not certain. It can

only be said that this was what was recorded in the documents of the Foreign Office. The introductory article transformed this document of the Foreign Office into "a letter of the Zaporozhian Host." Thus, the very first document in the collection reveals the manner of preparation of the documents.

The introductory article further states that the first volume has "introduced into scientific circulation new and interesting documents concerning the hard economic conditions in Ukraine on the eve of the fight for liberation, the cruel regime of the Polish gentry, the feudal-serf oppression of Ukraine's peasants, workers, etc., the Cossack rebellion of the 1630's and the social composition of the ranks of the rebels of 1635, headed by Sulyma." The majority of documents in this volume purport to characterize "Ukrainian-Russian ties" on the eve of the liberation struggle. This is to serve as the basis for the study of the little-known problem of Russia's commercial and economic relations with the Ukraine, as well as cultural ties between the two people and Russian Cossack military aid. The introduction assures the reader that he will find a large number of documents pertaining to the economic and cultural ties between the Ukraine and Russia (i. e. Muscovy, since Russia did not exist at that time). Additional new documents are included concerning the "aid" of the Russian people to the Ukrainian people, in particular, documents concerning the "direct participation" of the Russian people in the fight against the army of the Polish gentry; concerning Russia's aid to the Ukraine "in grain, salt, arms, gunpowder, lead" and also their "impressive diplomatic aid" especially "in negotiations with the Polish government in defense of the Ukraine's interests." Finally, the introduction emphasizes that this publication contains a large number of new documents concerning the settlement of Ukrainians within the borders of the Muscovite state and their intent to remain there for life, and also documents which *characterize the warm desire of the Ukrainian people to unite forever with the Great Russian people.*

After checking the documents referred to in the introductory article, I have found that these documents do not justify the allegations of the introduction and, sometimes, contain informa-

tion directly contradictory. In addition, I have read a large number of documents, which were not quoted in the introductory article probably because they contain information contradicting the conclusions of the introduction. Space prevents my referring to all documents which I have read; I will, however, cite the most important and mention the others.

I have already referred to the document in Vol. I, No. 1, dated 1620. The editors have titled this document "A letter from the Zaporozhian Host to the Muscovite government concerning the Cossacks' desire to serve Russia." Its text indicates that it is not a letter from the Zaporozhian Host, but a memorandum, drafted in the office of the Moscow Foreign Office. The councilors of the Foreign Office have recorded the desire of the Cossacks to serve the tsar from "the words of P. Odynets'." Document No. 8, Vol. I, is described thus: 1621. Memorandum of the *voyevody* of Putyvl, V. Turenin and S. Sobakin, with news of the annihilation of the Turkish Army by the Ukrainian Cossacks and the Polish Army near the city of Khotin. . . . And in the document we read: "where the Turkish (the sultan's) people defeated the Lithuanian people." In the footnote to these words there is the following explanation: "This refers obviously to the battle of the Polish Army with the Turks near Jassy on April 17, 1621." Thus the battle was not near Khotin but near Jassy, and it was not the Cossacks and Poles who beat the Turkish people, but the Turks who beat the Polish-Cossack Army. Volume III, No. 91, a document of 1652, is titled: "Inquiry report to the Foreign Office of the merchant Zerkalnikov who had been to see B. Khmelnyts'ky concerning the situation in the Ukraine and the general desire of the Ukrainian people for reunion with Russia. . . ." This merchant had been to Chyhyryn and had seen Secretary General I. Vyhovsky. The latter told him a lot of "secret information" and, among other things, had said the following: "If, let us say, His Imperial Majesty will not consent to take the Hetman and the entire Zaporozhian Host under his ruling hand today, then, let God be the judge, they will not be subject to any ruler." Vyhovsky's words far from prove the "general desire of the Ukrainian people for reunion with Russia." Document No. 101, Vol. III, is

from 1651 and titled: "Register in the Foreign Office—the negotiations with B. Khmelnyts'ky's envoy, I. Iskra, concerning the reunion of the Ukraine with Russia." This is what the text of the document says on the subject of this "reunion": In reply to the councilors' question, "If the Poles begin to press the Cherkassy very hard, will not B. Khmelnyts'ky and the entire Zaporozhian Host go over to the Crimean Khan?" Iskra replied to this: "If the Zaporozhian Host is hard pressed by the Poles, they have nobody else to turn to but His Imperial Majesty." The councilors observed that B. Khmelnyts'ky and the Zaporozhian Host were doing well in refusing to join the Moslems. Further the councilors began to convince Iskra that the tsar, for the sake of the Orthodox faith, "feels very kindly disposed towards them." And if the Poles exerted some real "pressure" then "the Hetman and the Cherkassy would go toward His Majesty." "And in the Muscovite tsardom," they continued, "there is much land, wide and bountiful, and they would have room to settle." They should only move farther from the border to the Don or Medvedytsya; it will be better so and there would be no "dispute." Thus councilors continued their propaganda calling for the emigration from the Ukraine to the Muscovite kingdom. And it is this propaganda which the editors have termed the "negotiations for reunion of the Ukraine with Russia." Similar errors in the titles of documents can be found in many other instances (Vol. III, Nos. 153, 176, 183, 184, 185, 186 and others) and these errors increase by 1653, the last year before the Pereyaslav Rada. Three large volumes with a few hundred documents will not encourage the average reader to become more familiar with the text. To get some idea of the documents, he will read the index of documents placed at the end of each volume and will discover the great number of documents on "the reunion of the Ukrainian people with the brotherly Russian people." This is what the editors of the collection obviously had in mind when they gave titles to documents which do not correspond to the respective texts but do contribute to the propaganda of "reunion." It behooves us to note here that the documents published in this collection did not, and could not, contain such expressions as, the "reunion of

the Ukrainian people with the Russian people” or the “reunion of the Ukraine with Russia.” The documents of this period merely stated that “the tsar should take B. Khmelnyts’ky and the Zaporozhian Host under his high hand,” and it was thought for a long time that this would be the same as the migration of the Ukrainian population to the territory of the Muscovite kingdom.

The Muscovite envoys, their agents, and spies conducted intensive propaganda for the resettlement of Ukrainians, praising the lands of Muscovy, the good life there, and extolling Aleksei Mikhailovich, the tsar of Muscovy.

In Vol. II, Nos. 117, 118, 173 and 181 there is evidence of how the Muscovite envoys extolled their tsar. The first is an order from the Foreign Office to Grigori Neronov, the tsar’s envoy to Khmelnyts’ky in 1649; the second document is a report of Neronov from the same year. In the order of the Foreign Office we find the following:

“On the road, if the Hetman, or officers, or officials or anyone else should ask him, Grigori, about the age and appearance of the Sovereign, Tsar and Grand Prince Aleksei Mikhailovich of all Russia, he should say that our great ruler, His Imperial Majesty, the Tsar, is today twenty years of age, and in his stature, mind, beauty of visage, and kindness of nature and in all the fine honors, the Almighty God [as in the text] has more endowed him, our great sovereign [short title of the tsar] than any other person. And unto all people, his subjects and foreigners, His Imperial Majesty is kind and generous; in his sovereign mercy he contemplates all and, according to his sovereign judgment, bestows dignities and honors, to each according to his merit. And he is generous to all; no one, after seeing the tsar’s illustrious person, departs in sorrow. And he, the great sovereign, is versed in the many wondrous philosophical sciences and in military affairs, and in the military learning of knighthood he has shown great zeal, according to his sovereign rank and dignity. And because of the ruler’s discerning mind and courage and kind nature, he, our great sovereign, is worthy of subjugating many other powers and states. And to him, the great sovereign, His Imperial Majesty, God has given a son and to all of us a ruler and truly

faithful crown prince, the Grand Prince Dmitri Alekseyevich, and to all of us, subjects of His Imperial Majesty, gladness and great rejoicing.”

In the report of envoy Neronov (Doc. No. 118) there is a literal transcription of all that he had been ordered to say about the tsar. The only change was that the speech about the tsar was delivered by the envoy to Khmelnyts'ky personally, and the latter was to have said allegedly that he had heard from many people that “our common sovereign of the Orthodox Christian faith, His Imperial Majesty, had knights for hunting and a military escort which he pays very well.” The veracity of the reports of the Muscovite envoys has long been suspect in historiography, but in this case we also have the tsar's order to the envoy Neronov which proves that the “extolling of the tsar” had been composed in Moscow for the obvious purpose of being used as propaganda in the Ukraine. The next year the tsar sent Vasili Unkovski as the envoy to B. Khmelnyts'ky. In the order to this envoy (Doc. No. 173) and in the report of this envoy (No. 181) there is the same “extolling of the tsar” as in the documents of the envoy Neronov.

The introductory article calls the reader's attention to the fact that Vols. II and III contain a large number of documents on the *economic and cultural ties between the Ukraine and Russia* from the period of the war of liberation, i. e., new documents relating to the aid of the Muscovite people to the Ukrainian people. These were: a. documents concerning the direct participation “of the Russian population in the struggle of the Ukrainian people against the armies of the Polish gentry; b. documents concerning Moscow's aid to Ukraine with “grain, salt, arms, gunpowder, lead”; c. material on the resettlement of Ukrainians within the borders of Russia, etc.; and d. documents concerning the “impressive diplomatic aid expressed in negotiations with the Polish government in defense of the Ukraine's interests.”

(a) *Direct participation of the Muscovite population in the Ukraine's fight with Poland.* The documents published in the collection do not confirm such participation of the Muscovite

population, at least, not to the extent that merits mention. Two or three documents note that two "sons of boyars" ran away from their parents to the Ukraine, and there they "Cossacked" for some time and then returned home. The parents had a lot of trouble because they had to go to Moscow and ask the tsar to forgive the irresponsibility of their sons. Such "Cossacking" was prohibited by the Muscovite government and such escapees were called traitors in the documents (Vol. II, Nos. 86, 120; Vol. I, No. 8 of 1621: *Ondroska putivlets*, 'traitor'). As far as the "Don Cossacks" are concerned, Vol. I No. 26 contains a 1625 report of the governors of Sevsk in which, according to the words of Ukrainian refugees from Novhorod-Siversk, "the Zaporozhian and Lithuanian Cherkassy are calling free people and Don Cossacks to Zaporizhzhya to help them." Document No. 21 (Vol. II, year 1648) states that a boyar's son, Chumikov, had told the tsar's governor in V'yazma that he had heard from a Mohyliv merchant, Vygolkin, who in turn had heard from other Mohyliv merchants, that there were supposed to be in the Cossack forces, Tatars and "the Sovereign's people—Cossacks." The source of this information is so unreliable as to be worthless. The authors of the introduction themselves felt that the information furnished by this document was unreliable; therefore in footnote forty-four, they refer to a "Memo of the Pole, M. Holynski" and to documents of the Office of Military Affairs, which for some reason have not been made public in this collection. As a result of the continuing friendly relations between the Zaporozhian and Don Cossacks and their mutual aid in fighting the Tatars, it may be assumed that the forces of B. Khmelnytsky occasionally contained some detachments of Don Cossacks. But Don Cossacks are not a "Muscovite population." Thus a careful check of the document does not confirm the allegation contained in the introductory article concerning the "direct participation of the Muscovite population in the Ukraine's fight with Poland" except for the above-mentioned cases of temporary participation of a few youths who had been lured by "Cossacking" and not by any wish to aid the "Cherkassy."

