

UKRAINIAN FREE UNIVERSITY

Series: Monographs Vol. 27

LEO OKINSHEVICH

UKRAINIAN SOCIETY
AND GOVERNMENT 1648-1781



MUNICH 1978

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EDITOR'S NOTES

The transliteration adopted in this book is that used in *Ukraine: A Concise Encyclopaedia* (Vol. I and II; Toronto: University of Toronto Press, 1963, 1971). It follows a modified Library of Congress system of transliteration, without diacritical marks and ligatures.

Given names have been Anglicized (e. g. Peter, instead of Petro), except where a Slavic name has been popularly accepted in English (e. g. Ivan) or has no English equivalent (e. g. Bohdan). Geographical names in the Ukrainian Soviet Socialist Republic, with a few exceptions, have been rendered in the modern Ukrainian — not Russian — form, following the example of both *Ukraine: A Concise Encyclopaedia* and the handbook *Soviet Ukraine*, published by the Academy of Sciences of the Ukrainian S.S.R. (Kiev, 1969). In order to facilitate proper identification of personal and geographical names, however, the different spelling (Russian, Belorussian or Polish) of the same name or place are occasionally given in parentheses.

The subject-matter of this book belongs to the sociopolitical (constitutional) and legal history, which is a long established discipline in European law schools, although rarely included in the curricula of North American and British law schools or departments of political science. Designated as "General History of State and Law" it is an important subject taught in East European and Soviet law schools. *Iurydychnyi slovnyk* [The Juridical Dictionary] (Kiev, 1974), p. 309, formulates the purpose of the discipline as "the study in chronological sequence of the concrete types and forms of state and law, monuments [historical materials] of law, state institutions in different historical periods, the relationship of state and law to the general process of social development and course of the class struggle, etc."

In his preface to *The History of the English Constitution* (1886) German jurist Rudolf Gneist expresses his aim to draw "a picture of the inner coherence of the various members of the state and society, on which the history of all constitutions and the fate of all nations is really based" (I, ix). The English historian William Stubbs warns in *The Constitutional History of England* (1897) that the work in this field affords "little of the romantic incident or the picturesque grouping which constitute the charm of History in general," but it has "a deep value and an abiding interest to those who have courage to work upon it"; such a work "presents... a regularly developed series of causes and consequences," giving the reader "a personal hold on the past and a right judgment of the present" (I, iii). These statements apply to such as yet unsurpassed works as *A History of French Public Law* (French 1904, English 1915) by Jean Brissaud; *A History of Italian Law* (Italian 1903, English 1928) by Carlo Calisse; or *Russian Political Institutions: The Growth and Development...* (The University of Chicago Press, 1902) by M. Kovalevsky; they also apply to the works of the Author of this book.

It is desirable that the reader should be well grounded in East European and Ukrainian political history, which is here taken for granted, or that he should follow the account closely in some manual of the political history of Ukraine. Such an outline is included in *Ukraine: A Concise Encyclopaedia*, Vol. I, Part VI: History (pp. 581—916), especially ch. 5, At the Dawn of the Modern Age: Ukraine under Lithuanian and Polish Domination (pp. 618—34); the second volume includes Part I: The Law (pp. 10—119), from the multipartite Kievan realm to the present.

The editorial work on this book was arranged under special circumstances which obliged me to restrict myself to limited improvement of the English text. However, in accordance with the wishes of the Author, no attempt was made to change the original structure or style.

In any case, a translation of the Ukrainian (or Polish and Russian) terms into English is far from easy. In many cases it might appear to call for explanation, the insertion of which, however, would have encumbered the text. For example, the term *szlachta* (Polish; *shliakhta* in Ukrainian spelling) is often (and here) translated into *nobility* which in the modern English usage implies too much (term reserved only for the members of the English peerage) or *gentry* which is even less satisfactory. For the most of the middle ages, however, the term *nobiles* included not only earls and barons, but also knights, esquires, even freemen. The term *sołtania* is usually translated by the Ukrainian writers as *company*. In Hetman Ukraine this was, however, a territorial division and therefore the literal translation, *hundred* is more suitable. The Hundred as a territorial subdivision of a shire (later county) has its place in the English constitutional development although as a unit of administration and jurisdiction it survived only in the court organization. *The Magdeburg Law, Das sächsische Weichbild — Ius municipale magdeburgense* — the municipal law of Magdeburg in Germany, served since the twelfth century as the model of juridical organization and self-government for the other East German cities, and later on also in Poland (Cracow, 1257), Lithuania (Vilna, Vilnius, 1387) and Ukraine.

In closing these remarks it is my pleasant duty to express our sincere thanks to Mrs. Patricia Coolen and Mrs. Marion M. Kirby for their typing and editorial assistance, respectively, in the preparation of this book.

Theodore B. Ciuciura

FOREWORD

This book is based to a considerable extent on the author's previously published monographs such as — The Little-Russian Agency of the Russian State in the Seventeenth Century (1925), The Cossack Chief Officers in Left-Bank Ukraine of the Seventeenth and Eighteenth Centuries (1926), The Cossacks in Belorussia (1927), The Cossack General Assembly in Ukraine of the Seventeenth and Eighteenth Centuries (1929), The Cossack Officers' Council in Hetman Ukraine of the Seventeenth and Eighteenth Centuries (1930), The Noble Army Fellowship in Hetman Ukraine of the Seventeenth and Eighteenth Centuries (1948), and The Ukrainian Hetmanate as a Form of Government (1948).

The materials for these works were collected in the years 1921 to 1933 when the author worked as a research scholar at the Ukrainian Academy of Sciences in Kiev. At that time he had an opportunity to explore archives in Kiev, Kharkiv, Chernihiv and Poltava, and also those in Moscow.

From 1945 to 1949 the author lectured at the Ukrainian Free University in Munich. His course on the history of Ukrainian constitutional law in the period of Hetman Ukraine was published in Ukrainian in 1947 (second printing, 1954). The present work is the author's own translation into English of this lecture course, in a somewhat abbreviated form. In the author's opinion this subject is comparatively little known in the Western World and could be of interest to students of Eastern European history.

The author would like to express his gratitude to Professor Dr. Jaroslaw Padoch for his assistance in publishing this work as well as for the bibliography which he kindly compiled, and to Professor Dr. Theodore B. Ciuciura, Saint Mary's University, Halifax, Canada, for his editorial work.

Special thanks are due to the Senate of the Ukrainian Free University and its Rector, Professor Dr. Wolodymyr Janiw for bringing out this volume.

BACKGROUND: UKRAINE AS A PART OF POLAND, 1569—1648

INTRODUCTORY NOTES

The Act of Union, 1569, between Polish and Lithuanian representatives in Lublin brought about significant politico-legal changes in relations between the Kingdom of Poland and the Grand Duchy of Lithuania. Each of these countries preserved its statehood but their union, previously based on a common monarch, became much closer because from this time the Polish-Lithuanian commonwealth acquired a number of joint governmental organs. A significant degree of institutional integration resulted (personal union was transformed into a real union). But the Grand Duchy of Lithuania, as the weaker member of the Union, lost its Ukrainian provinces to Poland. It became a common home of the Lithuanian and Belorussian (White-Ruthenian) peoples, with an evident cultural preponderance of the latter during the early years and more and more evident denationalization and "Polonization" of its upper classes in the later period.

The Polish-Lithuanian Union of Lublin could be regarded as the demarcation between the two epochs, although a gradual transformation of the social and political system in feudal Lithuania had begun in the late fifteenth and early sixteenth centuries. The elimination of the feudal land tenure of princes (*kniazhata*) and barons (*paniata*), their removal from the Council of Nobility (*Pany-Rada*, Council of Lords), the gradual unification of this upper layer of the ruling social group with its lower layer — *boiary* and *slugi* — into a uniform and, in principle, equal in rights hereditary class (social estate) of nobility, *shliakhata* (*szlachta* — in Polish), was accompanied by the consolidation of other social groups into the hereditary classes of townspeople (burghers) and peasants. In this period the peasants lost their right to own their lands and were enserfed by the owners of manorial estates, who acquired the right to make use of peasants' work on these estates. These conditions, however, did not suddenly appear in the middle of the sixteenth century, they gradually developed in the long struggle against the old and obsolete way of life. In the middle of the sixteenth century the predominance of the new

social and legal relations was so evident that we can see the beginning of a new period in these relations.

Ukraine now entered the period in which the hereditary classes (social estates) became consolidated. This period is distinguished by a unified government and the elimination of the numerous older feudal groups. In the countries of central and western Europe at that time the population was divided into large hereditary classes (estates), the social layers distinct from the other groups by their special rights and privileges or by their special class by birth from parents who themselves were members of this hereditary group. It was possible, in some cases, to move from one hereditary class to another.

The new upper class of postfeudal Europe which now included all the former upper groups of society (lords, barons, as well as knights and chief princely retainers) became consolidated into the broad social group of nobility (noble estate). These noblemen were the owners of great land estates. Unstable fief-type feudal land tenure was more and more replaced by the firm ownership of manorial estates. The old feudal requirement of military or other service for the monarch in return for the tenure of land was preserved through the larger part of the postfeudal period. At that time the new landowner also became the master of the peasants who resided on his estate. They had to work for him as his serfs (as in the French *corvée* system).

The enserfed peasants who lost their right to move from one place to another and to change their masters also became in effect the hereditary social class of serfs, the lowest group of the postfeudal society.

The hereditary class of the townspeople (burghers) was in an intermediate position. It had its own organs of town government, some fixed rights and privileges (as well as some legal limitations) and the special organization of its artisans and merchants (guilds).

The political and governmental system in most European countries of this time was distinguished by representative assemblies (the Parliament, *États généraux*, *Reichstag*, *Zemskii Sobor*, and others). In this period these organs represented not the entire population but only some of its upper hereditary groups.

In the further stages of this era some European states passed through the phase of absolutism or enlightened absolutism when the parliamentary assemblies of the upper classes were abolished

or suspended. This stage (its sharpest and most distinct form was in France of the seventeenth to the eighteenth century) revealed incipient conflict between the monarchy and certain social groups but, at first, it did not exist in all European countries and, secondly, it did not change essentially the estate-based social relations. The Polish state of this period, for instance, did not pass through the stage of absolutism.

SOCIO-POLITICAL SYSTEM OF POLAND IN THE SIXTEENTH AND SEVENTEENTH CENTURIES

Separated in 1569 from the Grand Duchy of Lithuania, and annexed into the Polish state, the Ukrainian Dnieper Valley (central) lands were united with the western Ukrainian regions which were incorporated into the Polish state in the middle of the fourteenth century. The Polish system of privileges for the Roman Catholics led to conversion to Roman Catholicism and acceptance of Polish culture by the upper Ukrainian strata. This "denationalization" of the upper classes was due to the fact that only these classes had the full protection of their civil rights and only they participated in the government of Poland. As a result the partial loss of these classes was a national disaster to Ukrainian society because it left the other social groups in the position of the voiceless mass of "low born people." Thus when Ukraine was a part of Poland, the Ukrainian people could contribute little to their own cultural and social development. A number of factors led to the establishment in Poland of a special form of the class-divided society. The influence of the upper social classes vis-à-vis the monarch had grown considerably. The upper class of the *shliakhta* (*szlachta*) was far less dependent on the monarchy than in other European countries. Here the ownership of land lost its feudal and, therefore, its conditional nature much earlier than in other European states. This led to more explicit independence for each nobleman from the royal government and made this government extremely weak and unstable. Participation of the *shliakhta* in the election of kings and its preponderant influence in the Polish Diet (especially the unique right of each single representative to veto the Diet's decisions) were a natural (but negative in respect to Polish national interests and national strength) result of this loss of the conditional nature of land tenure.

The governmental system of Poland was that of an elective monarchy. The fact that its kings were elected brings it close to the constitutional form of a republic. In principle the rule of each Polish king was for life. In 1573 the French prince Henri de Valois (in Polish — Henryk Walezy), newly elected to the Polish throne, accepted the obligations — *pacta conventa* — which are known as "Henryk's articles." The most important were: (a) a promise to regularly convoke the Diet and to carry out its decisions; (b) a stipulation that if the king violates these decisions and transgresses his prerogatives his subjects have the right to disobey and to resist him; (c) a provision that only the Diet could order the mobilization of the *shliakhta* and authorize military operations by the Polish armed forces. During the successive elections the new kings signed some new pacts and accepted further limitations of their privileges.

The limitation of royal prerogatives at a time of absolutism in other European countries was a special feature of the Polish state. This aspect of the Polish system bode ill for it, however, because to the east the power of the strong and strictly organized Muscovite state was increasing.

In Poland the large groups of *shliakhta* were proud of their political system, which assigned to the Diet and the Senate the most decisive roles and powers. The Senate was an assembly of the higher officials of the Polish state and the bishops of the Catholic Church; it functioned early as a standing royal council and, at the same time, acquired the position of the upper parliamentary chamber. Members of the Diet were elected at the district (county) assemblies of the *shliakhta*.

Because the members of the Diet were elected only by the *shliakhta* (if one disregards the presence of several Roman Catholic clergymen and the representatives of the capital city) the Diet was the representative organ of one social estate. In most European countries of this period the parliamentary organs, however, usually included the representatives of several social classes. The almost complete exclusion from the Polish Diet of the representatives of the townspeople should be stressed, because this class could have led the country toward reforms, progressive changes in the socio-political system and, especially, the consolidation and strengthening of the central government.

The influential position of the Diet was not used to consolidate its great power. The extreme privileges of its members indeed made

this organ very weak. The right of veto of the individual members, i. e. the later requirement that the Diet's decisions had to be unanimous, led to frequent paralysis. The right of veto was a logical manifestation of the "golden liberty" of the *shliakhtha* estate but at the same time it resulted in the weakening of its own representative body.

The *shliakhtha's* prerogative of almost exclusive participation in government was related to its exaggerated socio-economic privileges and rights. The most important was the bondage of the peasants. The edicts of 1493, 1501, 1506, and 1511 limited the peasant's rights to leave a manorial estate and move to the estate of another landowner. In 1573 this right was completely abrogated. Unpaid labour of serfs became the principal form of socio-economic relations between the *shliakhtha* and the peasantry. In some regions this labour extended to six days in every week.

Somewhat better was the lot of townspeople as their life was regulated by the German-originated Magdeburg Law, granted to the larger Polish (and Ukrainian) towns. However, it did not prevent their continual decline. This law, which granted to the towns the right of self-government and put the townspeople into the position of a hereditary social group, played a positive role in the development of many German cities. But when it was transferred to Poland and Ukraine where commerce and trade were developed to a far lesser extent, it was clearly too advanced for the weak institutions of the Polish and Ukrainian cities and towns. The separation of those economically weak cities from the countryside led to their decline. The power and influence of the *shliakhtha* in Poland led to assertions of its special rights and privileges in ways detrimental to the interests of the townspeople. Among them were the *shliakhtha's* right to import and export merchandise without paying customs duties (1565), a ban on the export of the products of Polish and Ukrainian artisans, and a limitation of the townspeople's commercial profits (1643).

In this increasingly *shliakhtha*-dominated state were included after the late fourteenth century the regions of the Western Ukraine which later became the Ruthenian, Podolian and Belzian (the city of Belz as its centre) provinces. Into this state were also incorporated, in 1569, the central and eastern regions of Ukraine which later became the provinces of Bratslav, Volhynia, Kiev, and later, Chernihiv.