(b) *Moscow's aid to the Ukraine with grain, salt, arms, gunpowder, lead.* There are no documents in the collection supporting the allegation of such aid. The Ukrainian forces did not need such aid because they had all these commodities. Document No. 138 of 1650 (Vol. II) states that "in Cherkassian cities they make gunpowder and haul it in barrels to B. Khmelnyts'ky," and No. 226 of 1644 (Vol. I) states that Ukrainian merchants carried gunpowder and lead to the Don for sale. It is also well known that the mining of saltpeter, an important ingredient in the manufacture of gunpowder, was widespread in the Ukraine and that the tsar had summoned Ukrainian experts in mining saltpeter. The editor's footnote to document No. 182 (Vol. I) states that Ukrainian experts prepared saltpeter for the Muscovite kingdom in Putyvl county (for the years 1630 and 1638), in Bohorodsk and Voronizh (1639), Volnovsk (1645), Kursk (1637), and in other counties. Documents of the Office of Military Affairs and the Foreign Office are cited but not included in the collection. The statement made in the introduction that Moscow helped the Ukraine with gunpowder and lead was the result of an erroneous interpretation of document No. 161 of 1650 (Vol. II), which is titled "The humble petition of Ukrainians of the city of Koroch to the Office of Military Affairs for the delivery of gunpowder and lead." It is evident from the document that these were Ukrainian refugees who had settled "forever" in the Muscovite kingdom and were paid by the tsar for their services. Moscow had deducted four *altina* each from their pay for "gunpowder and lead" purchased in Moscow, but they had not received the gunpowder and lead which they had purchased. Now they were asking the tsar to have their purchase sent to them and this was done. Some documents mention the delivery of arms to Ukrainians, but these were also refugees from the Ukraine, who in the tsarist service guarded the southern border against Tatar attacks.

The categorical statement in the introduction concerning "aid to the Ukrainian population in grain and salt" requires explanation. In reading this statement one might think that the tsarist government helped the Ukraine by sending loads of

grain and salt at tsarist expense to the Ukrainian forces and population. This would have been a significant contribution to the Ukraine, which was at war with Poland for several years and, therefore, unable to produce a sufficient quantity of grain. Some documents note that there was a famine in the Ukraine in 1638 (Vol. I, No. 142) and that in 1650 the harvest was below par (Vol. II, No. 134). But the documents in this collection do not mention aid in grain and salt to the Ukraine. They contain the tsarist decrees to the *voyevody* of border cities which grant permission to the Ukrainian population to purchase grain and salt *in border cities with their own money and to transport it to the Ukraine*; similarly, the Muscovite population was permitted to export grain for sale in Ukrainian cities and villages. Of course, this was aid but of a type which did not burden the tsarist's treasury; on the contrary it created a profit. Some documents also contain the prescriptions and restrictions with regard to quantity and place which were imposed upon the sale of grain, e. g., No. 130 of 1649 (Vol. II) prohibits the purchase and export of grain abroad by wagon from Putyvl, Rylysk, Sevsk, and Bryansk; only small quantities were permitted to be sold by the "quarter, eighth or sixteenths." A document of 1648, No. 65, contains a petition of the *voyevoda* of Khotin to the tsar asking that Khotin merchants be forbidden to send grain abroad, because the local population is "impoverished"; another of 1650, No. 131, prohibits the sale of grain to the Ukrainians; No. 134 of 1650 contains an order to the *voyevoda* of V'yasma which prohibited the export of grain, because Muscovite grain, which was brought to the Ukraine, was sold at exorbitant prices as a result of the poor crops; No. 192 of the same year contains a permission to export grain to the Ukraine. In the majority of cases the permission or proscription of purchase and sale of grain and its exportation to the Ukraine depended not upon the Ukrainian food supply but upon Moscow's trade policy. Therefore, the problem of the grain (and salt) trade and the export of these commodities must be treated from this angle. The documents cited do not mention *aid in grain or salt* but only *trade* in these commodities of consumption. It must be added that the tsarist treasury levied

all kinds of taxes and export duties upon grain or salt which was sold or exported, Vol. I, Nos. 268 and 269, for the years 1646-1647. During the armed conflict between the Ukraine and Poland, the Muscovite merchants, by taking advantage of the Ukrainian shortage, made good profits on grain. The Ukrainian people, suffering from poor harvests and famine, was compelled to pay the exorbitant prices of the Muscovite speculators. It is true that permission for the sale of grain to Ukrainians had to be given by the tsar, but this did not cost him anything and still the Ukrainian people thanked him for it.

The documents mention little or nothing about other forms of trade between the Ukraine and Muscovy. And when mention is made of them, it is mostly in connection with "trading people of Muscovy" whom the tsarist chanceries or the *voyevody* of border provinces had sent to the Ukraine "to gather secret information," i. e., on espionage missions. This type of "commercial relations" was practiced frequently by Moscow and will be discussed later.

(c) In addition to the economic ties, the introductory article also mentions *cultural* ties between the Ukraine and Muscovy. Documents published in this collection contain little information on these ties. However, these must be divided into those in the realm of *spiritual* and those in the realm of *material* culture. In regard to the former, they pertain mostly to religious and church matters. For example, No. 23, (Vol. I of 1624 reports that Kiev Metropolitan Iov Boretsky sent the monk and priest Pamva Berynda, a well-known Ukrainian scholar, to Moscow to "edit church books" at the tsar's request. In 1630 the tsar asked that the church books, which had been printed in Kiev, be sent to Moscow. These books were sent to him (the title pages have been added to pages 93-4 of Vol. I). In 1640 the monks of the Brethren of the Kiev Monastery asked the tsar to send them icons, vestments, and church books, because the monastery had been robbed by the Poles. In 1649, the tsar asked the Metropolitan of Kiev, S. Kosov, to send the monks Arseniy Satanovsky and Damaskyn Plyts'ky, both scholars, to Moscow to translate the Bible from the Greek into Slavic (No. 80, Vol. II). In the same

year the Metropolitan also sent, in addition to these two monks, the monk Theodosius, a teacher and preacher of the Holy Gospel. A document of the same year (No. 109) mentions earlier Moscow contacts with P. Mohyla, Metropolitan of Kiev: In 1640 the Metropolitan sent a wooden cross with a carving containing a relic of the Grand Prince Volodymyr the Saint which had been found earlier in a silver chalice, to Tsar Mikhail Fedorovich. In 1644 P. Mohyla again sent to the tsar church books, (*Besidy Apostoliv* and *Diyaniya Apostoliv z Apokalipsom*), a clock "with an alarm and a small breviary"; the monk Ilarion personally carried his own gift, *Poluustav pechatny*. Again in 1646 the Metropolitan sent to Tsar Aleksei Mikhailovich through Ilinarkh, Prior of the Pechersky Monastery, myrrh, an Arabian horse and two rugs embroidered with gold and silver. In his own name, Ilinarkh presented to the tsar the books *Triod tsvitnu v lytsyakh* and *Akafisty v lytsyakh* (both illustrated). In exchange the tsar presented Metropolitan P. Mohyla two icons with frames of wrought silver. In 1649, at the tsar's request, Metropolitan S. Kosov sent two teacher-monks to Moscow for service. Document No. 111 (Vol. III) 1652 states that Arseniy Satanovsky, whom the tsar had summoned to translate the Greek Bible, brought to Moscow and translated on the tsar's orders a Latin book *O Grode tsarytsi*, the sermons of a certain teacher Meffreth (this was *Sermones Meffreth allios Hortulus Reginae*, published in Nuremberg in 1466). The same document further mentions translators, copyists, and singers who had been brought to Moscow from Ukraine; documents 126 and 127 (Vol. III, year 1652) mention *snytser* (woodcarver), the aged Antony, a *snytser*, old Filip, the icon painter Varlaam of the Kiev-Pecherska Lavra; the nuns Tavifa and Marfa of the Kutensky Monastery who had been invited to temporary service in Moscow. To remunerate these Ukrainian clergy for their services, the tsar sent or delivered through messengers the "Tsar's favor" in the form of sable or cash.

In the realm of *material* culture, Ukrainian contacts with Moscow largely took the form of Ukrainian aid to Moscow through the dispatch of various experts and artisans who were in great demand in Moscow. Thus, these documents mention

the dispatch to Moscow at the tsar's request: "smelters, chimney workers, burners of charcoal, coopers, wheelwrights, tinsmiths, *prudnyky* (those who worked on ponds), those who boiled saltpeter (No. 58 of the year 1631, Vol. I), millers (No. 216 of 1642, Vol. I), blacksmiths and cartwrights (No. 216 1642 and Nos. 226-7, 1644, Vol. I), etc.

Such were the Ukrainian ties with Moscow during the thirty-five year period of the first half of the seventeenth century in the realm of *culture and economics*. Of course, during the war with Poland, the Ukraine was weakened economically and could not compete with Muscovy in the economic field, e. g., in the field of trade. The Ukraine was wealthy, however, in experts and artisans, and that Moscow was deficient in this respect proves the superiority of the Ukrainian standard of living. And in respect to their spiritual culture, the Ukraine of that period was far ahead of Muscovy.

(d) The collection contains many documents on the subject of Ukrainian refugees or "newly-arrived Cherkassy" as they are called, which covered the rules governing their reception by Muscovite officials, the cities in which they were to settle, and the conditions of their life. The rebellion of Cossacks and peasants against the oppression of the Polish government and Polish magnates, which began towards the end of the sixteenth century and continued with varying success until the general uprising of the Ukrainian people under the leadership of Hetman B. Khmelnyts'ky and the subsequent war of all the Ukraine against Poland, adversely effected the Ukrainian population and the national economy. As a rule the area of rebellion and battle with the Polish Army was the Right-Bank Ukraine; the unsuccessful rebels used to withdraw to the Left-Bank. When the Poles, in pursuit of the retreating insurgents, also crossed to the Left-Bank, then the defeated rebel units had no other alternative but to cross the border into the Muscovite territory. The populace followed the Cossacks regardless of whether it participated in the rebellion or not, because the Polish magnates, the owners of latifundia on the Left-Bank, followed the troops and wrought vengeance through their own armed bands. At first the tsarist

government refused to admit the Ukrainian refugees into their territory in order that the "Lithuanians and Cherkassy should not cause harm" (note to No. 72, footnote 92, Vol. I). In No. 135, year 1638, Vol. I, we find that the tsar issued an order in 1636 to the *voyevody* of border provinces which prohibited the acceptance of large Ukrainian refugee groups (50, 100, and 200) because the tsar had concluded a peace with the Polish king (*Polyanovski mir*) in 1634; therefore, these larger groups of Ukrainian refugees could not be accepted for fear of misunderstandings with the Polish king, but smaller groups (2, 5, and 10) might be permitted. But document No. 136 of the same year contains a report that the tsar had given permission to accept a unit of 4,000 "Cherkassy" who had come to Belgorod and wished to settle in the "New town of Krasne on the Koroch." The tsar ordered that they be registered as *streltsy*, Cossacks, and cannoners, and be paid wages and watched so that they build homesteads and work the fields (Doc. No. 136 of 1638, Vol. I). During the same year Hetman Ostryanytsya suffered a defeat on the Left-Bank and had to cross the Muscovite border with several thousand unregistered Cossacks. The *voyevody* of the border provinces led Ostryanytsya's detachment to the hamlet of Chuhu-yeve, where Ostryanytsya founded the city of Chuhuyiv. This marked the beginning of an uninterrupted stream of Ukrainian refugees to the Muscovite territory, where they settled first in the south and then farther north. The documents mention the following localities which were settled by Ukrainian refugees: Putivl, the *volost'* of Komarnytsya, Kursk, Yelets, Cherny, Livny, Kromy, Novosellye, Ostoroh, Userdye, Valuiki, Voronizh and Voronizh county, Korocha, Korotoyak, Kozlov, the Don province, Kolomna, Pronsk, Shapka, Orel, Kaluga, cities on the Volga, and others. During this period the so-called Slobids'ka Ukraine was settled. Moscow instituted the following formalities for the acceptance of Ukrainian refugees: They were given the official name of "foreigners, newly-arrived Cherkassy" (Vol. I, No. 193); then the Muscovite *voyevody* of border provinces demanded that the refugees declare that they had come "in the tsar's name, for perpetual life"; finally, the refugees had to swear an oath as sub-

jects of the tsar. The *voyevody* had them entered in registers, designated their place of settlement, issued the tsar's "permission to settle," endowed them with fields, garden land and sometimes even gave them money, lumber, etc. for the construction of homesteads; and when they ordered them into any type of service, they would receive an annual compensation. Those refugees who refused to apply "in the tsar's name, for perpetual life," would not be accepted but would be expelled beyond the border (Nos. 89, 90 of 1652, Vol. III). When the refugees had finally settled there were instances of abuses on the part of *voyevody*, the officials, and the Muscovite population, e. g., robbing of the refugees' property, attempts to force them into serfdom, etc. (Nos. 166, 167, 174, Vol. I). Some documents pertaining to these refugees were published by Academician D. Bahaliy in *Materialy dlya istorii kolonizatsii i byta stepnoi okrainy Moskovskogo gosudarstva* [Materials on the History of Colonization and the Life of the Borderlands of the Muscovite State] Kharkiv, 1886, but the majority of the documents are published here for the first time and they require a detailed study. Of course, future researchers will take notice of the role of official Muscovite propaganda in the matter of the settlement of Ukrainian refugees on Muscovite territory, the outward sign of which was the so-called "tsar's grant to depart" and the benefits derived from the thousands of Ukrainian refugees.

(e) The introductory article states that documents in the collection attest to the "*impressive diplomatic aid*" of the Muscovite government to the Ukraine when the tsar's envoys carried out negotiations with the Polish government "*in defense of her [the Ukraine's] interests.*" After studying the documents cited in the article, this statement does not appear to be adequately supported. Thus, the first document referred to in the article contains the tsar's decree to the envoy Unkovski. It states that Unkovski should *convince B. Khmelnyts'ky* to send his own envoys to the Lords of the Polish Crown Council with the proposition that they elect Aleksei Mikhailovich, the Muscovite Tsar, to replace the late King Wladyslaw, because allegedly the "Zaporozhian Host would have an Orthodox king and everyone would

then be will off." B. Khmelnyts'ky refused to send his envoys and gave as his reason the fact that the Poles would not listen to them (No. 59 of 1649, Vol. II). Another document of 1650 (the tsar's order to envoys G. and S. Pushkin, who were sent to Warsaw), stated that should the Poles complain because the tsar had sent his envoys to subjects of the Polish king, i. e., B. Khmelnyts'ky and the Zaporozhian Host, and had urged them to be incorporated in his kingdom, then the envoys must reject such charges and reply that the tsar had not called B. Khmelnyts'ky and the Host, but, on the contrary, had ordered his borderland *voyevody* not to permit any quarrels with the Polish and Lithuanian people. Concerning the Zaporozhian Cherkassy, the envoys were ordered to tell the Lords of the Council that the Zaporozhian Cherkassy "cause a lot of trouble in the tsar's border cities" by settling without permission along the rivers Vorskla and Sula, cutting hay, setting up beehives and by imposing "all types of insults and burdens" on the tsar's people in Oleshnya, Konotop, and in other places. And these same Cherkassy boast that they raid the tsar's land with the Crimean Tatars." Therefore, it is necessary that the Lords of the Council inform the king of this so that he can prohibit them from "quarreling with and provoking the tsar's borderland people" (No. 135 of 1650, Vol. II). The report of the tsar's envoys denied the accusation that the tsar was aiding the Ukrainian Cossacks and stated on the contrary that the tsar, cognizant of the "Perpetual Peace," had refused to receive the Cossacks. To prove their point the envoys showed the Council a letter of B. Khmelnyts'ky to the tsar, which contained his signature and the seal of the Zaporozhian Host; at the request of the Council, the envoys *permitted them to make a copy of the letter* (No. 144 of March 1650, Vol. II). Hetman Khmelnyts'ky and Secretary General I. Vyhovsky discovered this and the latter complained about it in a conversation in Kaniv with the merchant F. Gureyev, a Muscovite spy, confident that it would be reported to those who had sent him. Vyhovsky said, "Moscow is committing an injustice because the letters of Hetman Khmelnyts'ky to the sovereign in Moscow, which requested the tsar to accept the Hetman into his Muscovite state, were disclosed to

the king in Warsaw" (No. 203 of December 1650, Vol. II). Thus, the documents actually are evidence not of *impressive aid to the Ukraine* but of the *damage* to B. Khmelnyts'ky and the Zaporozhian Host, when the tsar's envoys, pursuant to his orders, defamed them before the Polish government by supplying proof of their negotiations with a foreign power, Muscovy. The following year the tsar and boyars received the Polish embassy of S. Witowski, K. Obuchowicz and Ch. Ordynski in Moscow. These negotiations lasted almost two months. The Polish envoys wanted the tsar to join in a common attack against the Crimean Tatars who were aiding B. Khmelnyts'ky and the Zaporozhian Host in their struggle with Poland. At first the Polish envoys proposed that the tsar and the king should make common cause against both the Crimean khan and B. Khmelnyts'ky, his ally. The boyars rejected this proposition. Then the Polish envoys proposed that a joint attack be made on the Crimea and that the Polish king fight the Cossacks alone and at a later date. The boyars rejected this proposition also. Instead, they declared that the tsar would gladly join the king in sending soldiers against the Crimea; but, however, since the tsar did not wish "to spill Christian blood," he proposed that the Poles should end their own war first, i. e., with the Zaporozhian Host, "either peacefully or by force" (No. 16 of 1651, Vol. III). In 1652 the tsar sent Pronchishchev and Ivanov as his envoys to Warsaw in matters relating to the Ukraine. There the Polish government accused the tsar of allowing his *voyevody* to aid a detachment of the Zaporozhian Host, 4,000 cavalymen under an appointive colonel of Nizhyn, Shokh (or Shokhov) to cross the Muscovite territory in the county of Bryansk. After crossing the border the Cossacks took Roslavl without a battle and without bloodshed; they also occupied some neighboring towns in Belorus' and approached the vicinity of Smolensk (the accusation was justified, as evidenced in numbers 26, 27, 28, 29, 30, 31, 32, 33 of Vol. III). It took the Muscovite envoys a long time to refute the charges by saying that someone had accused the tsar out of malice. They said that, on the contrary, the tsar told Khmelnyts'ky to *stop the war with Poland and make peace with the Polish king* (No. 82 of 1652,

Vol. III). Finally, in two documents of 1653 (an order to the tsar's envoys in Warsaw and the report of the envoys B. Repnin and B. Khitrovo), we find that the "diplomatic help" of this embassy was reduced to this fact that the tsar, wanting to stop the "spilling of Christian blood," proposed that the Polish king make peace with B. Khmelnyts'ky and the Zaporozhian Host on the basis of the Zboriv Treaty. The reply to this proposition was that "no such treaty ever existed because the king does not conclude treaties with his subjects who are, moreover, rebels" (Nos. 155, 179 of 1653, Vol. III). These quotations from documents published in the collection do not only fail to support the allegation of "impressive diplomatic aid" or "defense of the interests of the Ukraine," but on the contrary prove that the tsar's diplomatic moves were *detrimental to the interests of the Ukraine*, who was fighting for her freedom and national independence and not for coexistence with Poland on the basis of a treaty.

(f) Every careful reader will observe a very typical detail of Muscovite-Ukrainian relations during the period covered by this collection (1620-1654) and it is the perfect espionage system organized by the tsarist government in the Ukraine. There are many documents in this collection which contain interesting data on the forms and methods of espionage and information about the men who directed this system and those who played the actual roles of spies. Almost every document, whether an order of the tsar to the embassies or to individual envoys sent by the tsar to Khmelnyts'ky, or to the tsar's *voyevody* of provinces or cities bordering on the Ukraine, or the reports of envoys, *voyevody*, and Muscovite merchants—in general all those who were returning home after a stay in Ukraine—contained orders on the gathering of "secret information" or on the reports of gathered "secrets." This general theme was: what went on and what was going on in the Ukraine; what is being done and what will be done; what people say and what their attitude is toward the tsar and to the Muscovite state; information pertaining to Hetman Khmelnyts'ky, Secretary General I. Vyhovsky, the colonels, Cossack officers, the masses of the Ukrainian people, and so forth. The tsar generously rewarded his informants with

sable, money, promises of "tsar's favor and kindness," and entertainment with vodka and wine, etc. Passive sources of "information,"—unwilling or deliberate espionage agents—were all those kindhearted and talkative Cherkassy who accepted bribes without seeing anything wrong in the "gathering of such secret information," especially since it would be rewarded by Muscovite flattery, money and promises. In addition to this espionage system, the tsarist agents conducted a shrewd propaganda campaign on behalf of their tsar and his tsardom. With this system of propaganda and espionage the Muscovite government was slowly and unhurriedly spinning a net which, when the time arrived, it threw over Ukraine. One of the first to fall victim was the hetman's closest associate, Secretary General I. Vyhovsky (No. 115 of 1652, Vol. III).