These last provinces were supposed to be ordinary provinces, without any special status, of the Polish state. Large groups of

the upper class in these Ukrainian lands favoured this situation. They were influenced by the facts that in Poland the *shliakhta's* privileges were broader and more developed than they were in the Grand Duchy of Lithuania, that the nobility's land tenure in Poland had much earlier acquired a stable character, and that the *shliakhta's* political position was more influential than it was in Lithuania. The Ukrainian *shliakhta* thus became an integral and powerful part of Polish society, and this led to its cultural "Polonization", and in large part, its conversion to Roman Catholicism.

But there were still some traces of Ukrainian national feeling and consciousness. The very fact that Poland incorporated the Ukrainian regions of the Grand Duchy of Lithuania as a united territorial complex — which was now separated from the other non-Lithuanian regions of the Grand Duchy (i. e. Belorussian lands) — indicated that they still were at least in a cultural sense a unified national territory. The remaining legal rules and institutions of the "Lithuanian" period, even after the incorporation of Ukrainian regions into Poland, allowed them to preserve their special status. The Lithuanian Statute remained the code which regulated the legal relations of the Ukrainian people. The organization of the Lutsk Tribunal, which in 1578 acted as an appellate court for the Volhynian and Bratslav provinces, was really an attempt to establish a separate Ukrainian judicial district independent of Polish court system.

Opposition to the denationalization process was most clearly shown in the struggle of the Eastern Orthodox Church in Ukraine against Catholicism. Some families of the Ukrainian *shliakhta* preserved the faith of their ancestors and this helped them to withstand the "Polonization." But the actual status of the Ukrainian central regions and the process of their national consolidation was most clearly expressed in the organization of the Ukrainian Cossacks in the sixteenth to seventeenth centuries.

THE UKRAINIAN COSSACKS IN THE SIXTEENTH AND FIRST HALF OF THE SEVENTEENTH CENTURY

The Ukrainian regions of the Polish state, especially those along the Dnieper River, showed a very real difference from the other provinces of Poland. They differed from Polish regions not only in terms of their geography and ethnography but also in the class

structure of their population. This was especially evident in the case of the fourth major social group or estate — the Cossacks.

The formation of this class extended through many decades, beginning in the "Lithuanian" period. It started in the thinly populated or uninhabited open spaces of the steppes in the Central and Southern Ukraine. At first there were groups which went to hunt and fish in these remote areas. As they met the similar gangs of Tatars and Nogays who regarded the "wild steppe" to be their own territory, the Ukrainian hunters and fishermen (later they assumed the Turkish name, the *kozaks* — freemen) had to organize themselves into armed units. In this way originated their regular organizations in the area of the *Zaporozh'ka Sich* — the Zaporozhian Sich, a military outpost in the lower Dnieper Valley, as well as in several towns and settlements in Central Ukraine.

When one talks about the Ukrainian Cossacks in the second half of the sixteenth and first half of the seventeenth century, one always has to distinguish the Cossacks of Zaporozhian Sich from the Cossacks in the old-established towns and settlements. At the same time one has to remember that in this period the dividing line between these two categories of the Cossack class was not as clear as it was later in Hetman Ukraine. A Cossack who lived in the Sich could move to the towns and villages further north, and vice versa and this would not lead to a radical change in his social status.

The Zaporozhian Host was a highly peculiar organization of the Ukrainian Cossacks in the lower Dnieper Valley. A permanent base and military outpost of Cossack units was organized beyond the Dnieper Falls (*Zaporozhia*). Its original location was on Khortytsia Island in the Dnieper. This remote region could not be effectively controlled by the Polish government and its local administration in the Ukrainian provinces. As a result the Ukrainian Cossacks were able to build here an uncommon social and political organization. Many scholars have suggested that the Zaporozhian Host (army) was similar to the military orders of knights in Western Europe. In our opinion such a view gives too much attention to the wifeless life of the Sich Cossacks. The orders of knights were the institutions of feudal Europe. The Zaporozhian Host, however, was an organization of the postfeudal period.

The historians of Ukrainian constitutional law (or social and political institutions) unfortunately have failed to define the politico-legal position of the Zaporozhian Host and its relations with the

Polish state. Several years ago Dr. Bohdan Halaichuk expounded an interesting theory that the Zaporozhian Host was a polity of a peculiar kind. This statement should become a subject for special studies. In our opinion one can only talk about the beginning of a process which could have led the Zaporozhian Cossack organization toward full independence or nominal dependence on Poland. But the process at that time had not been concluded and the Sich Cossacks remained the subjects of the Polish kings and were controlled, though often only nominally, by the Polish authorities.

The Zaporozhians (Sich Cossacks) who settled beyond the Dnieper Falls established a singular military and popular organization. Their assembly (*Sichova Rada* — the Sich Council) became the organ of direct popular rule. Their chief, *koshovyi otaman*, was elected for a limited term by the assembly. It could at any time remove him from his position and elect his successor. The Zaporozhian Cossacks were divided into *kurins* which were not only the military units (and barracks) but, at the same time, the labour groups of hunters, fishermen and beekeepers.

We shall later outline the Zaporozhian Sich organization when we discuss its development in the second half of the seventeenth and eighteenth century. Here we can note that the organizational structure of the Zaporozhian Host was a source of the organizational structure of the Cossack communities in the settled parts of the Central and Eastern Ukraine and, later (1648 and after), in the state of the Ukrainian hetmans.

Let us describe the organization of the non-Zaporozhian Cossack communities in the sixteenth and first half of the seventeenth century. At that time the Ukrainian Cossacks constituted a special group of the population. The Polish state very reluctantly recognized the existence of this social class and was always ready to disestablish it and, if it were possible, to limit the number of its members. For this purpose the Polish Government established the Cossack Registry and tried to reduce their number (6,000 Cossacks in 1624, 8,000 in 1630, 7,000 in 1635, 3,000 in 1637, 6,000 in 1638).

The Cossacks were an intermediate hereditary class or social estate between the nobility (*shliakhhta*) and the peasantry. Like a nobleman, a Cossack, — at least in principle, was obliged to serve the country and, as a reward for this service, he had the right to possess a plot of land. In regard to his social status a Cossack was a member of a hereditary group. He differed from a serf as a person

free from personal bondage (serfdom) and from compulsory work on a manorial estate (corvée labour). His status was different from that of a nobleman since he had no serfs.

Being isolated from Poland and less dependent on the Polish government, it seemed that here in the open spaces of the Ukrainian steppes were reborn the vanished hereditary social groups of the old "Lithuania," — the *putnye* and *pantsernye boiary* (the heralds and armor-clad boyars), *slugi* (retainers), and others. In the Grand Duchy of Lithuania they were the lower layer of the upper class who served their country and possessed the relatively small plots which they cultivated themselves. They differed from the Cossacks of the later period in that each of them could settle on his land a group of peasants and later could enter the ranks of the nobility.

Now it was a different time. The *shliakhta*, a consolidated upper class which had an exclusive right to own the serfs and to exploit their work, had closed its ranks. As a result a Cossack who, like a nobleman, served his country, was in a socially disadvantaged position. Yet the process of social differentiation and social change had continued in these Ukrainian regions of the Polish state, putting strain on the established social structure. Many members of the upper layer of the Cossack class (titled "noble", "old", "meritorious" Cossacks) were dissatisfied with their legal position and were ready to struggle for equal rights with the nobility. In some cases these upper groups of the Cossacks had on their lands peasants who worked for them but their control over these peasants was not as full as that exercised by the noble owners of the manorial estates. In the middle of the seventeenth century their social and economic situation was evidently very close to the class of the *shliakhta*. That is why we should not be surprised by the extent of their political influence later on in the period of the Khmelnytsky Uprising as well as in Hetman Ukraine.

In order to prove his affiliation with the Cossack hereditary class a person had to be included in the Cossack Registry, controlled and confirmed by the Polish Government. As has already been mentioned, this Registry was very restricted. In fact the Registry could not include all the persons who desired to join the Cossacks group as there were quite a few *shliakhta*, burghers, and even foreigners, who for some reasons tried to join the Cossacks. During the several uprisings against Poland, the members of other social groups joined the Cossack forces. Each time after the Cossack defeat and

the period of "pacification" the Cossack Registry was purged and the number of registered Cossacks even more restricted. Some of these purged and excluded from the Cossack ranks were always ready to participate in the new uprising against Polish domination.

The Cossacks were led and governed by an elected leader. At first he was called *Starshyi* (the Elder) and later the *Hetman*, in accordance with the title of top military commanders in Poland and the Grand Duchy of Lithuania. The Cossack Hetman was elected by the General Cossack Assembly for an indeterminate period. If it was not satisfied with his leadership the assembly could dismiss him at any time and elect his successor.

The Hetman was the military commander of Cossack forces as well as the leader and chief representative of the Cossack social estate. In time of military campaigns he was the supreme commander of the Cossack Army. In the time of peace he ruled the Cossack class as its head and chief judge. He also represented the Cossack Army and the entire Cossack class before the Polish Government and its provincial organs.

The Hetman was assisted by a group of Cossack officers who were the commanders of Cossack military-territorial units or had special military and administrative functions. They also served as members of the Hetman's permanent advisory council of a sort. Among them was the *oboznyi* (who was the commander of the Cossack artillery), *pysar* (secretary), *osavul* (aide-de-camp), and judge.

The General Cossack *Rada* (Council or Assembly) was a general meeting of all Cossack units for the election of their officers and the discussion and solution of the most important problems concerning the Cossack Army. It was an organ of Cossack self-government which, unlike the representative institutions of social estates in other European countries, was organized on the principle of the direct participation of all Cossacks. The General Cossack Assembly was the supreme organ of Cossack administration. The Hetman, who was elected and responsible to the Cossack Assembly and who could be at any time dismissed by it, was in a subordinate position toward this body. Very few hetmans (such as Peter Sahaidachnyi in the first half of the seventeenth century) were able to preserve a strong and comparatively independent position. More often the "good will of the Cossack Army" was short-lived and the elected leaders were replaced soon after their election.

All the Cossacks had a right and duty to participate in the meetings of the Cossack Assembly, i. e. all the registered Cossacks in the time of peace and all the persons enlisted into the Cossack units during the rebellions against Poland. The meetings of the Cossack Assembly were not regular; they were convened when there was a need to discuss and resolve a problem within the Assembly's competence. Their form was a meeting somewhere in the field or in some open space. The participants formed a circle around which were grouped the Cossack regiments and companies. The procedure of these meetings depended on their form as an assembly of several thousand people. There were speeches of some leaders and their opponents; there was some shouting and the expression of agreement or disagreement. There was no regular voting. The majority made a decision and forced the minority to accept it by drowning the voices of protest. But there were cases when the minority which resolutely defended its position was able to prevail upon the Assembly to reconsider its decision and to change it.

The authority and functions of the General Cossack Assembly competed with the authority and functions of the Hetman. It could be said that the Assembly discussed and decided the most important administrative, military, and judicial problems. But we can only talk about some trends and tendencies toward such division of the functions and rights. A strong Hetman was very often able to decide some important problems without the Cossack Assembly and the Assembly was thus left to discuss problems of little importance.

The Cossack Army was divided into smaller units: *polky* (regiments) and *sotni* ("hundreds" or companies). First and foremost these were the military units. But their commanding officers governed the members of the Cossack class even at the time of peace when most of them lived in their villages or on their farms and tilled their lands.

The regiments were the largest units of the Cossack Army. Each regiment included the Cossacks who resided in the territory which was allocated to it, and was led and commanded by its *polkovnyk* (colonel) who, usually was elected by the Regimental Cossack Assembly. A Cossack colonel had several assistants, the Cossack officers who helped and advised him. After the Cossack defeat in 1638, however, the Polish state reserved the right to appoint the Cossack colonels, whom it selected from the *shliakhta* who lived in the territory assigned to a corresponding Cossack regiment. This

system was abolished by the victorious Uprising of 1648. A colonel was the commander of his regiment as a military unit. At the same time he was the leader, governor, and judge of the Cossacks who belonged to his regiment and lived in his regiment's territory. We have to stress that he was the leader of the Cossacks only; the members of other classes were governed by the provincial and country organs of Polish state.

The officers assisting a Cossack colonel were also elected by the Regimental Cossack Assembly. The meetings of the Regimental *Rada* were the smaller copy of the General Cossack Assembly. They were attended by the Cossacks who served in the regiment and lived in the region. The functions of the Regimental Assembly included the elections of the colonel and regimental officers, and the discussion and decision of the more important problems concerning the regiment and the Cossacks who belonged to it.

Each regiment in its turn was divided into smaller units: the *sotnias* ("hundreds" or companies). Like the regiments these units were military detachments as well as administrative and judicial bodies governing the Cossack class in their regions. Each *sotnia* was led and governed by its commander — *sotnyk* (captain), assisted by the *sotnia's* officers. The *sotnyks* and the *sotnia's* officers were elected by the *Rada* of each *sotnia*, i. e. the Cossack meeting of the *sotnia's* area. These assemblies also discussed and decided some problems of administration and justice raised by the *sotnyk* or by the Cossacks.

In a few words that was the organization of the Cossack Army and the self-government of the Cossack class. As could be expected the presence of such a separate social group which existed besides the nobility (*shliakhta*) and had similar social duties and obligations but was not equal in its rights to the *shliakhta*, led to conflicts between these two social classes. These different and conflicting positions of the two social groups gave a special form to their struggle, which at the same time was a conflict between two nationalities. Not always did the Ukrainian Cossacks understand this situation. But, when in 1648 an uprising led by Bohdan Khmelnytsky was successful, the Cossack program "to drive the Poles away beyond the Vistula" showed this second feature of their movement, the effort to liberate their country and to restore its statehood.

THE EMANCIPATION OF UKRAINE: THE HETMAN STATE, 1648-1781

CHAPTER 1

INTRODUCTORY NOTES

In 1648 Cossack uprising led by Bohdan Khmelnytsky gained a victory over the armed forces of Poland. As a result Ukraine was liberated from Polish rule, except for the western provinces. In the liberated land all the political institutions of the Polish state were abolished, and the Cossack leaders became the rulers of their country. A new form of Ukrainian polity was established, and it had all the elements and features of an autonomous state. It had an established territory with fixed boundaries, and its rulers governed with a mandate from their people.

The new state, since it was born of the victory of the Cossack Army over Poland, acquired the name of this army: "The Zaporozhian Army." We should understand that from 1648 this term had two different meanings — (a) the Cossack Host (Army), and (b) the new state established by the Cossacks. But after the 1730's this name was gradually replaced by the term *Malaia Rossiia* or *Malorossiia* (Little Russia).

The Ukrainian people usually called their state *Het'manshchyna* (the state of hetmans), i. e. by the title of their rulers. In this work following the example of other historians, and the students of the history of Ukrainian law, we shall call it the "Hetman Ukraine." The name — the "Zaporozhian Army" is rather ambiguous and misleading, and the term *Malorossiia* which originated in Russia, is rather abstract and artificial.

We have to answer the question: what phase in the historical development of the Ukrainian people was this period? Did Ukraine (or, at least, the part of it which belonged to the *Het'manshchyna*) change the path of its general social development? If before 1648 this country was in the postfeudal period of hereditary social classes

— the social structure of most European countries of that time — is it possible to say that Cossack Ukraine remained in this phase of its development after it became the Cossack state?

Most of the early modern historians of Ukraine talk about the "Revolution of 1648," or the "social revolution in Ukraine," or about the "destruction by the Cossacks of the whole social structure of the previous period." Very often they have transferred into that period the problems and aspirations of their own time. The populist and socialist intelligentsia of the second half of the nineteenth century and the first decades of the twentieth century believed in social revolution. As a result the Ukrainian historiography of that period saw such social revolution in the past, especially in the middle of the seventeenth century when, in their opinion, the revolution had taken place, but the Ukrainian masses lost its achievements later when the new Ukrainian nobility betrayed the interests of its people.

These views were not correct. If we accept them, we have to regard the state of Ukrainian hetmans in the seventeenth century as a unique example in the history of European nations. In fact the historical development of the Ukrainian people and of Hetman Ukraine, even if they had very peculiar and specific forms, were not an exception from the general historical development of European peoples.

The victory of 1648 indeed brought changes into the social structure and social relations in central and eastern Ukraine. But, while acknowledging these changes, we nevertheless should not say that they ended the previous period and brought a new and different stage of social development. After 1648 Hetman Ukraine continued to be a country with a relatively stable web of hereditary classes; relations among these classes were the most important and decisive feature of its social organization. But these relations acquired somewhat different forms from the previous period. While the social structure of Hetman Ukraine was not completely different from the socio-political structure of other European countries, and her historical development, in general, went in a similar direction, the actual forms of Ukrainian social divisions and class relations were in many aspects quite distinctive.

We also have to stress the importance of the establishment of a fullfledged Ukrainian state. Without it the Revolution of 1648 would have been just a rebellion, a *Jacquerie*, and could not have established a new form of class-divided society.

CHAPTER 2

LEGAL STATUS OF THE UKRAINIAN STATE

From the year 1648 to 1654 central and eastern Ukraine led and ruled by Hetman Bohdan Khmelnytsky was an independent polity. Nominally, in periods of peace with Poland, it recognized the sovereignty of the Polish King. However, most of the time Ukraine was in a state of war with Poland, and often was allied with states hostile to Poland. The other European countries, recognizing the sovereignty of the Ukrainian Government, sent to it their diplomatic missions and concluded agreements with it. But the long struggle against Poland was too difficult for the young Ukrainian state. It tried to find an ally and protector, and in 1654 found it in Moscow.

On January 8, 1654 the alliance with Russia (or with Muscovy, as other peoples called the Russian state of the seventeenth century) was approved by the General Assembly (*General'na Rada*) of the Ukrainian Cossack Army in the city of Pereiaslav. At that time no written agreement was concluded. But from the start Moscow tried to place Ukraine in a position of dependency. When the Ukrainian Government, represented by its Hetman and higher officials swore allegiance to its new ally, the representatives of the Russian Tsar refused to reciprocate and only promised that the Tsar would defend the Zaporozhian Army and protect and preserve its rights and privileges. A little later a written treaty between Russia and Ukraine was concluded in Moscow in March 1654 by the representatives of both contracting parties (the Ukrainian Government was represented by Chief Justice Samiilo Bohdaniv and the Colonel of the Pereiaslav Regiment Paul Teteria). We have two versions of this treaty. The first has eleven articles and the second has twenty-three. Later at the meeting of the General Cossack Assembly in 1659 in Pereiaslav convoked for the election of Yurii (George) Khmelnytsky, the representatives of Russia presented still another version of the Treaty of 1654. This time it had fourteen articles. The Ukrainian Government, evidently had not preserved this document and could not verify the correctness of its text.

The Treaty of 1654 (it, as well as subsequent treaties concluded by the Ukrainian Hetmans with the Russian state, usually was called the "Articles" or the "Hetman Articles") was composed in the form of a request of Ukraine to preserve her rights and privileges, and

the confirmation of these rights by the Russian Tsar. Yet in essence it was a treaty between the two states.

The provisions of the 1654 Treaty were far from perfect. Some of its parts were not arranged in a satisfactory system, some of them were concerned with problems of little importance and, on the other hand, some highly important problems were not mentioned. In the Treaty of 1654 (as well as in the "articles" of the later time) we can note two principally different aspects. The Treaty was an act of the international alliance of the two states, but it was also a constitutional charter *sui generis* which shaped the governmental system of the Ukrainian state.

Under the Treaty the Ukrainian state became dependent on and protected by the Muscovite Tsar. The latter promised that the Ukrainian state would be governed according to its former laws and privileges as well as the rules established by the Treaty. Ukraine preserved its right to carry on foreign relations with other states; but some of them (relations with Poland and Turkey) had to be controlled by Russia. Ukraine had to pay tribute to the Tsar. The state had to be ruled by a Hetman elected for his lifetime, and was to enjoy full internal autonomy. The Ukrainian separate court system was to be preserved. In Article 17 (of the version of twenty-three articles) the Moscow Government acknowledged that the field of Ukrainian internal policy did not belong to its jurisdiction. Some parts (articles 2, 3, 4, and 7) promised to preserve the rights and privileges of the different hereditary classes of Ukraine: such as the Cossacks, noblemen (*shliakhta*), and townspeople. Subsequent articles established the size (60,000) of the Cossack Army, assigned the Chyhyryn (Chigirin) district's public land for the support of the Hetman and his court, guaranteed free election of his successors, and promised to preserve the rights and privileges of the Ukrainian clergy. Articles 19 and 20 obliged the Russian Government to send its armed forces toward the fortress of Smolensk and to keep its military units along the Polish border. Article 23 concerned the upkeep of Kodak, a Ukrainian fortress in the lower Dnieper Valley. We have also to mention that in 1654 the representatives of the Russian Tsar came to Ukraine and administered to the Ukrainian population the oaths of allegiance.

The legal character of the Treaty is a controversial problem. Basil Sergeevich, an outstanding historian of Russian law, regarded this treaty to be an act of personal union, i. e., in his opinion, Ukraine

and Russia had a common monarch and in all other aspects remained completely separate independent states. But Sergeevich's opponents noted that the Ukrainian state had its own ruler — the Hetman — and that the conception of the personal union did not explain his position. The opinion of Sergeevich was shared by Rostyslav Lashchenko, a professor of the Ukrainian Free University in Prague in the 1920's. In his opinion the Treaty of 1654 preserved the independence of Ukraine and its Hetman acknowledged only the "moral authority" of the Russian Tsar. But the introduction of the "moral authority" problem does nothing for the proper evaluation of the politico-legal relations established by the Treaty of 1654. Professor Andrew Yakovliv, a well-known historian of Ukrainian law, however, justifiably remarked that the concept of personal union implied equality between the parties, while the Treaty of 1654 declared the superiority of the Russian Tsar.

Michael D'iakonov, of the Russian Academy of Sciences, and Alexander Popov, an Ukrainian scholar, thought that the Treaty of 1654 established a real union — a closer union than a personal union. But the Treaty of 1654 did not establish joint organs of government. Other scholars, Boris Nolde, I. Rozenfeld, Dmitrii Odinets, and Benedict Miakotin, denied the statehood of Ukraine after 1654. Yet in fact, all the elements of the full-fledged state organization continued to exist in Hetman Ukraine.

In our time more scholars support the view that the Treaty of 1654 established a form of vassalage. This view was shared by the members of the Ukrainian Academy of Sciences Michael Hrushevsky and Michael Slabchenko as well as by Professor Nicholas Korkunov, an outstanding student of Russian law. We also had the opportunity to support this position. Very close to this view is the position of Ukrainian scholars Andrew Yakovliv and Viacheslav Lypynsky who thought that the relations established in 1654 were a form of protectorate, or the view of Dr. Bohdan Halaichuk, an Argentine-Ukrainian scholar, who regards this alliance to be a special form of international relations — the pseudoprotectorate. Vassalage and protectorate are rather similar forms of inter-state relations in international law. Vassalage, especially, was a widespread form of international relations in the period which we are describing in this work. It is true that the relations between a vassal and his suzerain were a special feature of the feudal period reflecting the division of European political system in a pyramid of the

greater and smaller rulers. The emergence of a unified and centralized state — with a web of hereditary classes — had profoundly changed these relations. Some forms of the old social relations very often had been preserved for some time in the new society. Thus the changed vassalage in the new postfeudal period became only the form of uneven (and transitory) international alliance between two (or among several) states. George Jellinek had this in mind when he wrote: "Under this name we know a special politico-legal form of inter-state unions. A sovereign state controls the dependent states which are independent in their internal policies within limits established by the sovereign State, but the sphere of their international activities is limited, due to their dependent position. They are obliged to give military or economic assistance to their suzerain (for example, to pay tribute). There are many different forms of this type of political dependence."

The form of vassal-suzerain relations between two (or several) states was quite widespread in the seventeenth century. For instance, relations between Turkey and Rumanian principalities (Wallachia, Moldavia), Transylvania as well as with the Crimean Khanate were organized in this way, likewise the relations between Poland and Brandenburg, etc. Vassalage presupposes the acknowledgement by a vassal state of its dependence on the suzerain and some limitations of its independence — in foreign relations or economic policy (tribute payments) and sometimes the suzerain even controls aspects of the internal affairs of the vassal. Very often, as Professor Andrew Yakovliv stated, vassalage was just a nominal form of dependence. The historical events after 1654 show that Bohdan Khmelnytsky interpreted the Treaty of 1654 just as a form of such nominal dependence.

Those scholars who interpret the acts of 1654 as the complete incorporation of Ukraine into Russia usually deny the vassalage of Ukraine because under this form alliance and dependence only the ruler of the vassal state swears his allegiance to the suzerain, when, in fact, the whole population of Hetman Ukraine swore an oath of allegiance to the Russian Tsar. In our opinion, this rejection of vassalage is based on a fact of minor significance. Some of the outstanding theoreticians of international and constitutional law (for instance the same George Jellinek) admit the possibility of an oath of allegiance to the suzerain by the population of the vassal state. Professor Bohdan Halaichuk advanced an interesting explanation

of this oath of the Ukrainian population in 1654. He thinks that the Moscov Government regarded the Hetman Ukraine to be a polity based, in a measure, on direct democracy. Under such conditions the oath of the Hetman was not sufficient; it had to be supplemented by the oath of the people as possible participants in the decisions concerning the most important problems of the Ukrainian state and its relations with Russia.

As we have noted before, Hetman Bohdan Khmelnytsky regarded the Treaty of 1654 as an act establishing rather nominal dependence. It suffices to mention his subsequent alliances with Turkey and Transylvania and, especially, with Sweden which at that time was at war with Russia. The situation changed after Bohdan Khmelnytsky's death in 1654 and, especially during the subsequent internal struggle which weakened the Ukrainian state. Consequently, its relations with Russia became a form of real dependence, leading to Russian interference in the domestic affairs of Hetman Ukraine. The subsequent treaties with Russia, so-called "Hetman Articles," concluded by Bohdan Khmelnytsky's successors, reflect this situation. We can mention George Khmelnytsky's articles of 1654, Ivan Brukhovetsky's articles of 1663 and 1665, the "Hlukhiv Articles" concluded by Hetman Demian Mnohohrshnyi in 1669, Ivan Samoilo-vych's articles of 1672 and 1674, Ivan Mazepa's treaty of 1687 concluded in the Kolomak Valley, Ivan Skoropadsky's articles of 1709 and the "Decisive Points" granted to Hetman Daniel Apostol in 1728.

We have also to mention the Treaty of Hadiach (Gadiach, Hadyziacz) in 1658 with Poland which represented an effort to break away from Russia and to return to union with Poland, this time as an equal partner of a federal commonwealth. The Treaty of Hadiach had aimed at establishing a real union of Poland, the Belorussian (White-Ruthenian) and Lithuanian state (the Grand Duchy of Lithuania), and Ukraine; the last had to be called the "Grand Duchy of Ruthenia." There was to be a joint Diet and Senate of the Commonwealth; and the Polish King was to be also the Grand Duke of Lithuania as well as the Grand Duke of Ruthenia. The expanded federation was to conduct a common foreign policy. In other aspects each part was to preserve its own statehood. In particular the Grand Duchy of Ruthenia was to be ruled by its Hetman who was to be elected by the representatives of the hereditary classes of the Kiev, Bratslav and Chernihiv (Chernigov) provinces — the component parts of the Grand Duchy of Ruthenia.

But the Hadiach Treaty was not implemented. It was not easy for Poland to accept Ukraine as her equal partner. Most of the Ukrainians, on the other hand, remembering the religious and national intolerance of the Poles in the pre-revolutionary period, opposed the restoration of a union with Poland.

CHAPTER 3

THE RUSSIAN STATE OF THE SEVENTEENTH CENTURY

We cannot understand the constitutional and socio-political system of Hetman Ukraine, and its development if we ignore the fact that the Ukrainian state was a vassal of Russia and that its dependence on Russia increased each year. The development of its constitutional and socio-political system was more and more influenced by the forms of Russian government and had to adjust to them and to conform with them.

The Russian (or Muscovite) state of the seventeenth century was a society of hereditary classes. Its socio-political relations — the centralization of government, the division of society into hereditary social groups and the enserfed peasantry as a lower social group — were quite similar to those in most other European societies of that time. But in the general frame of this type of social relations very important variations were possible. The Russian feudalism of the twelfth to fourteenth centuries, in common with feudalism in other countries, was characterized by the utmost division of governmental powers. But here it had special characteristics. In each Russian principality the power of local princes clearly prevailed over other organs of government. Russian counterparts of the noisy popular assemblies of Great Novgorod and Belorussian feudal principalities and the influential noble *Boiar* Council of Ukrainian lands played a secondary role. Their importance diminished, and meetings were infrequent. In the unification of sections of Russia into a centralized national organization the strength of the monarchs, untypical of feudalism, played a significant role.

The further development of this Russian state soon led to the establishment of the absolute power of the Russian monarch. It should be mentioned that from the middle of the sixteenth century this monarch, whose previous title was "the great (or grand) prince," assumed the title of the *Tsar*, which was derived from the Latin

Caesar. He clearly had the first and most influential place in the Russian government and was the real bearer of state power. The Tsar was the supreme legislator, governor, and judge. He also was the supreme commander of the Russian armed forces. The church organization was dependent on him and Patriarch Nikon's well-known efforts to free the Russian Church from this dependence and subservience were not successful.

Not all the tsars, however, were able to exercise this absolute power. Fedor Ivanovich (the last tsar of the Riurik dynasty) and Michael Fedorovich and Alexis Mikhailovich (the first tsars of the Romanov dynasty) were not able to play this role. They were assisted by the *Boiarskaia Duma* (Council of Boyars, privy council), a standing organ of central government. As in other countries this organ developed in the preceding period from the council of feudal barons and higher officials of the realm. In the seventeenth century it was transformed into an upper parliamentary chamber; it consisted of the statesmen who were appointed by the Tsar, mostly from the upper layer of the Russian nobility. The jurisdiction and authority of the Council of Boyars paralleled that of the Tsar. Its meetings were regular; quite often they were presided over by the Tsar himself. The standard formula of Russian legislation, "The *Gosudar* (sovereign) has commanded and the boyars have resolved" shows the role and influence of this institution.

During the sessions of the *Zemskii Sobor* (Assembly of the Land, the states-general) the Council of the Boyars assumed the functions of an upper chamber of a parliamentary deliberative organization. The *Zemskii Sobor* in the Russian state of the sixteenth and seventeenth centuries was a representative assembly of the hereditary classes which from time to time was convoked for the discussion and solution of the most important problems of government — the problems of war and peace, the imposition of taxes and current legislation. It differed somewhat from the similar representative bodies of other realms. Whereas in most European countries the representation was that of three or four major hereditary classes, the Russian *Zemskii Sobor* included also the representatives of the smaller social groups. The formation of the larger social classes (estates) was somewhat retarded here: in the *Zemskii Sobor* were representatives of the Russian *dvorianstvo* (nobility), several groups of the townspeople, and the intermediate groups which were not able to join the ranks of the hereditary nobility (for instance, the

strel'tsy — the "riflemen," and the Cossacks) and even some peasants (freemen established on the crown lands).