Moscow's diplomatic relations with its neighbors were conducted at that time by special embassies or envoys which were sent from time to time to neighboring states or lands; they were not permanently placed envoys accredited to the head of the state or government. Therefore, the only way of obtaining information about a foreign state was to send an embassy or envoy, or organize an espionage system. But the evil of the latter was that it assumed all the despicable aspects of treachery—all its negative, rotten, and immoral manifestations—and at the same time there was no assurance that the information thus gathered was true or merely invented for monetary reward. Moreover, the result of this espionage, this "secret information" was accepted at face value in Moscow, and, what is even worse, Moscow's national policy was based on such data.

At first the Muscovite system of gathering "secret information" was successful and did not evoke the Ukrainians' distrust, except for those who had played the role of paid Muscovite informers in their own interest. Later, when this espionage system assumed the proportions of persistent questioning and obvious bribery, the Ukrainians began to exercise more caution, finally refusing to give information to official or volunteer spies. For example, in 1650 the *voyevoda* of Belgorod, B. Reprin, informed the tsar: "And when the *voyevody* send people to gather information, then

my sovereign, they, the Cherkassy, know it all with certainty. They say to the sovereign's Russian people that they, the Russian people, come to the Lithuanian land not for commerce but to pick up information" (No. 192, Vol. II). The colonel of Chyhryn, F. Korobka, wrote in 1649 to the *voyevoda* of Volnov, F. Arsenyev: "When you write that the Cossacks do not wish you to come, we cannot order you to come to the Ukraine. Bohdan, the great hetman and your great tsar, know what to do. And if you, Governor Fyodor Yuryevich, want more information, then communicate with his grace, the great Bohdan Khmelnyts'ky, and you will get all the news; we cannot tell you any more" (No. 97, Vol. II). Undoubtedly, B. Khmelnyts'ky knew of the espionage system of the Muscovite envoys in Chyhryn since it was carried out almost before his eyes. And he had surmised Vyhovsky's role in this matter, too. In Streshnyev's report—the Muscovite envoy to B. Khmelnyts'ky—it is stated that Secretary General I. Vyhovsky had admonished the envoy to "give him a small gift and not speak words of praise, *because the hetman is angry with him, Ivan, anyway...* And you, the envoys, should give me the sovereign's gift in secret and should not speak words of praise in front of the hetman..." (No. 115 of September 1653, Vol. III). This might explain the project that arose at the hetman's conference with his staff in Chyhryn on February 1654, namely, to place the Secretary General Vyhovsky at the head of the Cossack mission which was to go to the tsar to conclude the treaty. Moscow learned of this and the *voyevoda* of Putivl was ordered to meet and accompany the mission "with special honors." Subsequently, the Cossacks appointed Judge General Samiylo Bohdanovych Zarudny and Colonel Pavlo Teterya of Pereyaslav in place of Vyhovsky.

Finally, it is imperative to pause and consider another characteristic peculiarity of this publication, one which was noted in connection with the errors in the names of documents. On the basis of these documents, I seriously oppose the phrase used by the editors: "Reunion of the Ukrainian people with the brotherly Russian people." Actually, not one of the printed documents uses this term and it is completely lacking in the final documents,

e. g., the tsar's writs, the resolutions of the Moscow *Zemski sobor*, the resolutions of the Pereyaslav Council, the Treaty "articles" and the resolutions of the tsar and boyars. These documents and many others use such expressions: "The Zaporozhian Hetman, Bohdan Khmelnyts'ky, humbly requests that he (the tsar) would accept them for the sake of the Orthodox Christian faith and command the hetman and the entire Zaporozhian Host, to be received under his majestic hand. . . . And if the sovereign does not show his mercy, then they will unwillingly become subjects of the Turkish Sultan and the Crimean Khan" (No. 1 of 1651, Vol. III). Khmelnyts'ky's envoys in the Foreign Office, K. Burley and S. Muzhylovsky, declared: "The great sovereign should accept them for the sake of the Orthodox Christian faith and command the hetman with the entire Zaporozhian Host to come under his sovereign's majestic hand and aid them against their enemies, the Poles, with counsel and military force" (No. 153 of 1653, Vol. III). B. Khmelnyts'ky, addressing the Cossacks at the Council of Pereyaslav, said, "And the Orthodox Christian, the great sovereign, the Eastern tsar, is of the same Greek law, the same rite; we are one body of the Orthodox Church, whose head is Jesus Christ. . ." (from the report of the Muscovite embassy of 1654, No. 205). The Council of Pereyaslav resolved: "We would rather die under the Eastern Orthodox tsar's firm hand in our true faith, than fall into the hands of Christ's enemy, the pagan" (*ibid.*). On Tsar Aleksei Mikhailovich's part, in a writ to Khmelnyts'ky, it was announced, "And we, the great sovereign, are pious in our God's good grace and desirous with you that the Christian faith should not decline among you, but increase and that the flock of our God's great Shepherd, Christ, should multiply, as is said, 'And there shall be one flock and one Shepherd.' We have consented to accept you under the majestic hand of his Imperial Majesty so that you would not be an enemy of Christ's Cross in contempt and abuse" (No. 169 of 1653). Further, in the resolution of the *Zemski sobor* of October 1, 1653 there is noted the tsar's address to the *Sobors* "And they, the Zaporozhian Cherkassy, request the tsar's mercy so that he, the great sovereign, shall not permit the Orthodox Christian faith to be

uprooted and the holy churches of God be wrecked by oppressors, but he shall take mercy upon them and consent to accept B. Khmelnyts'ky and the entire Zaporozhian Host under his sovereign hand" (No. 197 of October 1, 1653, Vol. III). And the resolution of the *Zemski sobor* states, "And the boyars and councilors said that the great sovereign, the tsar and grand prince, Aleksei Mikhailovich of all Russia, would consent to accept under his majestic hand, B. Khmelnyts'ky and the entire Zaporozhian Host with cities and lands for the glory of the Orthodox Christian faith and God's Holy Churches" (*ibid.*). In the tsar's writ of October 2, 1653 the tsar informed Khmelnyts'ky that the mission sent by the tsar to Poland had not received satisfaction from the king for the tsar's claimed insult to his dignity and on the subject of an armistice with the Zaporozhian Host; therefore, the tsar decided "to accept B. Khmelnytsky and the Zaporozhian Host with cities and lands for the sake of the *Orthodox Christian faith under the tsar's majestic hand*" (No. 198, Vol. III). The tsar's decree—Article 9 of the Treaty of 1654—reads: "Because of the many improprieties, insults, and falsehoods on the king's part and desirous of defending the *Orthodox Christian faith from persecutions and from those who wish to destroy God's church and the Christian faith and wishing to defend all Orthodox Christians from Latinization*, I have accepted you under our sovereign hand. . . ." (No. 245 of 1654). In the description of the tsar's audience with Khmelnyts'ky's envoys, we find the following interesting variant. "And we, the great sovereign and Imperial Majesty have done so (accepted the Zaporozhian Host) in devotion to the true faith: it is not for any other reason save this, that the true Christian churches should not be insulted and wrecked by the Latins and the true Christian faith held in contempt, and you, true Christians, in slavery and unworthy suffering" (No. 240 of March 13, 1654).

These quotations from the most important documents are categorical evidence that the basic and sole motive for the acceptance of the Ukraine under the rule of the Muscovite tsar (stipulated on certain treaty provisions) on both sides was the commonly announced and professed Orthodox faith, i. e., the adherence to

the Christian Orthodox Church and the desire to remain within the Orthodox faith and to defend this faith, the holy churches, and each other from the enemies of Orthodoxy (the Poles) by a mutual effort. And conversely, there was no declaration of unity of blood, national affinity, adherence to a single ethnic group, or any idea of "birth, community of origin, eternal affinity and brotherhood of the Russian and Ukrainian people," made on this or any other occasion. It is precisely these ideas which the editors of the introductory article consider to be the sole motive and basis of the Act of 1654 and for which they choose to invent a term "Reunion of the Ukraine with Russia." They remain completely silent on the idea of a common faith in Orthodox Christianity being the basic motive of B. Khmelnyts'ky's and the Zaporozhian Host's submission to the "majestic hand" of the Muscovite tsar.

The authors of the introductory article have relied on the authority of V. Lenin, who wrote in his works about "the proximity of the Russian and Ukrainian people by language, domicile, character, and history" (?), and on the achievements of "Soviet historical science." They rejected the idea "accepted by bourgeois historians" and by "Ukrainian bourgeois-nationalist historiography (M. Hrushevsky and his followers)" that the Ukrainian people existed long before the establishment of the Old Rus' Kievan state and that there had never been any "Old Russian nationality." All these ideas, according to the article, are the "inventions of bourgeois historians" and "a gross falsification of historical facts" aimed at undermining the affinity and "centuries-old affinity of the Russian and Ukrainian people." Instead, they alleged that the only correct idea is that "of a unified Old Russian nationality" from which the three East Slavic peoples (Russian, Ukrainian, and Byelorussian) originated; this "Old Russian nationality" had a powerful unified state (Kievan), a unified, highly-developed culture and it was in this state that the idea of the "recognition of the unity of the Russian land" was born. The powerful Kievan state collapsed as a result of unfavorable circumstances ("the process of feudal differentiation, incursions of Tatar-Mongols and other aggressors"). In

the fourteenth and fifteenth centuries, on the base of this "old Russian nationality," the "formation of three brotherly nations," took place. And further, "the Ukrainian language came into being on the base of the Old Russian language. . . and developed in close contact with the Russian language." The authors of the introductory article conclude their presentation of the idea of common origin and affinity of the Russian and Ukrainian people by saying: "The community of origin of the two brotherly peoples and of the language roots have caused, over the entire period of history, the *closest proximity of culture and the recognition of the oneness of the Russian and Ukrainian people.*" In their argumentation these authors have outraced even Lenin, who expressed himself merely for "proximity" of the Russian and Ukrainian people, whereas the present authors have talked themselves into the proposition of *oneness of the Russian and Ukrainian people.*

In their declaration of a "oneness of the Russian and Ukrainian people" the authors of the introductory article ignore completely the historical documents collected and published under their own editorship. These documents corroborate neither the "oneness" of these people, nor the close affiliation of the Ukrainian and Muscovite-Rus' language. Some Ukrainian documents call the Ukrainian people a "Russian people" (*rosiys'ky narod*). In B. Khmelnyts'ky's writ of March 17, 1654 (No. 236, Vol. III) to the tsar, reference is made to "All the Christian Russian clerics and the lay people of all ranks" (and the Ukraine is called a "Russian State," *ibid.*), while the Russian people are called "Muscovite people" or "Muscovites." Muscovite documents, on the other hand, call the Ukrainian people "Cherkassy," "Lithuanian people," "foreigners, newly-arrived Cherkassy" or "Zaporozhian Cherkassy" (Vol. I, No. 164, 193; Vol. II, Nos. 140, 142, 152, 192 and many others). At that time in Moscow the Ukrainian language was called the "Byelorussian language"; Ukrainian documents of the seventeenth century had to be translated into the Muscovite language, and negotiations with Ukrainian envoys were conducted with the aid of interpreters.