Whereas the differences of the *Zemskii Sobor* and the Council of Boyars from the similar organ of other countries of that time were not very significant, the Russian *prikazy* (governmental agencies) were very important and specialized organs of central government. They were the organs of administration and justice as well as the agencies for the management of governmental estates and enterprises. There were about fifty or sixty such agencies, (with changing names, some short-lived) usually headed by a member of the Council of Boyars. He was assisted by two or more *d'iaki* (secretaries). The clerical work was performed by the great number of *pod'iachie* (clerk-secretaries).

Students of the Muscovite governmental system have stressed the lack of a clear-cut delimitation, and the often overlapping functions among the *prikazy*, and also their notorious red tape. Now it is clear that the lack of delimitation of functions can be explained by the origin of these agencies. Most of them were established without any forethought, as a result of reforms carried out by rulers for various reasons and at different times. The lack of delimitation was certainly a deficiency. But a far more important feature was the complete control by the *prikazy* over the whole population, which made it possible to direct all the human and material resources toward the attainment of the Russian state's aims and objectives. In this respect it was a unique organization quite different from the governmental system of other European states with their comparatively small number of officials and minimal number of institutions (often just two central offices, one for general and foreign affairs, a second for the state revenues).

The population of the seventeenth century Russian state was divided into large hereditary social classes but there were still some remnants of the numerous lesser groups of the feudal period. Some of them existed as the subdivisions of the principal classes, others preserved their separate although precarious positions. The consolidation of feudal social groups was most complete in their upper layer. It is well-known that Russian feudalism was a less developed socio-political system in comparison with its West European counterparts, especially in regard to the position of local feudal rulers and great landowners. The feudal group of Russian princes and boyars was similar to the group of West European dukes, counts and ba-

rons but it was more dependent on the central government (Grand Duke, later Tsar) than it was in Western Europe. As in Western Europe, the destruction of the feudal social organization was connected with the struggle of this upper group against the rising power of central government, which tried to eliminate feudal divisions in the governmental system. In the middle of the sixteenth century, during the reign of Ivan the Terrible, this struggle led to the elimination of a great number of princes and boyars. Consequently, the remaining princes and boyars after Ivan the Terrible's period lost their status as a separate privileged social group and their titles were preserved for the persons of noble origin who were members of the Council of Boyars. Those who did not serve in this institution joined the large new hereditary class of the *dvorianstvo* (gentry or lower nobility). They preserved their titles but lost their special privileges. Now the descendants of the old feudal group including princes became virtually the servants of the Tsar as his *stol'niki* (stewards), *koniushie* (equerries), *sokol'nicie* (falconers), etc.

The *dvoriane*, the new hereditary class of the Russian nobility, became the upper social group. This class preserved some of its subdivisions of the preceding period. The Muscovite *dvoriane* were its upper layer; many descendants of the princes and boyars joined this group. *Droviane gorodovye* (the urban or town *dvoriane*) had a lower position. At the bottom were *uezdnye dvoriane* (the county *dvoriane*). Each *dvorianin* possessed a landed estate granted to him under the condition of his service to the realm. The estates were distributed by the Tsar's *Pomestnyi Prikaz* (the landed estate agency) which, through the local administrative organs, strictly and consistently controlled each *dvorianin*'s service and distributed the landed estates according to the extent and significance of his service. The *dvorianin* was only a sort of conditional owner of an estate and had to perform constant and sometimes difficult commissions and assignments for the realm. In case of unsatisfactory service he could be severely punished. Russian historiography was right when it talked about "the enserfment of all the classes of Russian society" in the seventeenth century.

Strel'tsy (riflemen), *pushkari* (artillerymen), *reitary* (cavalrymen), and some other similar groups were the categories of population who did not succeed in joining the ranks of the *dvorianstvo*. During the seventeenth century we see the decline in their number

and gradual abolition of most of these groups. The largest group, the *strel'tsy*, was wiped out by Peter I after their unsuccessful revolt against him.

The Russian townspeople (*posadskie liudi*) were also divided into several subdivisions. The Russian towns were not strong and powerful commercial and industrial centers as were the cities of Western Europe, which later on became embryos of the new social order. The weakness and slow development of the Russian towns, and the strength of the Tsar's government, precluded their development of strong roles. As a result the adoption of German-originated system of Magdeburg laws based on extensive town self-government stopped at the eastern borders of Ukraine and Belorussia.

The Russian peasantry was enserfed in the late sixteenth and the early seventeenth century. There were also preserved some elements of slavery — the categories of the *kholopy* (slaves) and *kabal'nye liudi* (persons in temporary bondage till the payments of their debts). The difficult situation of the peasantry and slaves led to their frequent escapes abroad. In these cases the Russian government tried to catch them and force them to return. Demands to force the escaped Russian serfs and peasants to return to their country were included in several of the Hetman Articles — the Ukrainian treaties with the Russian realm. Quite often the peasants and slaves were able to escape to the unpopulated areas of the Russian borderlands which were not controlled by the Muscovite government. In the Don and Ural (Yaik) Valleys the refugees established the Don and Yaik Cossack organizations similar to those of the Ukrainian south. Formally they were dependent on Russia but in fact they enjoyed wide-ranging self-government.

In general seventeenth century Russia was a strong monarchy and was composed of several hereditary classes (estates). The "enserfment" of all the classes of society was its distinctive feature. The strictly centralized apparatus of the *prikazy* made possible rigid control of material and human resources and, with great success, used them for the achievement of the Russian state's aims and objectives. First it achieved the complete unification of the Russian people in a strong state. After that it proceeded to conquer and annex the lands of neighbouring peoples. The incorporation of its south western neighbour — Ukraine, also started in the seventeenth century but was completed much later at the end of the eighteenth century.

CHAPTER 4

RELATIONS BETWEEN THE UKRAINIAN STATE AND THE RUSSIAN GOVERNMENT IN THE SEVENTEENTH CENTURY

The foreign relations of the seventeenth century Russian state were conducted by one of its organs of central government — the *Posol'skii Prikaz* (agency of legations or foreign affairs). The European states of the seventeenth century had just begun to assign their permanent representatives to the courts and governments of foreign countries, but, the Russian state of the seventeenth century did not have such permanent representatives, and sent its legations and envoys to foreign countries only from time to time. Such legations and envoys were quite often sent to Hetman Ukraine. These envoys received detailed written *nakazy* (instructions) with the prepared texts of their speeches and addresses to the rulers of foreign states as well as detailed directions for their actions and behaviour. The envoys sent their written *otpiski* (reports) to the Agency of Legations and after their return to Moscow had to submit a *stateinyi spisok* (detailed account) on the carrying out of the mission. These materials are a very valuable source of history; they have been preserved in the Moscow Archives of the Ministry of Foreign Affairs.

At first relations with the Ukrainian Government were also managed by the Agency of Legations. But the missions and envoys were sent there so often and the nature of mutual contacts was so special that the Russian Government decided to separate them from the Agency of Legations and carry them out by a special new organ. In 1663 a new body was established — the *Prikaz Malye Rosii* or *Malorossiskii Prikaz* (Agency of Little Russia). In Moscow the name of Ukraine became officially — *Malaia Rossiia* (the Ukrainians usually were called there the *Cherkassy*). The new agency was different from other Muscovite organs which governed some territories that had recently been incorporated into the Russian state such as the *Smolenskii Prikaz* (for Smolens Land), *Sibirskii Prikaz* (for Siberia), *Prikaz Kazanskogo Dvortsa* (for former Khanate of Kazan). It was not possible to directly govern Ukraine from Moscow as long as it had its own governmental organization. Consequently the Agency of Little Russia was a second office for international contacts, alongside the Agency of Legations. Moreover the former was not in a subordinate position to the latter. A long time after its establishment the

Agency of Little Russia was headed by *boiarin* P. Saltykov whose social standing was higher than that of the heads of the Agency of Legations. The subordinate position of his office in relation to an organ administered by persons of lower social status would have been, under the conditions of the Moscow *mestnichestvo* (order of precedence), an unwarrantable debasement.

The Agency of Little Russia had the following functions. The envoys of Hetman Ukraine (the "Zaporozhian Army") were received here, and carried out negotiations with the personnel of the Agency of Little Russia as the representatives of the Russian Government. As long as there were Russian garrisons in several Ukrainian cities their commanders (*voevody*) sent to the Agency of Little Russia their letters, reports and requests. In some cases this agency also received requests directly from the citizens of Ukraine. Often they were in the form of petitions for the issue of the Tsar's letters patent confirming the grants of landed estates bestowed by the Ukrainian Hetmans. The Agency of Little Russia supplied with provisions the Ukrainians imprisoned in or exiled to Moscow. It also acted as a court which examined the offenses of the Ukrainians who violated the Russian laws. Most often these offences were related to the smoking or selling of tobacco. The smoking of tobacco was strictly forbidden in seventeenth-century Russia and the Russian violators were severely punished. The Ukrainian smugglers usually were only exiled from Russia and the smuggled tobacco was confiscated. The Agency of Little Russia invited to Russia and brought from Ukraine master artisans and skilled workers. It also imported Ukrainian editions of religious books and sold them to the Russian people.

Special quarters were established for the Ukrainian envoys in Moscow. They were called the *Malorossiiskii Dvor* (Little-Russian Yard). During the rule of Peter I, the central political institutions of Russia were transferred to the new capital of St. Petersburg, including the Agency of Little Russia. In the 1720's its documentary sources were incorporated into the Central Archives of the Russian Ministry of Foreign Affairs where they have been preserved.

We know far less how the organs of Ukrainian Government dealt with the Ukrainian-Russian relations. Unquestionably there was no special Ukrainian organ for these contacts. The Ukrainian national archives of the seventeenth and eighteenth centuries in Baturyn and later in Hlukhiv (Glukhov) were burned and as a result we have but a few reports of Ukrainian envoys from the ca-

pitals of foreign countries — Moscow, Warsaw, Istanbul, Bakhchisarai, and others. But some of these reports — which for certain reasons were interesting for foreign governments — were preserved in their archives; some others reached the archives of Ukrainian local administrative organs. While trying to find some materials related to Ivan Bykhovets, at first an employee of the Ukrainian General Chancellery and later a noble army fellow (he was the probable author of the famous Ukrainian "Annals of an Eye-witness") we found and published in the 1920's some reports on his missions to foreign countries. Ivan Bykhovets' accounts of his mission to the *taishi* (rulers) of Kalmykia in 1665 as well as of his negotiations with the Khan of Crimea in 1704 prove the existence of such written accounts and reports compiled mostly in the form of *diariushi* (diaries).

CHAPTER 5

TERRITORY OF HETMAN UKRAINE

In the first years of the newly established Ukrainian state its territory did not have strictly determined boundaries. This territory was the largest at the time of Bohdan Khmelnytsky's rule (1648-1657) when the whole central and eastern Ukraine was ruled by a single central government. Its western boundaries were established as a result of the military struggle against Poland along the Horyn' River in Volhynia and in the western Murakhva Valley in Podilia. Consequently the largest part of western Ukraine was not included in the new state. Its eastern boundaries lay along the previous frontier between Poland and Russia and later along the eastern boundaries of the future Chernihiv (Chernigov) and Poltava provinces. The southern boundary line was in the area of Ukrainian settlements in the southern part of present-day Kiev and Poltava provinces (The Uman' Regiment, Poltava Regiment with its settlements in the Orel Valley). Further to the south, as a separate enclave in the lower Dnieper Valley, were the lands of the Zaporozhian Host; they were not however directly governed by Ukrainian hetmans. At first the area of this southern enclave was rather narrow but in the eighteenth century, when the attacks of the Crimean Tatars had stopped, it was enlarged significantly and included the larger parts of the later Ka-

teryunoslav (Yekaterinoslav) and Kherson provinces as well as northern Taurida (i. e. to the north of the Crimean peninsula).

In the north the boundary of the Ukrainian state was advanced far beyond ethnic Ukrainian territory during the rule of Bohdan Khmelnytsky. We have in mind the Belorussian Cossack Regiment which existed from 1655 to 1659, and which recognized the Ukrainian hetman as its suzerain (even if, like the Zaporozhian Host, it was a separate body politic which was dependent on Ukraine). The Belorussian Regiment had its centre in the city of Chausy while its major defensive point was the strong fortress of Staryi Bykhov (Belorussian — Stary Bykhau). This regiment included the larger part of the later province of Mogilev (Mahiliou) and the central part of the province of Minsk. Later we shall describe the politico-legal position of the Belorussian Regiment in a special chapter.

In the northwest the boundaries of Hetman Ukraine briefly included, again on special terms, the Pinsk region in Polisia. In the north the Ukrainian state permanently occupied a small part of the Grand Duchy of Lithuania — the region of Liubech, as well as the large Starodub area which later became the Starodub Regiment. When the Belorussian Regiment was destroyed in 1659 the northern boundary of Hetman Ukraine lay along the northern line of the later province of Chernihiv (Chernigov) to the north of Starodub, Novozybkiv, and Horodnia and to the south of the Prypiat (Prypiats) River.

In 1662 the Ukrainian state was divided into two separate Cossack states — the state of Left-Bank Ukraine (i. e. left of the Dnieper River), a vassal of Russia, and the state of Right-Bank Ukraine, dependent on Poland. The Polish-Russian Peace Treaty of Andrusovo in 1667 consolidated this situation when it established the boundary line between the eastern and western Ukrainian hetmanates along the Dnieper River with a narrow enclave in the west around the city of Kiev (to the Irpin Valley) which belonged to the eastern Ukrainian state (Left-Bank Ukraine). In 1668 a Cossack General Assembly near the city of Oposhnia proclaimed a united and independent Ukrainian state ruled by a single hetman (Peter Doroshenko). But it was a short-lived effort and Ukraine was again divided into the eastern and western parts. The second of them, ruled by Peter Doroshenko, broke away from Poland and accepted the protection of the Turkish Sultan. Plundered and ruined during the Ukrainian "time of troubles" this western organization (i. e. Right-Bank Ukraine)

passed from existence in 1676. Ivan Samoilovych, the Hetman of eastern Ukraine, was proclaimed the ruler of the entire central and eastern Ukraine (i. e. east and west of the Dnieper River) in 1676 but he failed to convince the Russian Government of the necessity to fight against Poland and Turkey for the possession of Right-Bank Ukraine. In the end he moved most of its population to eastern Ukraine (Left-Bank Ukraine). Most of Right-Bank Ukraine for some time remained a "deserted land" in the hands of Turkey and, later, of Poland. In time it was repopulated by the Ukrainian people. But this time a vassal-type Ukrainian state dependent on Poland was not established there. However, some attempts were made to restore such a state in the regions which belonged to Turkey. We can name the "Sarmatian Principality" of 1678-1681 ruled by George Khmelnytsky as a vassal of the Turkish sultan (its centre was the city of Nemyriv) and the region governed by the "Dubossary hetmans" in the eastern Dniester Valley. But these attempts were shortlived and the population of these areas was very small.

In our further study we shall describe mostly the Hetman state in Left-Bank Ukraine (with the Dnieper River as its western boundary), — a state organism with a comparatively long history. The city of Chyhyryn (Chigirin) was the first capital of entire Hetman Ukraine; later it remained the capital city of the western hetmanate. Hadiach (Gadiach) was the capital city of the eastern Ukrainian state from 1663 to 1669. Later its capital was transferred to Baturyn (1669-1708) and, eventually to Hlukhiv (Glukhov) (1709-1781).

The territory of Hetman Ukraine was divided into *polky* (regiments) as the administrative, military, and judicial sub-divisions. In Right-Bank Ukraine there were the regiments of Chyhyryn, Cherkasy, Kaniv, Korsun, Bila Tserkva, Kalnyk (Vinnytsia), Bratslav, Uman, Pavoloch, Ovruch, as well as the Podilian Regiment (with the centre in Mohyliv on the Dniester). These regiments passed from existence in 1676. The ten regiments of the eastern hetmanate had a more permanent character; they lasted from the time of Bohdan Khmelnytsky to the complete incorporation of Hetman Ukraine into Russia. They were the regiments of Chernihiv (Chernigov), Nizhyn, Pryluky, Kiev (with the town of Kozelets as its seat), Lubny, Myrhorod, Pereiaslav, Hadiach, Poltava, and Starodub. The Starodub Regiment was established in 1650; before that the whole Starodub area, annexed from the Grand Duchy of Lithuania, was a part of the Nizhyn Regiment. At that time the governor of the Nizhyn

Regiment was titled the "Colonel of Nizhyn and the whole North." In their turn the Ukrainian "regiments" were divided into smaller territorial units with administrative, military, and judicial functions. They were called *sotni* (hundreds, companies). The regiment's territory was usually divided into several (10-15) *sotni*.

CHAPTER 6

THE POPULATION OF THE HETMAN UKRAINE

SECTION A

ETHNIC STRUCTURE OF THE POPULATION

The rule of the hetmans of the *Zaporozhian Army* did not extend over the whole ethnic territory of the Ukrainian people. The southern boundary of this ethnic territory corresponded with the southern frontiers of Ukrainian settlements in the seventeenth century. The regions to the south of it, which later were organized as the provinces of Kherson and Katerynoslav, and the northern part of the future province of Taurida and, still further to the southeast, the Kuban Valley, which in our time are populated by the Ukrainians — were not at that time settled by the Ukrainian people (with the single exception of the narrow enclave of Ukrainian lands that belonged to the Zaporozhian Host).

Outside the territory of the Hetman state were the large regions of western Ukraine. These areas to the west of the Horyn and Murakhva valleys remained the provinces of the Polish state. The denationalization (Polonization) of the upper classes of West Ukrainian society — the nobility and townspeople — progressed further in these areas. Only the peasants, at that time the serfs of the Polish or Polonized owners of manorial estates, preserved their language and ways of life. Bohdan Khmelnytsky's promise "to drive the Poles away across the Vistula," which, in fact, was a programme for the complete unification of whole Ukraine of his time, went beyond his resources and those of his successors. In the east the boundary of Hetman Ukraine also did not correspond to the ethnic frontier of Ukrainian settlements. In fact, the ethnic Ukrainian boundary lay much farther

to the east and spread over the wide steppes of the Slobodian Ukraine which had recently been colonized by Ukrainian settlers. These ethnic Ukrainian regions had never been ruled by the Ukrainian hetmans and constituted an integral part of the Russian state. We shall later describe their social structure and governmental system.

After the downfall of Hetman rule in Right-Bank Ukraine the territory of the Ukrainian state was limited by the boundaries of the future Chernihiv and Poltava provinces, while the major part of Ukraine remained beyond the limits of this state and outside the rule and influence of its leaders.

Still the programme of the unification of the nation was evidently never forgotten by the hetmans of the Ukrainian state. That can explain Ivan Samoilovych's efforts to retain rule over the whole central and eastern Ukraine even after the division of Ukrainian lands was proclaimed by the Andrusovo Treaty between Russia and Poland in 1667. That can also explain Hetman Ivan Mazepa's attempts, against the Russian Government's explicit orders, to incorporate into his state the regions of Right-Bank Ukraine which were repopulated and where the Cossack organization, under the rule of their own colonels, was temporarily restored. These plans and efforts failed as a result of an unfavourable political situation and insufficient military strength.

While the Ukrainian state of the seventeenth to eighteenth centuries could not unite in its boundaries all the regions populated by the Ukrainians, it nevertheless included some parts and areas with a non-Ukrainian population. Among these was the above-mentioned Belorussian Cossack Regiment, which existed during a short period (1655-1659) and was not directly ruled by the organs of the Ukrainian Government. Another, though comparatively small Belorussian territory, was included into Hetman Ukraine as its integral part; this was the large part of the Starodub region and the northern parts of the future province of Chernihiv. These areas still preserve their Belorussian nature. Before the establishment of the Hetman State they belonged to the Grand Duchy of Lithuania; some of these regions were later united in the Starodub Regiment. Ukrainian historiography has never completely understood the special nature of these regions. Surely, the ethnic structure of the population was different here. The ethnic variance resulted in some centrifugal tendencies; such as the attempt of P. Roslavets, the Colonel of the Starodub Regiment, to break away from Hetman Ukraine. Later the upper

classes of this ethnically Belorussian region actively participated in the socio-political affairs of Hetman Ukraine. However, this region was incorporated into Hetman Ukraine from the Grand Duchy of Lithuania's Belorussian ethnic lands. They had not participated in the Cossack struggle of the preceding period against Poland. In fact, in the earlier period there were no Cossacks and no Cossack organizations here. The Cossack organization was established only after the incorporation of these regions into the Ukrainian state. This new Cossack organization always exhibited special features. The area of the Starodub Regiment was the place where the old social relations of the Polish-Lithuanian period remained in many aspects intact. Consequently, when Hetman Ukraine began the restoration of a social system based on hereditary classes, this region very much influenced the process and determined its forms.

Among other non-Ukrainian elements we can mention the settlements of Russian refugees from religious persecution. We have in mind the "Old Believers" and their villages (*posady*) in the Belorussian north of Hetman Ukraine. They opposed their former rulers and therefore remained the loyal citizens of the Hetman State. It is not possible to find a single case of a revolt or a conspiracy of these refugees against the Ukrainian Government, or for that matter of their effort to look for the assistance of the Russian state. Among the ethnically non-Ukrainian elements of the population we should also name the Tatar war prisoners from the Crimea — those who wished to settle in Ukraine had to accept Christianity. Most of them quickly adopted the Ukrainian way of life. The regiments of mercenaries (*kompaniis'ki polky*) often included many foreigners. At first these regiments were the remainders of the Belorussian military units which retreated into Ukraine after the defeat of the Belorussian Cossacks (the units of Murashka, Konstantinov, and others). Later we find in these regiments many Serbians and Rumanians. There were only a few Germans, although Germans were the principal foreign mercenaries in the armed forces of Russia and Poland (as in many other European countries). As a rule, service in such regiments of the Ukrainian Hetman was for these foreign elements just a transitory stage; later many of them married Ukrainian women and settled in one of the administrative regions of the Ukrainian state entering, at the same time, one of its hereditary social groups. Some of them joined the ranks of the Ukrainian upper class and sometimes even played an outstanding role in Ukrainian

public affairs (for instance, Colonel Voitsa Serbin and noble army fellow Panteleimon Radich were émigrés from Serbia; Judge General Basil Kochubei was of Tatar origin, Daniel Apostol, a hetman in the eighteenth century, was of Rumanian origin, and Philip Orlyk, the Ukrainian hetman in exile after the defeat of Ivan Mazepa, came to Ukraine from the Vilna region in Belorussia, etc.). Members of the Jewish people could become Ukrainian citizens if they were baptized and adopted Christianity. Some of them did just that and the descendants of Hertsyks, Markovychs, and Kryzhanivskys held the leading posts in the Ukrainian state (Nastia Markovych was hetman Ivan Skoropadsky's wife and was known for her energy and influence). In general, however, Hetman Ukraine was a state populated predominantly by Ukrainians, and did not practice legal discrimination based on the ethnic origin of its citizens.

But religious denominations were not treated equally. The seventeenth to eighteenth century was not a time of religious tolerance. It did not exist in Ukraine, especially as the establishment of the Ukrainian state was a result of a religious as well as a national struggle. As a rule the population had to belong to the Eastern Orthodox Church. Members of the ethnic groups who belonged to a non-Christian church (the Jews or Moslems) could live in Hetman Ukraine only after they were baptized. The Catholics (of "Latin" i. e. Roman as well as Eastern rites) were not permitted to reside in Ukraine. Especially, the Catholic Church of the Eastern Rite was prohibited in Hetman Ukraine by special treaties, among them the Hadiach Treaty with Poland in 1658. An exception to the strict rules against other churches was a tolerant attitude to the above-mentioned Russian "Old Believers" who found in Hetman Ukraine an asylum protecting them from persecution in their own country.

SECTION B

DIVISION OF THE POPULATION INTO SOCIAL ESTATES THE NOBILITY (SHLIAKHTA)

The middle of the seventeenth century, when the new Ukrainian state was established, was a period characterized by the existence of hereditary estates or classes in Europe. Such a social structure existed in Western as well as in Eastern Europe: France, Italy, Spain,

the German states, Bohemia, etc. It was not abolished by the English Revolution. The population was also divided into hereditary classes in Ukraine's neighbouring countries: Poland, Belorussia-Lithuania, Russia, as well as in Turkey and the Crimea.

Could the Ukrainian state organization of that time reject this form of social relations? It seems that the Ukrainian state could not be an exception to the general rule. However, the populist Ukrainian historiography of the second half of the nineteenth and early twentieth century disagreed with this position. For its representatives Ukraine became a "democratic republic" in the middle of the seventeenth century when the division into hereditary classes and the former socio-economic relations were abolished (D. Miller). A new system was established of "free work on a free land" (A. Efimenko). And, they said, only later in an offensive of the Cossack nobility against its own people this order of democracy and equality in government, and justice as well as freedom in socio-economic relations was destroyed. In their opinion the Cossack nobility won and it established a new system of social inequality — serfdom and exploitation of peasants, and the violation of the political rights of the Cossacks.

It is clear that these scholars conveyed their own beliefs in social revolution — which they anticipated to come in their own time — into the past of the Ukrainian people. We cannot condemn them. Their wishes and expectations were the expression of their noble and lofty beliefs. But for us these views no longer hold true. When we state that the life of the seventeenth century was not organized, let us say, in a socialist system and when we find there a system of social inequality, it does not mean that we have to praise and justify these conditions. It means only that we should not use the criteria of our time in the evaluation of the former historical periods and that we should not base our judgement on our own socio-political views or prejudices. In opposition to the populist views we endeavour to present Hetman Ukraine as a social organism of its own time. It was a socio-political governmental form of a past stage in the historical development of the nations. The presentation of Ukraine of the middle seventeenth century as a "democratic republic" and "classless society" (not divided into classes and hereditary social groups) is a legend. These classes continued to exist and only the forms of their organization and structure were changed during and after the Revolution of 1648.

The *shliakhta*, the upper social class of Ukraine when it was a part of Poland, did not disappear after the victory of the Ukrainian Revolution in 1648. The position of the old Ukrainian historiography, which, as we had already mentioned, wished to see in the events of 1648-1654 the victory of a social movement directed toward the revolution and change of previous social relations, has to be revised and corrected, especially in consideration of the works of the Ukrainian historian Viacheslav Lypynsky. He proved convincingly that a significant part of the new Ukrainian governmental apparatus as well as the army command was in the hands of the Ukrainian *shliakhta* that joined the Ukrainian Cossacks, evidently for the struggle for national liberation of Ukraine, and not a movement directed against their own social interests. These were the best members of the upper class who could not renounce and forget their own people. Lypynsky's works showed, among the heroes and outstanding leaders of the national struggle in 1648 and following years, such members of the Ukrainian *shliakhta* as secretary-general (and later hetman) Ivan Vyhovsky and his brothers, Paul Teteria, the colonel of the Pereiaslav Regiment (and the hetman in the 1660's), Daniel Nechai, the colonel of the Bratslav Regiment and the hero of several Cossack songs, his brother Ivan Nechai, the leader of the Belorussian Cossacks, the colonel Mrozovytsky (called *Morozenko* in a popular Cossack song). Others were Samiilo Bohdanovych-Zarudnyi, the judge-general of Ukraine who participated in the negotiations of 1654 with the Russian Government, Ivan Kovalevsky, the chief aid-de-camp, and the hundreds of others who participated in the Ukrainian liberation struggle and loyally served their country. Some of them gave their lives for their people. Now we know that these men were the backbone of the new governmental apparatus which helped to organize a state capable of competing with its rivals and defending itself against its enemies.

In the first years after 1648 members of the Ukrainian *shliakhta* continued to regard themselves as the upper social group. It was shown by the fact that during the negotiations of 1654 in Pereiaslav the representatives of the *shliakhta* came to the Russian envoy, *boiarin* V. Buturlin, and conferred with him about the preservation of their rights and privileges. As we have already mentioned, the leading members of the Ukrainian legation to Moscow in March 1654, Colonel P. Teteria and Judge-General S. Bohdanovych-Zarudnyi, were members of the *shliakhta*; they demanded and received

from the Russian government a special confirmation of the Ukrainian *shliakhtha's* old rights and privileges.

On the other hand the Revolution of 1648 shook the foundation of these privileges and the members of the Ukrainian *shliakhtha* who preserved their landed estates at first lost their right to the unpaid labour of the peasants on their lands. But the very fact that a member of the *shliakhtha* preserved his estate ensured the continuity of his privileged social position as a man in the service of the new state. In a document issued on June 24, 1657 we read that Hetman Bohdan Khmelnytsky confirmed the title to the landed estates near Chernihiv of a Ukrainian *shliakhtych*, Lucas Nosachovych. "His estate obligated him to serve in the (Polish state's) cavalry" stated the letter patent, and "now he has to serve in our army." Such an act shows us that Lucas Nosachovych preserved the social position which he had under the rule of Poland. Only his previous right to the unpaid labour of his peasants was as yet not restored to him.

The restoration, to a degree, of previous social relations was most clearly revealed in those parts of Hetman Ukraine where these relations were the least shaken, as in the northern regions of the new state. According to a letter of Hetman D. Mnohohrshnyi in 1670 the *shliakhtha* of Liubech district "from the beginning of this war [i. e. — from the Revolution of 1648] fought for the common cause of our people," and served the new state as they had served before in Poland. Each of them had "to serve according to the old rules in the army during military campaigns or to send a Cossack with a good horse and equipment." The large number of the *shliakhtha* who served in the Cossack Army and preserved their estates resided in the ethnically Belorussian area of Starodub. Here these men as the documentary materials of the archives of Chernihiv prove — were reinforced by the immigrants of noble origin from Belorussia.

We could expect that when this upper hereditary class later regained the right to the unpaid labour of peasants it would re-establish itself in the same form as it was in Poland. But the *shliakhtha* in Hetman Ukraine was rather small. A social group which aspires to become the upper class must gain not only a privileged economic position, but also at the same time must satisfy the needs of society by providing leaders, military commanders and government officials. A stable society cannot base its social system only on the social and economic privileges of its upper groups; the social system must function and serve the whole society. As far as the Ukrainian

state of the seventeenth century had proved its vitality it should be assumed that its social system was stable and strong enough to take care of its military, political, and economic objectives and problems for a relatively prolonged period of time. In this system *shliakhta* continued to exist as a part of the new upper class of the Ukrainian state, but its members seldom displayed their affiliation with their old group; more often this affiliation was not mentioned at all. Only in the late eighteenth century, when the Ukrainian upper class was joining the ranks of the Russian *dvorianstvo* (nobility), and when the Russian Government required full evidence of "noble position," many families in the north of former Hetman Ukraine opened the drawers with the old yellowed documents that showed their belonging in the past to the *shliakhta* class in Poland or Belorussia. But during the existence of the Ukrainian Hetman State these documents were hidden in the old drawers because in this state the "noble army fellows" (notable military fellows — *znatni viis'kovi tovaryshi*) became the new upper social group and members of the *shliakhta* tried to join their ranks.