All these "new achievements of Soviet historiography" remind us of something *old*, something long ago disproved and rejected by historical science both in the Ukraine as well as in Russia. These are the very same ideas of Pan-Russianism which long reigned in Russian historiography; it had been initiated and supported by the tsarist government and became the prop for the justification of the Russification policy.

In summing up these remarks pertaining to the editorial method and the interpretation of documents, I have come to the conclusion that this publication under the title, *Reunion of the Ukraine with Russia*, pursues an object which has nothing in common with archeography or history, or in general any *science* in the true meaning of this word. The publishers of this book, the Academy of Sciences of the USSR and the Academy of Sciences of the Ukrainian SSR, have collected 747 historical documents and material which cover the short period from 1620 to 1654 and, under the guise of this mass of documentary material, are attempting to introduce those ideas of Pan-Russianism. These ideas have long been known, but here they are renovated and presented as "new creations of Soviet historiography." The argumentation by which the authors wish to prove the historical truth of these ideas is not supported by published documents. Thus, one of the most characteristic features of this publication is the obvious and complete divergence between the ideas promulgated by the publishers and the ideas inherent in the historical documents of this collection.

Nevertheless, the collection in a single publication of 747 historical documents, the majority of which relate to the struggle of the Ukrainian people for their national and social liberation from the Polish state, has to be considered a useful undertaking. The majority of these documents have, until now, been in the Moscow archives—admittedly a difficult place to penetrate—and have been published for the first time. There are many original documents among them, written in a beautiful seventeenth century Ukrainian, which is very close to the modern Ukrainian literary language. Thirty letters of Hetman B. Khmelnyts'ky,

written in his own hand, are included in this group. A small portion of these documents have been previously published (276) in various Russian and Ukrainian publications, but they are now rare and inaccessible. Therefore, the publication of these documents in a single collection remains a convenience.

BOOK REVIEWS

Istoriya ukrajins'koi literatury [A History of Ukrainian Literature], Vol. I, *Dozhovtneva literatura* [Pre-Revolutionary Literature], Academy of Sciences of Ukrainian R.S.R., Kiev, 1954, 732 pp. 8 tables and many illustrations.

Had this history of Ukrainian literature proved to be on the same level as the *History of Russian Literature* of the Academy of Sciences of the U.S.S.R., one could only have welcomed it, in spite of the erroneous analyses and appraisals customary in Soviet scholarly editions. Unfortunately, this book has the character not of a scholarly, but of a propagandistic work, and what is more, of an extremely poor quality. In addition the authors, among whom are such prominent scholars as M. Gudziy and O. Bilets'ky, are totally uninterested in facts, preferring to fill up the book's pages with agitative material, the chief theme of which is the assertion of the complete dependence of Ukrainian literature upon Russian and the glorification of the beneficent influence of Great Russian culture upon the Ukrainian. Even if the book's introduction does begin with the words, "The Ukrainian people... has created... a highly artistic literature, which occupies one of the foremost places among the literatures of the whole world," this evaluation is dispersed like smoke by reading the book.

Strictly speaking, a book on such a level does not merit a review, But I shall note, at least, some of its characteristic traits.

The introduction gives an historical sketch of the study of Ukrainian literary history. Only the completely out-of-date works (although they are not devoid of merit) of Ohonovs'ky and M. Petrov are named. M. Dashkevych, V. Peretz, and A. Pypin are mentioned by name only, with no indication of the titles of their works. The literary histories of S. Yefremov, M. Hrushevs'ky, and M. Voznyak are not mentioned. It thus appears that the *unique* worker in the field of Ukrainian literary history was Ivan Franko. Critical articles of certain Ukrainian authors are also cited and, of course, Lenin, Stalin, Zhdanov, and *tutti quanti!*

The exposition of literary history begins with folk literature: a strange regeneration of a romantic tradition long ago dropped by science. Only an insignificant part of the book (pp. 29-124) is devoted to "old literature" (up to Kotlyarevs'ky); this is the sole section of the book which can be recognized as to any degree scholarly in character. It is true that due to its brevity this part of the book gives practically nothing but the titles of certain works and the names of authors. This brevity frequently creates misunderstandings, for example, it is not said in which language the *History*

of the *Jewish Wars* of the "old-Jew author" Josephus Flavius (actually a Greek writer of Jewish nationality, p. 51) was written. There is no small number of such hazy spots. Even the pages (55-61) devoted to a period as early as the sixteenth and first half of the seventeenth centuries bear the character of propaganda: The fundamental trait of this period seems to be the "enormous importance of Russian culture" for the development of Ukrainian and Byelorussian culture (p.64). The only fact which is supposed to affirm this "enormous importance" turns to be the presence in the Ukraine of the printer Ivan Fedorov. Naturally nothing is said about the many Ukrainian literary figures, translators and authors, who worked in Moscow during the seventeenth and eighteenth centuries and exerted a decisive influence on Russian culture. But if the *History of Russian Literature* of the Academy of Sciences of the U.S.S.R. (Vol. II, Part 2, 1948) is available to the Ukrainian reader, he can easily recognize that just the opposite was true: "The powerful cultural-educational current in the Ukraine and in Byelorussia," "the sources of which go back to the 15th and early 16th centuries" (p. 11), exerted an enormous influence on the development of culture in the Moscow state (pp. 11-15, 104, 110, 113, 138-42, 145-50, 155-60 257, 300, 342-53, 363-7, 372, 375, 377, 382, 385, 394, 402-3, 407, 412, 413 et al.). A whole series of genres (poetry, drama, to some extent the secular tale, and even the works of religious folklore—"duchovnye stichi") arose in Russia under the very strong and at times exclusive influence of Ukrainian and Byelorussian literature; even the representatives of a "conservative" movement, the *staroobryadtsy*, made wide use of Ukrainian literature. The *History of Russian Literature* does not conceal the significant influence of the Ukrainian language on the seventeenth century Russian literary language. About all of this there is not one word in the *History of Ukrainian Literature!* Should the reader turn to Eremin's article in Vol. LX of the *Trudy Otdela Drevne-russkoi literatury Akademii Nauk S.S.S.R.* (1953, pp. 291-6), he will receive the completely correct impression that literary intercourse between Ukrainians and Russians in the seventeenth century was that of two peoples totally foreign to each other both in language and in spirit. The reader will easily learn from these Soviet (!) sources that Ukrainian literature and its authors were more than once persecuted in Moscow, and that these persecutions were to a considerable degree explained by the low cultural level of Moscow. I deliberately cite books which appeared in Soviet Russia and do not mention the old works of Ejngorn, A. Sobolevski and many Russian emigrants, of Prince N. S. Trubeckoi and G. Florovski, from which one can learn exactly the same facts. However, it is evident that the same things about which it is possible to write in Soviet Russia for *Russians*, must remain unknown to *Ukrainians!* A remarkable feature of the "equality of nations" in the Soviet Union!

In addition I shall only remark that the history of Ukrainian poetry is set forth in highly compressed fashion, that seventeenth century drama

is covered in one (!) page (91-2), and that, furthermore, the most remarkable work of Western Ukrainian origin, the *Slovo o zburennju pekla* [The Tale of the Destruction of Hell] was not even examined, etc. Citations from the works of Vyshenski and from the *Leksikon* of Pamva Berynda are chosen with the intention of avoiding purely Ukrainian words and expressions. The Cossack Klimovs'ky is held by the author to be "half-legendary," although his two lengthy didactic poems have been printed by V. Sreznevski in *Sbornik Kharkovskogo istoriko-filologicheskogo obshchestva* (Vol. 16, 1905). In enumerating the names of the authors of the *Bogoglasnik*, the author forgets to mention the most important name of all—that of Dostoevski's grandfather! In the chapter on Skovoroda are quoted citations falsified by Chizhdeu (114, 118). The assertion of Sumarokov's influence on Skovoroda is totally unfounded (121), and of course, nothing is said of the religious views of Skovoroda's mysticism. The assertions about the influence of the works of Lomonosov, Novikov, and Radishchev on eighteenth century Ukrainian literature are in no wise proved.

If in the first part of the book we still find a certain number of factual indications and attempts at literary characterizations, the second part (1798-1917) is distinguished by the total absence of evidence for the majority of the assertions made. In this second part, almost one-third of the space is given over to-not political history but plain politics, in the forefront of which appears the influence of Russian revolutionary ideology on Ukrainian writers. For this goal the authors consider it sufficient to assert, without the shadow of proof, that one or the other Ukrainian writer was "under the influence" of Belinski, Dobrolyubov, Chernyshevski, L. Tolstoi, M. Gorki, etc. In other cases the authors mention only the "similarity" between the ideas of Ukrainian writers and those of the Russian authors mentioned; occasionally they employ a completely meaningless formula: The ideas of Ukrainian writers "remind one" of the ideas of Belinski or Chernyshevski; some ideas can "remind" us of others not only by their similarity but also by contrast. It was chronologically impossible for Shevchenko to have been under the influence of Chernyshevski, so, in order to demonstrate the connection between them, it suffices for the author to mention that Chernyshevski quotes Shevchenko (239), or that Shevchenko attributed enormous importance to the matter of popular enlightenment, "as did Dobrolyubov, Chernyshevski, and Ushinski" (269). A. Sydnyts'ky's novel *Lyuborats'ki* "has much in common with the brilliant work of Pomyalovski"; just what this common element is, is not shown, and it is also not mentioned that any influence of Pomyalovski on the Ukrainian author would have been chronologically impossible (328). Marko Vovchok is "close" not only to Nekrasov and Saltykov-Shchedrin, but even...to Lenin! (313); nothing is said about the fact that Marko Vovchok was closer to Turgenev than to anyone else—Tur-

genev is obviously not counted among the "revolutionary democrats." There are similar examples on every page.

However, it is difficult to turn *all* Ukrainian writers into comrades-in-arms of Chernyshevski and Lenin. Therefore a "purge" has been effected among the writers; as a result such important figures as Kulish, Kostomarov, Vynnychenko, Oles', and many others have been removed from literary history. They have been removed as "reactionaries", and the essence of their "reaction" is explained in the words: "They tried to justify the predatory strivings of the autocracy, . . . [they] were enemies of realism and the people, . . . [they] expressed the interests and tastes of the landlords. . .", etc. (193). Just why the tsarist government should have persecuted these "reactionaries" remains unknown. However, there are only a few lines in the book about each one of them, and the titles of their works are not even mentioned! All that is revolutionary in the *Books of the Life of the Ukrainian People* was supposedly not written by Kostomarov at all (p. 245), who was supposedly "seeking a agreement with the landlord" (*ibid.*). Only writers with "progressive tendencies" are admitted into the book, but even among them there turn out to be writers who were in reality political and to some extent social "reactionaries" (which of course does not diminish the value of their literary works), such as Hulak-Artemov's'ky, Storozhenko, and even Afanas'ev-Chuzhbinsky! Even the authority of Belinski or Gorki cannot save these putative "reactionaries." The reader is not told that Kulish's short stories were hailed by Belinski (*cf.* the *Collected Works* of Belinski, IV, 1954, 54), that Kulish took some part in the review *Iskra* of the "Revolutionary Democrats," and of course there is not a word about the fact that Kulish edited the works of "progressive" writers—Shevchenko, Kvitka, Marko Vovchok—and that he rendered valuable services to the history of Russian literature as the first biographer, collector and editor of the letters of Gogol! The socialist Vynnychenko is not saved even by the authority of Gorki, who had popularized his novels among Russian readers. The resolution of the question, who is a "reactionary" and who is a "progressive" and democrat, does not depend upon facts but upon some Party directive or other. It would have been best to inform the reader about this in a preface to the book.

As has already been said, the material remaining in the second part of the book after the "purge" does not deserve a review. The general principles on which the whole book is constructed demonstrate that it has nothing in common with scholarly work; the division of literary history into periods has been effected according not to literary but to political principles; there is no analysis of the form of literary works, since this would have been "formalism," forbidden in Soviet Russia—in order to give a few remarks about Shevchenko's style, the author of this section is reduced to citing a few off-hand remarks from an article of

Franko (273). This book contains more than a few plain falsifications of fact, it contains a multitude of passages which must simply appear ludicrous even to the Soviet reader.

Examples of factual falsifications. In order not to quote the well-known beginning of Shevchenko's "Katerina":

Kochaitesya, chornobryvi,
Ta ne z moskalyamy...

The lines "with a clearer class content" from the rough drafts (!) of the poem "Vid'ma" are quoted instead:

Sterezhit'sya zh, kochaytesya
choc i z naimytamy,
z kym chochete, moyi lyubi,
lyshe ne z panamy (222).

Passing over in silence Belinski's sharply negative comments about Shevchenko and the Ukrainian nationalist movement in general, an anonymous review from the first publication *Kobzar* (1840) is cited, which "is attributed" to Belinski; it is not mentioned that even in this "positive" review, the author considers Shevchenko's poems to be "ugly" (*urodliivyye*) (this review has now been reprinted in the *Collected Works* of Belinski, III, 1954, 171-2. The "proof" that this review was written by Belinski is totally unconvincing as is shown by the lengthy remarks appended to it; these are twice the length of the review itself, *ibid.*, 625-7). All elements of "nationalism" are assiduously set aside from the interpretation of the works of Ukrainian authors, even from the dramas, full of national pathos, of Lesya Ukrayinka (cf. the "anti-Muscovite" "Boyarynya" 670), and, of course, from all the historical dramas of Ukrainian playwrights. Almost nothing is said about purely lyric verses of Ukrainian poets (e. g. the verses of Franko).

Many passages produce a humorous impression. It should leap to the eyes of the attentive reader that the review *Literaturno-naukovy visnyk*, which is presented as a center of "reaction" (cf. e. g. 486) printed the works of almost all "progressive" writers: Lesya Ukrayinka, Makovey, Franko, Kotsyubyn'sky, etc. (590). The Ukrainian dictionary of Hrinchenko turns out to be "tendentious" (589). The humorous *Baba Paraska ta Baba Palazhka* of Nechui-Levits'ky is characterized as "a masterful description of *private-proprietary psychology*" (377). When the deportee M. Hrabov'sky attempts to land in "places where there were many political deportees," in order not to remain in solitude among the half-savage inhabitants of Siberia, this is explained by the fact that among the deportees "there were many Marxists" (481). Complaints against the oppression of Ukrainians in Austria also produce a humorous impression, since in Austria one could nonetheless print works forbidden

in Russia and publish Ohanov'sky's *History of Ukrainian Literature*, without such a "purge" as has been effected by "party directives" in the *History of Ukrainian Literature* in Soviet Russia! As proof of contact between Ukrainian and Russian writers are cited meetings of Ukrainians with the Ukrainians Shchepkyn and Gogoll! However, the most humorous impression of all is of course produced by the interminable repetition of the names Belinski... Chernyshevski... Lenin... Zhdanov etc. (cf. above).

The book is rather carelessly edited. There are a number of typographical errors. Under the reproduction of the first page of the Lvov Apostol of 1574 we read, "Apostol, Vydannya 1754 r." (64); under the reproduction of the title page of the *Apokrisis*—"Apokripsis" (68). There is no list of *errata*.

The *History of Ukrainian Literature* of the Academy of Sciences of the Ukrainian R.S.R. is a useless work, inasmuch as it does not give a complete picture of the facts of literary development in the 19th century, and even a harmful one, inasmuch as the facts remaining in it after the "purge" are presented for the most part in distorted form and with erroneous interpretations.

Dm. Čiževsky

William Harkins, *Anthology of Czech Literature*, (New York: Kings Crown Press, 1953), xii and 226 pages.

Students of Slavic Studies, particularly those of Czech literature and culture, should be happy to possess this publication, since it not only fills a serious gap in this field, but is at the same time a comprehensive review of the major works of the last century. The student who is not familiar with the various Czech linguistic peculiarities, archaisms, specific poetic devices, etc., would have considerable difficulty in comprehending the essential features of major Czech works and the general picture of the literature without this volume.

The author concisely defines each literary period and sketches the biography of each writer and poet. This may seem unnecessary to the advanced student, but for the general reading public, interested in Czech literature for other than scholarly purposes, it is indispensable, and, in this respect, it serves "the needs of the general reader, whether of Czech background, or not."

The era under discussion is divided into seven literary periods: pre-romanticism, romanticism, pre-realism, realism, symbolism, decadence, and, finally, Czech literature between the wars. Although methodologically very useful, this division makes the selection of works somewhat deliberate and limited. Those which stand either beyond this schematic division or in-between, but whose literary merits are no less important than the

works selected, are not included. Of course the periodization of any literature is an extremely complicated task (see the latest attempt in contains an element of a subjective approach, or, as Professor Harkins the work of Novak) and, despite all precautions and objectivity, always has termed it, "a prerogative of personal taste."

However, in this respect, it is to be regretted that Alois Jirasek was not included, since he is one of the most typical figures of the time, and, surely, of no less significance than, let us say, Halek. It would have been advisable to include some of Shalda's works, who, although neither a creative writer nor a poet, is the only Czech literary scholar whose critical deliberations might be compared with more famous critics of western Europe.

Finally, Professor Harkins uses a term in connection with the works of Ivan Olbracht which is questionable. He says that this modern Czech novelist "is a psychological novelist who has his greatest success with materials of *Transcarpathian-Russian* life and folklore" (italics supplied, p. 176). This strange term has neither a descriptive value nor a correspondence in reality, past or present. Linguistically, the area under consideration is Ukrainian; in 1905 it had been so recognized by the Russian Academy of Sciences. The term is, also, not a correct translation of the official Czech title, *Podkarpadska Rus*, since Rus' and Russia are two different and historically distinct terms. Moreover, as a result of its Ukrainian ethnic and cultural character, this area was annexed to the Ukrainian Soviet Republic in 1945. It is erroneous to suppose that the term Ukraine was artificially invented for that territory by those who wanted to divide Czechoslovakia. When the Red Army occupied this land officially in 1944, it became known as the Transcarpathian Ukraine and under this name has been the subject of negotiations between the Czech and Soviet governments.

Despite these insignificant shortcomings, this anthology of Czech literature will undoubtedly promote further interest in the cultural and literary achievements of this small, but dynamic, Czech nation.

John Fizer

OBITUARIES

LEONID BILETSKY

Leonid Tymofiyovych Biletsky, a full member of the Ukrainian Free Academy of Sciences and its former president, the author of many works in the field of the history of Ukrainian literature, died on February 5, 1955 in Winnipeg, Manitoba. He was a distinguished advocate of Ukrainian culture in the Free World and he worked tirelessly in the field of education and research.

Leonid Biletsky was born on May 18, 1882 in Uman', Ukraine. In 1913 he graduated from St. Volodymyr University in Kiev and immediately started his research in the field of the history of literature with a special emphasis on Ukrainian literature. After the Ukrainian People's Republic was founded in 1917, L. Biletsky took an active part in the development of Ukrainian culture and was a professor at Kamyanets-Podilsk University. After the Soviets took over, Biletsky emigrated to Prague. He was active there as a professor of the Ukrainian Free University and was a rector of the Ukrainian Pedagogical Institute of Drahomanov. At the same time Biletsky devoted much time and energy to his research work. He did research on the works of Lessya Ukrayinka, Olha Kobylanska, Shevchenko, and Franko. He published a few papers analyzing the dramatic poems of Lessya Ukrayinka. Biletsky was also the author of a few textbooks of Ukrainian literature, which were published in Lviv, Prague, and in Germany. He also did some work in the field of the theory of literature.

After World War II, L. Biletsky lived in West Germany and in 1945 was one of the founders of the Ukrainian Free Academy of Sciences. He was a member of its first presidium and for a long time its vice president. He also worked at the Central Representation of the Ukrainian Emigration in Germany. He was in charge of the Department of Education and contributed generously to the development of Ukrainian schools in DP camps. In addition to this enormous practical work, Biletsky continued his research and, while in Germany, published a few studies on Shevchenko.

Biletsky came to Canada in 1949 and immediately started educational work there, while at the same time continuing his research. He edited and wrote commentaries to Shevchenko's works which were published by the Ukrainian Academy in Canada.

After the death of Dmytro Doroshenko, President of the Ukrainian Free Academy of Sciences, L. Biletsky fulfilled the duties of President of the Academy and, at the same time, was the President of the Academy in Canada.

The most important works of Biletsky were devoted to the theory of literature, Shevchenko and other writers. Thus, in the field of literary theory, he published a work in 1925 devoted to his teacher, Acad. V. Peretts,

and entitled, *Osnovy ukrayinskoyi literaturno-naukovoyi krytyky*, (Prague). And one of his last works was devoted to the following Ukrainian writers: Lessya Ukrayinka, Marko Vovchok, Olha Kobylanska, and entitled, *Try sylvetky*, (Winnipeg, 1953). A task which occupied the last years of his life was his editing of, and comments to, the *Kobzar* of Shevchenko, which was published in four volumes in Winnipeg, 1952-1955. This is only a selection from the many works of Biletsky in the field of literature.