SECTION C

THE NOBLE ARMY FELLOWS

The old Ukrainian *shliakhta* did not become the upper hereditary class of the Ukrainian state. At first it seemed that the Cossacks, as a group which created that state in Bohdan Khmelnytsky's time, were destined to become such a new upper social group. While the *shliakhta* was too small as a group for this goal and position, the Cossacks, on the other hand, were far too numerous. This resulted from changes in the nature of the Cossack group before, during, and after Bohdan Khmelnytsky's wars. Before Bohdan Khmelnytsky's uprising there were comparatively few registered Cossacks. During the uprising many thousands of Ukrainian peasants joined the Cossack Army. After Bohdan Khmelnytsky's death many of them returned to their former social position but a great number of the former peasants remained in the Cossack ranks.

In the countries with the social system of hereditary classes the military commanders and governors were usually recruited from the upper class. Such an upper hereditary class was sustained by the

landed holdings which its members received on the basis of feudal (but not as strict as before) conditional possession of land. This land-tenure was connected with military service at home and participation in military campaigns. The peasants who lived on these estates belonged to the members of the upper hereditary class as their serfs. The Ukrainian Cossacks could not become such an upper group. We speculate that it could have happened if the registered Cossacks, after seizing power in 1648, had replaced the Polonized groups of the *shliakhtha* and had become the upper hereditary class assuming the *shliakhtha's* privileges as well as its duties. But it did not happen and the Cossacks in the post-Khmelytsky era were too numerous and too weak from the economic point of view. A peasant who fought as a Cossack in Bohdan Khmelytsky's time in most case had only a single wish, to return to his village homestead. He benefited from the fact that his homestead land did not belong to his master anymore but he could not and often did not wish to completely replace his former master. The long absence from work for military service would have been possible only if he had the personnel who would cultivate his land, i. e. if he had serfs. This was impossible for most of the Cossacks.

But what had not been achieved by most of the Cossacks was accomplished by some of them. These men, in time, became members of the new upper class. Evidently they were the most prosperous among the Cossacks; otherwise they could not provide their farms with labour during the long military campaigns or during the execution of some administrative or judicial functions. It is also possible that they were the most capable of carrying out these military and administrative functions, by their cultural level, energy, special interest in work, and, finally, by their readiness to shed their blood for their country. In expressing this opinion, we differ from the populist historiography which regarded the historical development of Hetman Ukraine as a vicious process in which the upper social groups worked against their own people. We cannot forget that in the seventeenth century these upper groups bore the burden of the establishment and support of the new Ukrainian state.

The most prominent Cossacks were rewarded by the hetmans for their work for the "Zaporozhian Army" by landed estates on the temporary basis "as long as the army needs them" and as long as they continued to serve it. Later we find in the hetmans' letters patent the notes that the peasants who resided on these estates had

to carry out "habitual services" to the landowner. At first these services were of short duration, but later they became permanent; in the middle of the eighteenth century the peasants lost their right to leave the estate. The circle was closed and basic social relations in Hetman Ukraine became again the relations between the landlord and his serf; as they were in other European countries of that time.

This process of social differentiation developed slowly over many decades. But this development went with inexorable consistency. Its characteristic features were not the examples of violence and suppression which the historians found in the archives of Ukrainian courts and administrative offices, but inexorable development and extension. The acts of violence could be avoided but this would not have changed the consistent path of the historical process. The position of the upper class of the Ukrainian state, which was obliged to serve this state, and which was rewarded for this service according to the conditions of that time, was acquired not by all the Cossacks but only by the members of their upper layer. Evidently the cadres of the new upper social class consisted mainly of the Ukrainian registered Cossacks of the pre-revolutionary period. They were joined by some most able, respected, and wealthy groups among the peasants and townspeople who enlisted into the Cossack Army after 1648. They were also joined by those members of the old Ukrainian *shliakhta* who participated in the struggle against Poland. Thus the formation of the new upper social class extended for several decades.

In a monograph devoted to the *Noble Army Fellowship in Hetman Ukraine of the Seventeenth and Eighteenth Century* (1948) we noted data showing the existence of the two categories in the Cossack Army — the ordinary Cossacks and the *znatni tovaryshi* (eminent or noble army fellows). Sometimes these "fellows" were called "distinguished" (by their service to the new state), or "old" (by their descent from the registered Cossacks of the pre-revolutionary period), or "noble" (who could combine both of these characteristics). In the 1670's the last became prevalent and just in this period it started to signify the new upper social group of Hetman Ukraine. But the formation and legalization of the new upper hereditary class went further and, in its last stage, it reflected external pressure, related to the political situation in the eighteenth century.

From the middle of the 1670's we find the hetmans' letters declaring the assignment of the one or other noble army fellow to serve "under our *bunchuk*". The *bunchuk* was the Hetman's own

military standard, and acceptance "under the *bunchuk*" meant that a person was exempted from the jurisdiction and authority of the state's territorial and military subdivisions — regiments and "hundreds" (or companies) — and their commanders. From that time this person was placed under the direct jurisdiction and command of the Hetman himself. During military campaigns he belonged to the Hetman's entourage. Only the Hetman could try him for the violation of laws. In the late seventeenth century this upper category of noble army fellows received a special name — the *bunchuk* fellows (Fellows of the Standard). To the ranks of the standard fellows were admitted the most prominent Cossacks, notable for their outstanding service or their influential social position. Those noble army fellows who could not attain such an outstanding position from this time were called only the "regimental noble fellows" (for instance, "the noble army fellow of the Starodub Regiment", etc.). In the late 1680's their position was legalized in the Regiment of Starodub, the old *shliakhta* centre of northern Ukraine. Here they were admitted "under the regimental *znachok* (banner)". Admittance under the regimental banner meant the legal separation from the Cossack mass, and exemption from the command and jurisdiction of the hundred's commanders and officers. In a short time such persons received the name of the *znachkovi tovaryshi* (Fellows of the Banner, or Banner Fellows). Gradually other regiments adopted this practice and this social category, and in the early eighteenth century, we find it in the whole territory of Hetman Ukraine. Finally, in the 1720's the organization of the upper class of the Hetman Ukraine consisted of the three categories of noble army fellows — the Fellows of the Standard, Fellows of the Banner, and *viis'kovi tovaryshi* (Army or Military Fellows). The last, who held an intermediate position, were those noble army fellows who belonged neither to the Fellows of the Standard, nor to the Fellows of the Banner. They were placed under the supervision and jurisdiction of the General Chancellery.

Empress Anna Ivanovna's edict of August 8, 1734 played an important role in the organizational development of the Ukrainian upper class. This edict limited the number of the *znachok* (banner) fellows. In the regiments of Kiev, Myrhorod, Pryluky and Hadiach their number was not to exceed thirty, and in other regiments — fifty. The edict influenced the whole development of the Ukrainian upper class because it artificially put this class (in its lower layer,

the banner fellows) in the position of an official rank with a limited membership. But the Ukrainian nobility of the eighteenth century tried to evade the established limits. We find in the middle of the eighteenth century the new categories of 'the assigned banner fellows' (i. e. the candidates to the full banner fellowship) and "the men under the jurisdiction of the regimental chancellery" (i. e. a sort of 'associate fellows' who like the banner fellows were exempted from the command and jurisdiction of the hundred commanders). They were those members of the new upper social class who were not able to enter its formal narrow limits established by the edict of 1734.

The three categories of the noble army fellows had to serve the Zaporozhian Army, i. e. the Ukrainian state. On condition of this service each of them possessed one or several landed estates; most of them were granted to him "as long as the Zaporozhian Army is pleased with his service" (*do lasky voiskovoi*). He could serve in the army or government himself or otherwise had to equip and send several Cossacks during a military campaign. His duties and assignments could also be executed by his brother, son, son-in-law, etc. As we see, that was a principle of service to the state as a payment for the possession of landed estates.

The peasants who resided on an estate of a noble army fellow (or, for that matter, an officer of the Zaporozhian Army) were obliged to work for the landlord; in the eighteenth century this work became more and more akin to the conditions of bondage or serfdom.

There were special rules governing the admission to the ranks of the new Ukrainian upper class. The *znachok* (banner) fellows were selected by the colonels of Regiments; from the middle of the eighteenth century the colonels had only the right to recommend the candidates and the admission papers were then issued by the General Chancellery of the state. The *bunchuk* (standard) fellows were admitted by a special decree of the Hetman (*Universal*). In the eighteenth century some standard fellows were also admitted to this group by the orders of the General Chancellery. So were the "army fellows."

The admission was recorded in special rosters (*komputy*). Later these rosters of the noble army fellows served as a proof of their social position in the Ukrainian state which justified their admission to the Russian *dvorianstvo* (nobility).

The duties of the noble army fellows were not limited to military service. They also performed various duties and executed assignments in time of peace. In 1736 'The Administration of the Hetman Office' decreed that thirty standard fellows should always remain in Hlukhiv and be at the disposal of the General Chancellery and Supreme Court for the execution of various assignments and commissions. In the same way a certain number of the banner fellows had to attend to the regimental officers and be available for various duties and assignments. Such banner fellows sometimes were called the "ordinance fellows" (*ordynansovi tovaryshi*).

An order book of 1763 informs us about the military service of the noble army fellows. It lists 549 banner fellows and shows that 323 of them participated in military campaigns. Moreover 61 of them participated in two wartime campaigns, 41 in three, 54 in four, 33 in six, and 23 in seven and more. In the time of peace the noble army fellows regularly carried out various commissions and investigations, collected taxes, participated in the censuses, were sent (in the seventeenth century) to other countries as members of political and diplomatic missions; some of them participated in the codification of Ukrainian laws, some built bridges, and the others controlled the locust. In general we can say that the documentary materials pertaining to their service to the state show us that the commissions and assignments were fairly regular and that they separated for a long time and several times during the year the noble army fellows from their homes and their estates.

In theory a refusal to perform duty would result in confiscation of the estates. But conditional land tenure already came so close to the right of property that the confiscation of an estate was very rare. Thus a refusal to participate in a military campaign or to carry out an assignment was usually punished by fines or, in some cases, by the transfer from the *komput* (roster) of the noble army fellows to the *komput* and status of the ordinary Cossacks.

The division of a society into hereditary classes presupposes the legal inequality of different social groups. For the upper social class this inequality meant some privileges in comparison to the socio-political rights of the other classes. The noble army fellows as the upper social group of Hetman Ukraine had such a privileged position. The first of these privileges of the noble army fellows (as well as of those members of the upper class who served as the

officers of the Ukrainian Army and the officials of the Government) was their participation in government, and especially in the enlarged sessions of the Cossack Officers' Council. Attending the sessions of the parliament-type organization jointly with the representatives of the townspeople, but in much larger number and with greater influence, the upper social group exercised its rights to participate in the preparation of laws and in the discussion and solution of most important problems of government. By attending the meetings of the regimental officers' councils this group secured its right to participate in local government.

Judicial privileges also separated the noble army fellows from the other social classes. The cases concerning the standard fellows were tried by the Hetman himself, and later in the eighteenth century by the central General Court. This Court also tried the cases and lawsuits of the army fellows. The banner fellows were exempted from the jurisdiction of lower courts. After the "restoration" of the pre-revolutionary *shliakhta* (noble) courts in 1763, the noble army fellows were tried by them. It is true that the jurisdiction of these courts also extended over the ordinary Cossacks but they were limited in their rights because only noble army fellows could take part in the election of the members of *shliakhta* courts. In accordance with their upper social position the noble army fellows and those members of this group who held the posts of the Cossack officers had a special privilege to receive higher monetary compensation (damages) in court cases as it was granted by the Lithuanian Statute to members of the *shliakhta* class. The eighteenth century Ukrainian draft of the "Laws by Which the Little Russian People Are Judged" also established higher damages for the transgressions against the noble army fellows than for the transgressions against the members of other social groups.

Only the members of the Ukrainian upper class had the firm right to own or possess landed estates. In our study on the noble army fellows we presented numerous instances of the confiscation of landed estates possessed by the members of other social groups. The Ukrainian upper class enjoyed also some tax exemptions and other financial privileges.

The hereditary classes were semi-closed social groups. As a rule the class position of parents determined the social standing of their children. Hetman Ukraine was no exception from this but here the

hereditary character of the upper class was perhaps less manifested than it was in other European countries. Quite often the most prominent and wealthy members of the townspeople and Cossacks joined the lower layer of the upper class — the banner fellows. But the later development of social relations went toward gradual closing of these channels of social advancement. Thus in 1768 an order was issued which declared that only the children of the noble army fellows and Cossack officers could join the ranks of the banner fellows. These features of social organization prove the existence in Hetman Ukraine of a system of legal and socio-political inequality and that the upper class — the noble army fellows — had several political privileges and economic advantages. Previous historians, when writing on the upper social group in Hetman Ukraine, usually designated them as the "Cossack *starshyna*" (group of the Cossack officers). But the Cossack officers were commanders of military units and at the same time governmental officials of the Ukrainian state. They came from the ranks of the noble army fellows and they returned to this group after the termination of their service. Only the noble army fellows were the permanent social group and it was they who composed the upper hereditary class of Hetman Ukraine.

In the final phase of Ukrainian autonomy the Russian Government tried to unify the Ukrainian social system with the social structure of Russia. In 1785 the Ukrainian upper group was granted the rights of the Russian *dvorianstvo* (nobility) and was included in this Russian upper class. The upper layer of the Ukrainian upper class (the standard and army fellows, and the Cossack commanders and officials down to the *sotnia* commanders) was accepted directly into the Russian *dvorianstvo*. The lower layer (the banner fellows and the officers of Cossack *sotnias*) had to prove their right to join the upper class of Russia. Some of the banner fellows in the northern regions of the Ukrainian state opened their old cases with the documentary data showing that their ancestors belonged to the *shliakhta* class. Others had to present the testimonies of twelve witnesses corroborating the "noble way of life" of their ancestors and the proper qualifications of the candidates themselves. Strict enforcement of these prevented the admission to the Russian *dvorianstvo* of many members of the Ukrainian upper class; in fact the larger part of the banner fellows were not able to enter into the upper class of the Russian Empire.

SECTION D

THE COSSACKS

Most of the ordinary Cossacks remained in the ranks of a special social group which could not be found in the other European countries of that time. It is true that in the seventeenth century there were in the Russian state also special groups of servicemen — the riflemen (*strel'tsy*), artillerymen (*puskhari*), cavalrymen (*reitary*), and others. They also occupied an intermediate position between the noble owners of landed estates and the peasants of free villages (*chernye volosti*). But there the society had not concluded the process of establishing larger hereditary groups and, when it did in the eighteenth century, these special groups were eliminated. It could be expected that later this special Ukrainian social group (the Cossacks) would also be absorbed into other hereditary classes of Ukrainian society but that did not happen.

In the seventeenth century the ordinary Cossacks were, in principle, the same servicemen as the noble army fellows. Like the noble army fellows they participated in the military campaigns of this period. Their number was fairly large. A great number of the townspeople and, even more, the peasants enlisted in the Cossack Army during the Bohdan Khmelnytsky Rebellion against Poland. In theory, when the uprising gained victory and the new Ukrainian state was established, the whole Cossack class (the old "registered" Cossacks of the pre-revolutionary period were now in the minority) should have taken over the place and position of the upper social group. However, as we noted already, it was a rather difficult task for them to provide the new state with military and civil services while personally attending to their small farms. Because of their relatively great number, the Cossacks could not be supported by the dependent peasantry. The heavy responsibility of defending Hetman Ukraine against her powerful and better organized neighbours had to be carried out by the Cossacks themselves. But in most cases each Cossack was an ordinary peasant who tilled his land with his own hands and whose frequent and long absence from work ruined his farmstead. This explains the relative instability of the Ukrainian Cossack units during the long campaigns, and their decreasing number immediately after the victory of the Bohdan Khmelnytsky Rebellion.

This situation explains also the consistent efforts of some hetmans — in the first place Peter Doroshenko, Ivan Samoilovych, and Ivan Mazepa — to establish a standing army of sorts, with military units of permanent character. Their members were not connected with and supported by the lands and farmsteads. As a result, during the military campaigns they did not long to return to the farms which were falling into decay. As these professional soldiers did not possess landed estates and farms, they — the units of mercenaries — had to be paid for their service. Under the conditions of a predominately natural economy the remuneration and upkeep of these forces was very difficult. We shall see later that in the late seventeenth century it became one of the most important problems of internal policy for the Ukrainian Government. We are talking here about the *kompaniis'ki* (also known as *serdiuts'kj*, *okhochekomonni*, *zholdats'ki*, etc.) regiments and squadrons. The servicemen of these military units sometimes were also called the "Cossacks." But we have to distinguish them from the Ukrainian Cossacks as a hereditary class because, as a rule, these hired "Cossacks" did not belong to the Cossack social group. Often they included some foreign elements. While in Poland and Russia the mercenary units were mostly composed of German soldiers, in Ukraine they included at first many Belorussian Cossacks who retreated to Ukraine after their defeat in 1659; later many Serbians and Rumanians (Moldavians) were recruited.

As a separate hereditary class the Ukrainian Cossacks should be distinguished from the peasantry (a lower social group) and the noble army fellows (an upper social class). During the Bohdan Khmelnytsky Rebellion many Ukrainian peasants enlisted in the Cossack Army and not a few remained as members of the Cossack class. Soon, however, the enlistment was limited (particularly from the villages which belonged to the monasteries) but occasionally it was still possible to enlist, especially when a peasant married a Cossack girl or widow and became a member of her family's farmstead. Further development of the class structure of the society and further increased separation of social groups led to the prohibition of movement from class to class (the "Hetman Articles" of 1669, 1672, and 1687). The archival materials show indeed that beginning from the later seventeenth century it was more and more difficult for a peasant to join the Cossack class and enlist in the Cossack Army.

It was much easier for a Cossack to enter the peasant class. The service to the state was a heavy burden for many a Cossack who was often willing to join the lower class of peasantry. It is interesting to note that the Russian authorities acted to prevent this. When it was able to directly interfere into the domestic affairs of the Hetman Ukraine, the Moscow government by an edict of April 16, 1723 prohibited such a change in the class position of the Cossacks. Later this prohibition was confirmed by the edicts of July 16, 1728 and January 8, 1739. The last edict also prohibited the purchase and seizure of Cossack farmsteads by noble army fellows and officers of the Cossack Army.

These edicts of the Russian Government tried to arrest the development of social relations in Hetman Ukraine leading to the decline of the Cossack class. The eighteenth century Russian empire needed the Ukrainian Cossacks as a source of manpower. The Cossacks were used not only as military units (in this period they became more and more auxiliaries of Russian military establishments) but as a labour force used for the construction of canals, ports, fortifications, etc. This situation, however, increased the efforts of not a few of the Cossacks to join the peasantry, to sell their plots to the members of the upper class and, in the end, to become the serfs of the noblemen and landowners. The leader of the Russian populist historians, V. Miakotin, had already established in his works that this process of the enserfment of the Cossacks was in most cases voluntary. Despite the Russian edicts the Cossacks very often contrived to avoid the prohibition against lowering their class position, and their transition to the peasantry continued through the whole eighteenth century. It was especially intensive in the period of the lesser dependency of Ukraine during the rule of Hetman C. Rozumovsky (Razumovsky).

In the late seventeenth and early eighteenth centuries the process of Cossack subjection to the noble army fellows and Cossack officers sometimes involved the attachment of several Cossacks to some noble army fellows (especially the standard and army fellows) or to some Cossack officers for assistance and service during the military and administrative assignments of the latter. These Cossacks became the *kurinchiki* (retainers or orderlies) of some members of

the upper class. In 1735 the Russian Government eliminated this group in an effort to prevent a reduction of the Cossack ranks.

In the seventeenth century the heavy load of Cossack duties was partly lightened by the formation of a group of the *pidsusidky* (Cossack "neighbours") — peasants who helped the Cossacks in their farming. In the eighteenth century these "neighbours" became the serfs of those Cossacks who entered the upper social group; at the same time the ordinary Cossacks lost their right to such assistance. Indeed the Russian government realized that the Cossacks, in order to perform their military and labour duties without ruining their farmsteads, needed some help. Thus it decided to divide the Cossacks into two groups — those who perform their service and those who only assist them. The reform was carried out in 1734. The Cossacks were divided into *vyborni kozaky* (selected Cossacks) and *pidpomichnyky* (helper Cossacks). Only the first of them, who possessed better farmsteads, participated in military campaigns.

We already mentioned the transition of many Cossacks into the peasantry. But we should also mention the transfer of some of them to the socially higher groups of the noble army fellows. If we examine the *komputs* (rosters) of the noble army fellows, especially the banner fellows, we shall see that some of them, even in the eighteenth century, came from the Cossack class. For instance the *komput* of 1742 shows us that from twenty-five to thirty percent of the banner fellows came from the ordinary Cossacks. In the Regiment of Poltava, the region of lesser social differentiation, this proportion increases to sixty-two percent. That shows that the Ukrainian hereditary classes were not completely closed and separated social categories (otherwise they would have become castes) and that movement (up or down) was possible for the Cossacks.

We should mention some particular groups of the Cossack class. Among them we can name the *stril'tsi* (riflemen) and *bobrovnyky* (beaver hunters). The *bobrovnyky* had to hunt beavers (the most valuable game of that time) and the *stril'tsi* had to supply the hetman's palace or the households of the colonels with other game. Performance of these special services relieved these groups from usual Cossack duties, especially from participation in military campaigns. There were a number of large settlements of these special Cossack groups in the northern part of Hetman Ukraine (the regi-

ments of Starodub and Chernihiv). There were also some lesser groups of the Cossacks. *Staienni kozaky* (the equerries) cared for the hetman's stables. The *palubnychy* were Cossacks who cared for the *palyby* — the wagons and carriages of military transport. The *armashi* (artillerists) also constituted a special group. At the same time all these special categories were parts of the whole Cossack social class and their legal and social positions were on the whole determined by the overall status of the whole Cossack group.

We should also mention the *dvoriany* (household attendants) of the Ukrainian hetmans. Russian *dvoriany* — the court retainers of princes (and, later, tsars) gave their name — *dvorianstvo* to the entire hereditary group of the Russian nobility. In Hetman Ukraine, on the contrary, the *dvoriany* were just the house attendants and other servants of hetmans. Therefore their name had rather an occupational than a social meaning. In some cases a hetman's *dvorianyn* could belong to the lower layer of the upper social group; in other cases he could be a member of the Cossack class.

In 1783, when the Russian government put an end to the autonomy of Hetman Ukraine, it also did away with the military and territorial-administrative organization of the Ukrainian Cossacks. The Cossack regiments and hundreds were abolished. In the newly created Chernihiv and Poltava *guberniias* (provinces) of the Russian Empire the Cossacks remained a special social class whose members had to serve in the ten "carabinier" regiments of the Russian army.

As we see, the Cossack class of Hetman Ukraine was a special social group of this state. But the historical development of the Ukrainian state led to a progressive decline of this class; and its complete disintegration was in the end prevented by the government of Russia. This class had done great services to its country. In numerous difficult struggles against Poland it won the freedom of a large section of Ukraine. It defended the new state during the first decades of its history. Therefore the Ukrainian Cossacks became the acknowledged representatives and protectors of national interests. When the Cossacks were divided in the ordinary Cossacks and the noble army fellows, as the new upper social class, they passed on the leadership to a social group whose members were Cossacks by origin. As a result Cossack Ukraine was still alive in the late seventeenth and in the eighteenth centuries even if its society and government had been changed in many aspects.

SECTION E

CLERGY. THE TOWNSPEOPLE

While the above mentioned classes of Hetman Ukraine underwent change which resulted in the disappearance (*shliakhta*) or decline (Cossacks) of some of them, and ascent of others (the noble army fellows), the social position of the clergy and the townspeople changed far less.

The clergy was not a separate hereditary class; it was rather a social group with some traces of a hereditary class. There were very few changes in its social position after 1648. The clergy was for the most part exempted from the rule and jurisdiction of the Ukrainian Government and was controlled by the church hierarchy. In general, the Ukrainian clergy was governed by the general statutes (canon law) of the Eastern Orthodox Church which were accepted in Ukraine from the period of early feudalism.

The clergy was divided into the "white" (secular) and "black" (monastic) groups according to the church's canons and rules. Members of the second group were bound by vows to celibacy and to life in monasteries and abbeys. The latter were the legal entities with special rights and privileges granted by the Ukrainian state. Among them was the right to own landed estates with serfs, which was preserved even in the periods when other social groups lost this privilege (some monasteries preserved their estates even during the Bohdan Khmelnytsky Rebellion). The landed property of monasteries played an important role in the subsequent restoration of agrarian relations based on forced labour by the rural population. The Ukrainian monasteries lost most of their estates in the late eighteenth century, during the rule of Catherine II, when the ecclesiastical estates were "secularized," i. e. confiscated by the Russian state.

The history of the Ukrainian clergy was greatly influenced by Ukrainian relations with Russia. In 1654 many Ukrainian clergymen were opposed to the alliance with the Russian state. Sylvester Kosov, the Metropolitan of Kiev, a member of the Belorussian *shliakhta* from Vitebsk, refused even to swear allegiance to the tsar. But as a result of unfavourable conditions the Ukrainian Church later lost its independent position. In 1685 it was forced to recognize the supremacy of the Patriarch of Moscow (up to this date it had been

under the Patriarch of Constantinople). Submission to the authority of the Russian Patriarch (and later in the eighteenth century, of the Russian Holy Synod) changed the legal position of the Ukrainian clergy, bringing it closer to the position of the Russian clergy.

As a social group the Ukrainian secular clergy, during the Bohdan Khmelnytsky Rebellion and the first years after Bohdan Khmelnytsky's death, accepted into its ranks many new elements. The increased participation of the parishioners in the election of their priests led very often to the election of members of the Cossack class (later the noble army fellows). The character of Shram, a Cossack priest and colonel in the *Black Assembly*, a novel by Panteleimon Kulish (his prototype was Ivan Popovych, the Colonel of the Pavoloch Cossack Regiment) completely reflected the character and spirit of that time. There were, on the other hand, many cases of enlistment by clergymen's sons into the Cossack Army, where they joined the ranks of the noble army fellows. Many political and military leaders of Hetman Ukraine were the sons of the secular clergy. It is enough to name Ivan Samoilovych, one of the most outstanding hetmans, who greatly influenced the development of the Ukrainian state.

In 1757 Hetman Cyril Rozumovsky took notice of the social position of "the clergymen's children who were out of service." These were the children of the secular clergy who were not ordained into priesthood and, as a result, lost their social standing. Under the conditions of that time they had to join one of the hereditary classes of the Ukrainian society. Hetman Roszumovsky ordered that henceforth the sons of archpriests were to be registered in the ranks of banner fellows and the sons of ordinary priests in the group of "selected Cossacks." The Hetman understood that all these "children" wished to join the upper social class, and he concluded his order with an expression of assurance that the "ablest among them" could later be transferred to the category of banner fellows as a reward for their diligent service.

The burghers of the Ukrainian towns comprised a category which during the feudal and early postfeudal period were rather strictly separated from other social group. This separation was increased by the fact that the townspeople had a special form of self-government based on the norms of German-originated "Magdeburg Law."

There has been lively scholarly discussion of the results of this separation. While in Western Europe it led to the flourishing of cities and towns, in Poland, Lithuania, Belorussia, and Ukraine it brought their decay. In our opinion the debators somewhat overestimated the influence of Magdeburg Law as the principal source of the prosperity, or decline, of Ukrainian (as well as Polish, Lithuanian and Belorussian) cities. If the municipal self-government and its celebrated Magdeburg Law which separated the burgher class of Ukrainian cities from other social groups had indeed played there a negative role this could be explained by the fact that some medicines could not in equal measure help different organisms. The "organisms" of Ukrainian cities were not sufficiently developed, as their economic situation was rather backward. The separation was carried out too strictly and, as a result, it could not advance the economic, political, and cultural development of Ukrainian cities and towns. The weakness of the burgher class and the economic underdevelopment of Ukrainian cities meant that they had little influence on the Ukrainian historical process, by comparison with the cities of Western Europe.

The Ukrainian towns (especially the larger urban centres) entered the turbulent time of the Bohdan Khmelnytsky Rebellion as distinct units governed by the adopted norms of foreign law and inhabited by an urban social class which was strictly separated from other groups. Moreover Ukrainian towns were not influential political and economic centres of the country. Consequently participation of the townspeople in the events of the Bohdan Khmelnytsky Rebellion was, in general, not collective activity but only general assistance to the rebellious Cossacks. When some members of the burgher class joined the Cossacks, this often meant permanent transfer to another social hereditary group. In subsequent history of Ukrainian cities one has to distinguish the two urban groups — the Cossacks who lived in towns but were ruled by their own commanders, and the second group which belonged to the burgher (middle) class proper and was governed by the city magistrates. The relations between these two groups were not always friendly.

The special and somewhat disadvantageous position of the Ukrainian cities and the burgher class resulted also from the fact that the rulers of the new state, did not always understand their proper role as the governors of the whole people. The Ukrainian cities and their burgher populations received less attention from the

new Ukrainian state than the Cossack Army and settlements. Consequently the Ukrainian cities often sought confirmation of their old privileges and their Magdeburg-type self-government (in the case of Poltava, a new grant of municipal privileges) not from the Hetman state but from the Russian Government. This led to increased dependence by several Ukrainian cities on the Russian garrisons. Hetman Ivan Brukhovetsky, who tried especially hard to consolidate the Russo-Ukrainian alliance, even refused to govern the Ukrainian cities, and in 1665 transferred them to the direct jurisdiction of the Russian Government (including the collection of taxes and revenues). This was not carried out and, after the events connected with Ivan Brukhovetsky's "treason," the agreement of 1665 was invalidated.

Later on, during the rule of Ivan Samoilovych and Ivan Mazepa, the burgher class of the cities took a more active part in Ukrainian political life. This was expressed in the participation of urban representatives in the enlarged sessions of the Cossack Officers' Council, an institution of the parliamentary type. The subsequent decline of the Cossack Officers' Council was detrimental to the interests of the Ukrainian "third estate" because at the sessions of this council the townspeople were able, for the first time, to consolidate themselves into a country-wide special group, which could present and defend its common interests. After that each city again became isolated from the others, the legal and socio-political status of the burgher class was never completely defined and established in Hetman Ukraine. When Hetman C. Rozumovsky sent a circular letter to Ukrainian municipalities asking them to inform him "who in Little Russia should be called a burgher," not all of them answered this question in the same way. A rather sharp difference could be noticed between the middle class of the northern cities with their long tradition of municipal self-government and a strong and influential position of their people, and the situation of the burgher class in the southern towns of Hetman Ukraine, where the differences between the Cossacks, free peasants, and townspeople were rather indistinct. These southern towns were the centres of local government rather than real urban settlements, and were populated by the people who worked on their farms the same way as the peasantry of neighbouring villages.

There were no important changes to be found in the Magdeburg-type municipal government of the towns of Hetman Ukraine

in comparison with the preceding period. These towns were governed by their elected magistrates — *viity* and burgomasters (mayors), *lavnyky* (jurors), and councillors (*raitsi*). There were some cases during Cyril Rozumovsky's rule when the noble army fellows — members of the upper class — held the leading positions in the municipal government of some larger Ukrainian towns. These facts show the political decline of Ukrainian cities and their burgher class in the eighteenth century, although in the late seventeenth century — the time of Ivan Samoilovych and Ivan Mazepa — they were starting to develop into influential centres of Ukrainian political and economic life.