ANDRIY YAKOVLIV

Professor Andriy Ivanovych Yakovliv, a full member of the Ukrainian Academy of Arts and Sciences and the head of the Section of Law, died in New York on May 14, 1955. Professor Andriy Yakovliv was not only a well-known scholar, a specialist in the history of Ukrainian law, but also a prominent Ukrainian statesman, one of the founders of the Ukrainian People's Republic in 1917. He vigorously applied his scholarly knowledge and intellect to the construction of a new democratic state, his native Ukraine. Later, as an emigrant, he worked tirelessly in the field of the history of Ukrainian law. This issue of *The Annals* is apt evidence of the scholarly activity of his last days.

Andriy Ivanovych Yakovliv was born on November 28, 1872 in the town of Chyhyryn, Ukraine. He graduated from the Kiev Theological Seminary in 1894 and until 1898 he was a teacher at a public school in Cherkasy. In this period he was one of the founders of a Sunday school for adults, the teaching of which was in Ukrainian. In 1898, A. Yakovliv enrolled in the faculty of law of Derpt University and graduated in 1903. During his studies he was especially interested in the history of Western Russian and Ukrainian law. In 1904 he passed the state examinations in Kiev University.

During 1904-1917, A. Yakovliv lived in Kiev and was active as a lawyer and legal adviser. In this same period, he continued his research work in the archives and published papers on the history of the Ukraine and the history of Ukrainian law. In 1907 he was elected a full member of the Ukrainian Scientific Society in Kiev.

After the Revolution of 1917, A. Yakovliv became an active organizer of the Ukrainian democratic forces; he organized the Society of Ukrainian Lawyers in Kiev and was one of the founders of the Ukrainian Legal Society in Kiev. In April 1917, he was elected a member of the first Ukrainian parliament, the Ukrainian Central Rada. In February 1918, he was appointed the head of the office of the Central Rada and was elected a member of the Presidium of the Central Rada. In March 1918, he was appointed an extraordinary ambassador to Austro-Hungary and left for Vienna. He was recalled in July of the same year by the government of Hetman P. Skoropadsky and appointed Director of the Department of Foreign Relations of

the Ministry of Foreign Affairs. With the establishment of the Republican government, A. Yakovliv was appointed ambassador extraordinary and head of the diplomatic mission from the Ukrainian People's Republic to Holland and Belgium. He headed this mission until it was liquidated in 1923.

In 1923, A. Yakovliv started his scholarly and pedagogical work at the Ukrainian Free University in Prague and remained there until the spring of 1945. At first he was a docent in law and from 1928 a full professor. He was twice elected rector of the University (1930 and 1944). A. Yakovliv participated in the activities of various scholarly, cultural, and educational institutions on the international level, as well as in the organizations of Ukrainian emigration in Western Europe. For example, he was a founder and president (1930-1931) of the Ukrainian Academic Committee at the International Commission for International Cooperation, which functioned at the League of Nations in Geneva. He was a leader and constant representative of the Ukrainian Society for the League of Nations. He was one of the promoters, a member of the board, and then the head of the Ukrainian Museum in Prague; he was a member of many Ukrainian scholarly societies and institutions.

In April 1945, A. Yakovliv left Prague for Western Germany and then later moved to Belgium. In 1952 he came to New York and, as full member of the Academy, actively participated in its work. He held several lectures at the scholarly conferences of the Academy, e. g., "On the Author of *Istoriya Rusov*," "The Treaty of Bohdan Khmelnyts'ky in 1654," and others. His article "*Istoriya Rusov* and its Author" was published in *The Annals*, No. 2 (8). During the last few years, Professor Yakovliv worked intensively on the problems of the Pereyaslav Treaty in 1654. In 1954, he published a book on this subject.

In addition to the two articles in this number of *The Annals*, he edited two of the other articles. He worked vigorously despite his age and, just two days before his death, asked about the proofs of his articles.

Of the many publications of Professor Yakovliv in Ukrainian, Russian, German, French and English, the following represent but a small percentage of his total output: *Z Istoriyi rehistratsiyi ukraiyinskoho kozatstva v I-y polovyni 16 st.*, Kiev, 1907; *L'importance d'economique de l'Ukraine*, Bruxelles, 1920; "Dohovir Bohdana Khmelnyts'koho z Moskvoyu roku 1654," *Yubyleiny zbirnyk VUAN na poshanu Akad. Bahaliya*, Vol. I, Kiev, 1927; "Statti B. Khmelnyts'koho v redaktsiyi 1659 roku," *Yubyleiny zbirnyk VUAN na poshanu Akad. M. Hrushevs'koho*, Vol. I, Kiev, 1927; "Do pytannya pro henezu kopnykh sudiv v Ukrayini," *Zhyttya i pravo*, Lviv, 1928; "Vplyvy staro-cheskoho prava na pravo ukraiyinske doby litovskoyi," *Vyd. UVAN*, Prague, 1929; "Ukraiyynski prykazky ta prysliv'ya, yak dzherelo zvychayevoho prava," *Zhyttya i pravo*, Lviv, 1936; "Ukraiyinske pravo," *Ukraiyynska entsyklopediya*, Volume "Ukraine," Lviv; "Rymske pravo v sudakh Ukrayiny XVII," *Ukrayina*, Part 3, 1950, Paris.

LUKE MYSHUHA

Dr. Luke Myshuha, a member of the Academy's Commission for the Study of the History of the Ukrainian Immigration in America, died in New York on February 8, 1955. He was a well known Ukrainian journalist and promoter of Ukrainian organizations in America.

He was born on October 30, 1887 in Vitkiv Novy, Ukraine. After graduating from the secondary school in Lviv, he studied at the University of Vienna and in 1911 received a LLD degree there. Before World War I, Dr. Myshuha was active as a lawyer in the Western Ukraine. After the Revolution, he became one of the most active promoters of the new Western-Ukrainian People's Republic. In 1921 he came to Washington as an ambassador of this Republic and became the head of the Ukrainian mission. In 1923, after the mission had been liquidated, Dr. Myshuha started his activities among the Ukrainian immigrants in the United States; he intended to organize them better and raise the intellectual level of Americans of Ukrainian origin and turn their attention to the enslaved country of their fathers. In 1923, Dr. Myshuha initiated the Union of Ukrainian Organizations in America and for seventeen years was the Secretary General of this organization. In 1926, Dr. Myshuha became the co-editor of the Ukrainian daily, *Svoboda*, and in 1933 the editor-in-chief of this paper. He fulfilled these duties until the day of his death. In 1940, Dr. Myshuha was one of the creators of the Ukrainian Congress Committee and one of the most active and devoted members of this committee.

Dr. Luke Myshuha was a full member of the Shevchenko Scientific Society and cooperated with the Ukrainian Academy of Arts and Sciences in the U. S. as a member of the Commission for the History of the Ukrainian Immigration in America. Dr. Myshuha has published many articles on this subject.

He was an active journalist and editor, promoting the publication of many books in English on the subject of Ukrainian history and culture. These were published in recent years by the Ukrainian National Association.

Dr. Myshuha left a very significant trace in the history of the Ukrainian immigration in the United States.

ANTIN BILOUS

Antin Andriyovych Bilous, a member of the Foundation of the Academy and a publisher, died on April 6, 1955 in New York.

Antin Bilous was born on January 17, 1892 in Baturyn, Ukraine. After the Revolution of 1917, he took part in the struggle for the Independent Ukrainian People's Republic and, later, emigrated to the West.

A. Bilous began his activity as a publisher of Ukrainian books in 1942; he was very active after World War II, while living in Western Germany. Together with Yu. Tyshchenko-Siry, he founded the Ukrainian Publishing Company; they published books of high cultural value, e. g., the works of Lessya Ukrayinka, N. Gogol, and dictionaries. Bilous was also one of the initiators of M. Hrushevsky's *History of Ukraine-Rus'*.

A. Bilous contributed generously to the development of Ukrainian culture in the Free World.

CHRONICLE

During the period from July 1, 1954 to July 1, 1955 the following lectures were delivered before the plenary sessions of the Academy:

- 9 October 1954 —Lecture by Prof. Čiževsky: *Literary and Linguistic Tendencies in Nineteenth Century Ukrainian Literature.*
- 19 December 1954 Grand Conference in Memory of M. S. Hrushevsky, dedicated to the 200th Anniversary of Columbia University.
—Address by Dean Edgar G. Miller
—Prof. O. I. Fredriksen: *Hrushevsky as a Writer and Maker of History.*
—Prof. O. P. Ohloblyn: *Hrushevsky and a Ukrainian National Renaissance.*
—Prof. D. I. Čiževsky: *Hrushevsky as a Literary Historian.*
—Prof. J. S. Reshetar: *Hrushevsky as a Political Leader.*
- 5 January 1955 —Lecture by Prof. S. Kot: *From the History of the Reformation in the Ukraine.*
- 29 January 1955 —Prof. M. Vetukhiv: *The International Gerontology Congress in London.*
- 20 February 1955 —Dr. A. Margolin: *Georgiy Fedotov and His Prognosis Concerning the Future of the Present Eurasian Empire and Her Oppressed Nations.*
- 5 March 1955 —Prof. O. Odlozilik: *Slavic Youth Congresses in the 1890's.*
Conference dedicated to the memory of President T. Masaryk.
- 12 March 1955 Grand Conference in Honor of Taras Shevchenko, with the participation of the Ukrainian Academy of Arts and Sciences in the U.S. and the Shevchenko Scientific Society in America.
—Prof. K. Kysilevsky: *The Shevchenko Word, a Semantic Study.*
—Prof. D. Horynatkevych: *For a Proper Evaluation of the Artistic Creativity of Shevchenko.*

- 26 March 1955 A meeting dedicated to the memory of Prof. D. I. Doroshenko:
 —Prof. M. Vetukhiv: *Introductory Words on the Late Prof. D. Doroshenko.*
 —Prof. O. Ohloblyn: *Prof. D. I. Doroshenko as an Historian.*
- 26 March 1955 —Dr. I. Lichten: *Research on Ukrainian-Jewish Relations.*
- 14 May 1955 —Prof. Karl Menges: *Altaic Linguistic Influences on Eastern European Languages.*
- 20 May 1955 Grand Conference Dedicated to the 150th Anniversary of Kharkiv University.
 —Prof. M. Vetukhiv: *History of Kharkiv University.*
 —Prof. D. Čiževsky: *The Meaning of Kharkiv University in Ukrainian Spiritual Life.*
 —Prof. A. Philipov: *Kharkiv University Under Tsarism and Under Bolshevism.*
- 18 June 1955 —Prof. M. Vetukhiv: *The Work of the Academy during the Past Year.*
 —Prof. O. Powstenko: *A Synthesis of Byzantine and Ukrainian Art, The St. Sophia Cathedral in Kiev.*

The following Lectures and Seminars were held under the auspices of the Sections and Commissions of the Academy:

LITERARY AND PHILOLOGICAL SECTION:

- 18 September 1954 —Prof. P. Odarchenko: *The Pathetic Sonata of M. Kulish in Its German Translation.*
- 4 December 1954 —Prof. D. Čiževsky: *New Problems connected with the Hypatian Chronicle.*
- 6 February 1955 —Prof. D. Čiževsky: *Comparative Literary Observations Relative to the Creativity of Mickiewicz.*
- 11 June 1955 —Prof. D. Čiževsky and Prof. Odarchenko: *On the New Soviet History of Ukrainian Literature.*

BIBLIOGRAPHICAL SECTION:

- 27 August 1954 —Prof. Ya. Rudnytsky: *Problems of Ukrainian Documentation in the Diaspora.*

- 20 November 1954 —Prof. B. Zahaikovich: *On Bibliographical Problems.*
 5 February 1955 —A. Trachuk: *The Ukrainian Press During 1941-1944.*
 2 April 1955 —Ivan Sweet: *Foreigners on the Ukraine, Her People and Customs.*

HISTORICAL SECTION:

- 31 October 1954 —Dr. S. Demydchuk: *The Genesis of the Ukrainian Political Austrophiles.*
 6 February 1955 —Prof. O. Ohloblyn: *The Scientific Activity of Prof. Boris Krupnytsky.*
 —P. V. Kosarenko-Kosarevych: *Synonyms of Ideas in One Language and the Translations in their Historical Aspect.*
 27 March 1955 —Prof. O. Ohloblyn: *Memoirs on the Scientific Activity of Prof. A. S. Synyavsky.*
 —L. Vynar: *The Passage of Bruno Boniface From Kverfurt through Kiev at the Time of Volodymyr the Great (1006-1007).*
 A Joint Meeting with the Black Sea Commission.
 21 May 1955 —Dr. I. Nahayevsky: *The Pleas of the Princes Izyaslav and Yaropolk to Emperor Henry IV and Pope Grigori VII.*

ANCIENT HISTORY SECTION:

- 18 December 1954 —Prof. A. Kotsevalov: *Problem of the Original Slave-owning Organizations in the Black Sea Area in Ancient Times.*
 26 February 1955 —Dr. O. Dombrovsky: *The Process of the Spiritual Life of the Ancient Jews.*
 13 March 1955 —Prof. D. Čiževsky: *Classical Antiquity in Old Ukraine.*
 24 April 1955 A meeting devoted to Prof. M. Rostovtsev, a researcher of the Ancient Ukraine:
 —Dr. L. Chikalenko: *Memoirs of M. Rostovtsev.*
 —T. Ivanivska: *M. Rostovtsev as a Researcher of the Art of the Ukraine in Prehistorical and Ancient Times.*
 —Dr. O. Dombrovsky: *M. Rostovtsev as a Researcher of Ancient Ukraine from the Historical Point of View.*

THE BLACK SEA COMMISSION:

22 May 1955 —V. Trembytsky: *Black Sea Ports of the Ukraine.*

The Commission for the Study of Ukrainian History in the Inter-War Period (1918-1939):

16 October 1954 —V. Holub: *Social-Economic Changes in the Western Ukrainian Oblasts in the Past Ten Years.*

13 November 1954 —Yu. Revai: *Political Action of the Government of the Carpathian Ukraine in the Summer of 1939 (Memoirs).*

12 February 1955 —Yu. Dyvnych: *Vseimpertsy, a Fragment from the History of Ukrainian Political Thought.*

19 February 1955 —Dr. G. Luzhnytsky: *The Ukrainian Greek-Catholic Church Under the Poles, 1920-1939.*

26 February 1955 —Dr. I. L. Rudnytsky: *The Mounting of a New Pereyaslav and the Interpretation of the Political Situation in the Ukraine.*

27 February 1955 —V. Kedrovsky: *The Genoa International Conference and the Union of Ukrainian Parliamentarians in 1923.*

2 April 1955 —Dr. M. Prokop: *Unknown Facts of German Politics in relation to the Ukraine during the Second World War.*

23 April 1955 —Prof. V. Chaplenko: *Linguistic Politics in the U.S.S.R. (An Attempt at Historical Analysis).*

4 June 1955 —Rev. B. Kusiv: *The Ukrainian Protestant Movement during the First and Second World Wars (1914-1945)*

ECONOMICS SECTION:

6 November 1954 —Prof. S. Drahomanov: *New Social Movements in Western Europe.*

30 April 1955 —Vsevolod Golub: *Modern Industrial Development in the Ukraine.*

BIOLOGICAL SECTION, DETROIT:

10 July 1954 —Meeting dedicated to the memory of Prof. V. Radzimovska.

—Prof. I. Rozhin: *The Life, Activity, and Scientific Heritage of Prof. V. Radzimovska.*

—Dr. V. Prykhodko: *The Genetic Laboratory, Bar Harbor, Maine; Impressions of a Visit.*

- 13 November 1954 —Prof. I. Dekhtyar: *An Epochal Stage in the Development of the Exact Sciences*. Part I.
—Dr. V. Rozhin: *The Scientific Basis of the Present Method of Anesthesia*.
—Prof. I. Rozhin: *The Plan of Work of the Biological Section in Detroit for 1955*.
- 22 January 1955 —Prof. I. Dekhtyar: *An Epochal Stage in the Development of the Exact Sciences*. Part II.
—Prof. P. Bilanyuk: *The Present Geopolitical Position of the Ukraine*.
—Prof. I. Rozhin: *Information on the Conferences of the Academy in New York*.
- 25 February 1955 —Prof. I. Rozhin: *On the Tasks of Ukrainian Scientists in the Emigration*.
—Prof. O. Granovsky: *The Influence of Entomology on Human Health and Agricultural Prosperity*.
—Prof. E. Slastyonenko: *Hybridization as a Factor of Evolution*.
—Dr. V. Prykhodko: *The Influence of Several Factors of Environment on the Consuming of Food by Laboratory Animals*.
—Ya. Zubal: *The Problem of the Reforestation of the Ukraine*.
- 14 May 1955 —Prof. M. Levytsky: *On the Book of Prof. M. Borovsky, Ukrainian Onomastics in International Botanical Terminology*.
—Dr. L. Margolin: *On the Derma of Persian Lambs*.
—Prof. I. Dekhtyar: *The Atom Epoch in the Development of the Exact Sciences*

BIOLOGICAL SECTION, NEW YORK:

- 2 October 1954 —Prof. O. Archimowitsch: *Cotton Culture in the Ukraine*.
- 27 November 1954 —Prof. I. Rozhin: *Dermal Diseases of Cattle in the Ukraine*.
- 11 December 1954 —I. Pallister: *Nature in Ohio (Newest Research) with Illustrations*.
- 23 December 1954 —Prof. S. Krasheninnikov: *Reminiscences of Academician Mykola Kholodny*.

PEDAGOGICAL SECTION:

- 28 August 1954 —Prof. I. Krylov: *Readers and Primers in Ukrainian Schools.*
- 1 May 1955 —Prof. I. Krylov: *Prospectus for a Primer in the History of Ukrainian Literature.*

PHILOSOPHICAL SECTION:

- 5 December 1954 —Prof. D. Čiževsky: *Philosophy of Schelling in the Ukraine.*
- 11 June 1955 —Prof. D. Čiževsky and Prof. A. Philipov: *A Critique of Soviet Dialectical Materialism.*

FINE ARTS GROUP:

- 16 October 1954 —Prof. D. Hornyatkevich: *Ukrainian Historical Painting.*
- 30 January 1955 —T. Ivanivska: *On the Kharkiv Museum After the Revolution.*
- 7 May 1955 —Prof. D. Hornyatkevych: *Vasylkiusky and Samokysha.*
- 25 June 1955 —Dr. M. Kobrynska: *Museums in Galicia Before World War II.*

THE COMMISSION FOR PRESERVATION OF THE LITERARY HERITAGE OF THE
LATE UKRAINIAN WRITER V. VYNNYCHENKO

- 13 February 1955 —Prof. H. Kostyuk: *On the Archival Material of V. Vynnychenko.*
- 6 March 1955 —Prof. V. Chaplenko: *The Language of the Artist's Works of V. Vynnychenko.*
—Prof. V. Prykhodko: *The Illegal Trip of V. Vynnychenko to Kamyianets-Podilsk in 1906 (Memoirs).*

THE GROUP OF THE ACADEMY IN DENVER:

- 5 February 1955 —L. Bykovsky: *In Memory of Stepan Rudnytsky.*
—Yu. Slastion: *The Illustrations of Opanas Yu. Slastion (His Father) to the Poem, The Haidamaky.*
- 14 May 1955 —Dr. B. Vynar: *The Problem of the Development of Ukrainian Light Industry.*

SPECIAL CONFERENCE OF ACADEMY BOARD:

- 24 June 1955 —Ya. Rudnytsky: *Impressions from the 5th International Congress on Onomastics and Visiting of Centers of Ukrainian Scholarship in Western Europe.*

A NOTE ON TRANSLITERATION

The following simplified system is used in the transliteration of Ukrainian:

а	—	а	н	—	п
б	—	б	о	—	о
в	—	в	п	—	р
г	—	h	р	—	r
г	—	g	с	—	s
д	—	d	т	—	t
е	—	е	у	—	u
е	—	ye	ф	—	f
ж	—	zh	х	—	kh
з	—	z	ц	—	ts
и	—	y	ч	—	ch
і	—	i	ш	—	sh
ї	—	yi	щ	—	shch
й	—	y	ю	—	yu
к	—	k	я	—	ya
л	—	l	ь	—	'
м	—	m			

The spelling of proper names, place names, and special terms generally accepted in English usage will retain that accepted form (e.g. Kiev, Kharkiv, Dnieper, chernozem). Russian and Polish proper names will retain their respective forms (e.g. Trubeckoj, Zaleski), but Ukrainian proper names and place names will keep their Ukrainian form even if occurring in Russian or Polish sources (e.g. Bila Cerkva, not Biala Cerkiew).

In articles on comparative philology the "international" transliteration (see *Annals*, Vol. I, No. 2, 1951, p. 188) will continue to be used.

CONTRIBUTORS

Boris E. Nol'de, Russian scholar and diplomat, professor of international law at St. Petersburg; died in 1948.

Andriy Yakovliv, former rector of the Ukrainian Free University in Prague, a leading historian of Ukrainian law; died in 1955.

Vyacheslav Prokopovych, historian and political worker, author of many scientific works; died in 1941.

John S. Reshetar, Jr. author of *The Ukrainian Revolution*, member of the faculty of Princeton University.

Alexander Archimowitsch, former professor of the Kiev Agricultural Institute, an authority on plant selection, now in this country.

Dmitri Čiževsky, lecturer in Slavic at Harvard University, author of many books on Ukrainian literature and philosophy.

John Fizer, a member of the faculty of Notre Dame University.