The small towns had no independent mayors and magistrates. The elected functionaries in a small town were subordinated to a local Cossack leader, in most cases, to the Cossack officer called *horodovyi otaman* (town chief or lieutenant). The tradesmen of Ukrainian towns preserved in the seventeenth and eighteenth centuries their old organization of guilds directed by their elected officials.

SECTION F

THE PEASANTRY

In the countries with the system of hereditary classes the peasantry usually was the lowest social group, and its economic power and its political influence were weak. Most of the peasantry were not free, and served the members of the upper social class (the nobility, old gentry, *gentilhommes*, *shliakhta*, and *dvoriane*) who owned the landed estates and exploited the peasants as their indentured labourers. These peasants were the landowners' serfs, attached to the manorial estates.

A similar situation existed in Ukraine before 1648. Some variations were caused by peasant bondage to a master who very often was a man of different culture and language, and by the existence of the Cossacks, a social group close to the peasantry, whose frequent clashes with the Polish administration undermined the authority of the landowners as well as of the Polish governmental apparatus in Ukrainian regions. Quite often the Ukrainian peasant was able to leave his master and to join a unit of the rebellious Cossack Army.

In 1648 and years following the Bohdan Khmelnytsky Rebellion large numbers of peasants were able to join the Cossack Army. As most of the noblemen and landowners in the Ukrainian regions were Polish or Polonized, they were forced to leave the territory of the new Ukrainian state and often chose to fight against it in the ranks of the Polish Army, now the army of a foreign power and hostile to Cossack Ukraine. Consequently the Ukrainian peasants were relieved of their bondage. This was a direct result of a situation when the Ukrainian peasants, who enlisted into the Cossack Army, became defenders of their country and had to be free men. This emancipation changed the situation even of those peasants who did not join the Cossack Army but remained on their land. As the people who cultivated their farms and plots, and, by doing this, consolidated the economy of the new Ukrainian state, they had to be free and could not depend on or work for the people who served a hostile foreign power.

The situation was different in cases when an owner of a landed estate and the master of a village did not leave Ukraine, but, on the contrary, joined the Ukrainian Army and fought for the new state. The government also had to face this difficult problem in regard to the landed estates of Ukrainian monasteries. In the early phase of the war with Poland many of their peasants joined the Cossack Army. But soon the Hetman Government was showered with the monasteries' complaints against the unwarranted enlistment of their serfs into the army and their refusal to work on monasterial estates.

The slogans, objectives and aspirations of the struggle against Poland were not explicitly to establish an independent state. For the people of those times the real meaning of the struggle was concealed behind proclaimed objectives of a different nature — the struggle against Poland for restoration of the violated rights of the Cossack class, or against the suppression of the Eastern Orthodox Church and its faithful. The Cossack Army was presented as the defender of the Eastern Orthodox Church and its monasteries and, from the point of view of the people of that time, it was inconceivable that, instead of an extension of their rights and improvement of their economic situation after the victory of the uprising, the monasteries were to be faced with infringement upon their rights, and a deterioration of their economic conditions. That is why the Ukrainian Government could not neglect the monasteries' complaints. Already

during Bohdan Khmelnytsky's rule several governmental edicts prohibited enlistment of the monasteries' peasants into the Cossack Army and required their complete obedience to their masters. "Obedience" under the conditions of that time meant unpaid labour on the monasteries' estates, i. e. in effect the restoration of serfdom, though for the time being probably in its mild form. Later, during the rule of Bohdan Khmelnytsky's successors, the rights of monasteries to the unpaid labour of their peasants were extended and became more and more rigid.

Most of the other peasant settlements in Hetman Ukraine at first became the "free villages of the Zaporozhian Army" or the *ratushni sela* ("town hall" villages). In the first case the name manifested the exclusive dependence of villages on the whole Cossack Army, and in the second that the peasant villages were placed under the local Cossack government (in a *ratusha* — town hall). These "free" or "town hall" villages were controlled and governed by the Cossack administrative apparatus. Their inhabitants were obligated to perform several services for the Zaporozhian Army, i. e. for the Ukrainian state. In particular, they had to support the *kompaniis'ki* (hired, mercenary) regiments, transport loads for the government and its armed forces on their carts and waggons, pay the "portions" (taxes proper, in money), and deliver the "rations" (tax in kind, i. e. in goods or produce).

But not all the villages became "free." In the northern regions of Hetman Ukraine the estates of those members of the *shliakhta* who joined the Zaporozhian Army survived and, consequently, they did not lose their lands and peasants' services. The proud and impressive formula, often repeated in eighteenth century Ukraine, that the "Cossack sabers abrogated the titles of the *shliakhta* to landed estates" could not be applied to the Starodub and the northern part of Chernihiv regiments. Here the *shliakhta* who joined the Cossack Army, as a rule, retained their estates as long as they served the Ukrainian state.

The "free villages of the Zaporozhian Army" diminished steadily. In the middle of the eighteenth century few of these villages remained. They became the regular land reserve for rewarding the office holders of the Ukrainian government and the military for their services. Hetmans and colonels began to grant whole villages, or parts of them, to Cossack officers and officials, as well as to the noble

army fellows, under the condition of their service to the state and army. In most cases that was a grant for the hereditary possession of an estate by the family of the grantee "as long as the Zaporozhian Army needs his service." Sometimes the Cossack officers held the awarded estates only during the performance of their duties. These *rangovi maietnosti* ("rank estates") were later handed to the successive holders of certain positions or officers.

Quite early we see acceptance of the formula of the "customary service" of the peasants to their new masters. This formula was also applied to the old estates of the *shliakhta* who served the Cossack Army. In both cases this formula was at first limited only to some special and temporary services to the landowners. But soon the number of these services was extended and they in time approximated the compulsory work of serfs. The Ukrainian peasants were not serfs, legally, because as yet they were not bound to their masters' estates. Thus their position was better than that of their neighbours — the peasants of Poland and Russia who were enserfed in the fifteenth (Poland) and early seventeenth (Russia) centuries. In Hetman Ukraine the process of enserfment was completed only after the incorporation into Russia, and was carried out by the Russian Government.

In the seventeenth century the Ukrainian peasants were able to move from one estate to another and from one landlord to another (as well as from and to the "free villages of the Zaporozhian Army"). Very often they moved to the *slobody* (free hamlets) — new rural settlements established by the great landowners on the unpopulated tracts of their estates. In these "free hamlets" peasants were free from unpaid labour and "services" during a certain fixed period. In the first decades of the eighteenth century the movement of peasants was still possible but few had the opportunity to do this. This possibility to change a landlord and an estate, even if it was not so easy to carry out, was a very important factor in the relations between peasants and landowners. It made these relations somewhat less rigid and severe; the "peasant services" were not so difficult and extensive.

The complete enserfment of the peasants in the Left-Bank Ukraine was carried out by the decree of the Russian Government of May 3, 1783, after the incorporation of Hetman Ukraine into the Russian Empire.

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CHAPTER 7

THE GOVERNMENTAL INSTITUTIONS

SECTION A

GENERAL FEATURES

Among the European states of the seventeenth and eighteenth centuries the Ukrainian state was a polity of a particular kind. The special features of its governmental system were in the first place due to the interruption of the socio-political development of the Ukrainian people by the revolutionary events of 1648 and after. The historical process of most European states of this period continued almost uninterrupted, and this greatly influenced the later form of their socio-political system. Even during the elimination of feudal relations, other European states preserved many features of the old order. The situation of the Ukrainian Hetman state was different. Here the direct connection with the socio-political system of the feudal period was broken and the governmental forms of the preceding period were eliminated. The government had to be built and organized in a new form.

The form of the new state was determined by the organization of the Cossack Army which alone at the time of the victory had already the established forms of its own administration and hierarchy. The new state, which the Ukrainian Cossacks established in the middle of the seventeenth century, received the outward form of a military organization because the Cossacks tried to fit their own group's previously established hierarchy and administration to the new political situation. In fact, they did not correspond to the new situation, where the "Zaporozhian Army" became just one component — the armed forces — of the new state. Only in the eighteenth century the name was changed and more and more often we see the term *Malorossia* (Little Russia) which later completely replaced the old name of the "Zaporozhian Army."

The state created by the "Zaporozhian Army" preserved its outward military form even after Bohdan Khmelnytsky's victory. As a result the military commanders of the rebellious Cossack Army, its colonels and other commanders, became the rulers and officials

of the new state. It took time for them to become accustomed to their new role as statesmen and administrators. In the early period after 1648 the organs of the Ukrainian Government very often regarded themselves as organs of the Cossack Army or the Cossack class. The situation gradually changed and later they learned to consider themselves also as the apparatus of the government.

In writing about the forms and features of the Ukrainian governmental system we have to note its outward similarities to the organizations of the Don and Ural (Yaik) Cossacks in Russia. We can also find here, however, some essential differences. These organizations were not developed into states (they were rather autonomous provinces), and the division of their population into social classes had not developed as many forms as in Hetman Ukraine. In the Don and Ural valleys we find only two social groups — the Cossacks and the peasants. These regions lacked the strong cultural tradition of European contacts which profoundly influenced the socio-political life of Ukraine.

Because the Cossack military commanders automatically became the officials of the new state, there was no proper delimitation of the jurisdiction of the different organs of government. It is true that a vague delineation of governmental functions was a rather general feature of the European states of the seventeenth and eighteenth centuries. The political theorist, Baron de Montesquieu, saw a delimitation of governmental functions in the English state and recommended it as a model for the states of continental Europe, in the late phase of this period. But in Hetman Ukraine, especially in the seventeenth century, the vague delimitation of governmental functions and the concentration of diverse functions in the same hands and same agencies was especially noticeable and, as we saw, was caused by a peculiar situation in the establishment of this state. We have to stress not only the insufficient separation of the legislative, executive and judicial functions but, at the same time, the fact the various organs of government competed, in their authority and functions, with other governmental organs whose tasks were partly, and sometimes largely, parallel. We shall soon see that when we start to describe the functions of the organs of the central government.

Still we can state that the governmental organization of the Hetman Ukraine was sufficiently viable and efficient. It proved that by its rather long history and its ability to stand up against strong

adversaries. Its leaders were not always equal to their tasks, and often sought to advance their personal interests. There were alliances with neighbouring countries which were detrimental to their own country. The names of Pushkar, Barabash, Opara, Sukhovii, Petryk, and others, with the most prominent of them — Hetman Ivan Brukhovetsky, were linked with actions against their own people. But the Ukrainian state, often on the brink of ruin and destruction — was none-the-less able to defend itself during its long history. There were leaders who cared for the interests of their own people. The policy established by the Revolution of 1648 had developed a governmental system which gave it the strength to assert itself and often, fight for its existence.

SECTION B

THE HETMANATE

The task of describing and evaluating the role and power of the Hetman, the head and ruler of the Ukrainian state, compels us to examine the basic characteristics of the governmental system of Hetman Ukraine. Was it a monarchy or, on the contrary, a republic? In the lectures and studies of Ukrainian and foreign historians and jurists we can find many answers to this question. Some of them call the hetmanate a monarchy, others confidently proclaim that the Ukraine was a republic, or even a "people's republic", or a "democratic republic" (basing their assertions in the last case on the role of the Cossack General Assembly). However, in both cases these statements have not been based on special studies; they have rather expressed unfounded and even casual opinions.

A republic is usually a governmental system with rulers elected for a limited period; a monarchy is the rule of a person who comes to power by inheritance or is elected for life, as in the case of the (German) Holy Roman Empire in the Middle Ages, and Poland. In the last case the monarchic form of government comes close to the republican form, and they are differentiated by the head of the state's tenure of office.

Thus, if we wish to establish the character of the Ukrainian governmental system in the seventeenth and eighteenth centuries, we have to determine whether the functions of Hetmans were tempo-

rary or permanent. For that we have to examine the relations between the Hetman and the other central political institutions. If these institutions exerted a decisive influence in the solution of the most important political problems, and if they could in a legal way depose the head of the state, we certainly have to do with a republican system of government. Such an order existed in the Zaporozhian Sich where the Cossack Assembly (*Sichova Rada*) at any time could remove the Zaporozhian leader and elect another. Did such a system also exist in Hetman Ukraine?

We should not forget the origin of the governmental system from the Cossack organization of the preceding period, in the first place, from the organization of the Zaporozhian Sich: the new state called itself the "Zaporozhian Army." But under the new, more complex, and quite different conditions of a statelike organization these old forms of government had to develop in a different direction, and had to change in essence. In the *Black Assembly* — P. Kulish's famous historical novel, this collision between the old and the new principles of government was vividly shown in the discussion between the old leader of the Zaporozhian Sich, Puhach, and Ivan Brukhovetsky, the Ukrainian hetman. In Kulish's novel the hetman tells the representative of the old traditions that times have changed and that the old form of Zaporozhian self-government (even in 1663 when the Zaporozhians gained a victory over their adversaries), could not be applied to the complicated government and complex political problems of Hetman Ukraine.

If we turn to the "Articles", i. e. the treaties with Russia, which were constitutional charters for Hetman Ukraine, we find that these sources do not clearly show the nature of the hetman's rule and his constitutional position. On the one hand, the Articles in general declared the free election of the new hetman after the death of his predecessor, thus indicating the lifetime nature of his position, but, on the other hand, some of them (in 1669 and 1672) envisaged the possibility of his removal by the Cossack General Assembly, with the consent of the Russian Government. We can find a solution to this problem in the facts of history. These facts show us that Bohdan Khmelnytsky ruled the country till his death. George Khmelnytsky, Ivan Vyhovsky, Paul Teteria, and Peter Doroshenko laid down their *bulavas* (*bulava* hetman's mace) at the General Assembly and "thanked the Zaporozhian Army for the privilege of ruling it." By this action they acknowledge the superiority of the General Assembly

and the temporary nature of their office holding. Some of these hetmans (Vyhovsky and Doroshenko) did that more than once but allowed the Cossacks to persuade them to retain their position.

The governments of Bohdan Khmelnytsky, Ivan Samoilovych and Ivan Mazepa were different. In the last years of his rule Bohdan Khmelnytsky did not convoke the Cossack General Assembly; Samoilovych and Mazepa ruled the country without convoking this body, they did not lay their *bulavas* down at these meetings and in principle their rule was lifelong.

The constitutional development of Hetman Ukraine thus shows a struggle between the two forms of the governmental system. Vyhovsky and Doroshenko (the latter known as "the son and grandson of the Cossacks") in this case represented the old Cossack tradition, in essence of the republican type. On the other hand, Bohdan Khmelnytsky, Samoilovych and Mazepa were rulers of the monarchical type. Peter Doroshenko's struggle against Samoilovych included not only contending political orientations and different ways of political development but, in some respects, it meant also a contest of the different forms of government. Samoilovych's victory signified the triumph of the principle of monarchical government. If we count the years of the different hetmans' rule from 1648 to 1708 — the year of the defeat at Poltava, i. e. the time when the Ukrainian state was not directly controlled by the Russian Government — we can see that out of these sixty years more than forty (i. e. more than two-thirds) belong to the period of Samoilovych's and Mazepa's rule and that phase of Bohdan Khmelnytsky's government when this hetman did not convoke the Cossack General Assembly. This was the time when the Ukrainian political system had a rather monarchical character. This monarchical period coincided with a phase of relative peace and order. We can say that for its time and for the situation in Ukraine this monarchical-type government was an appropriate form of government. It was able to stop for some time the struggle of political groups which had pernicious effects in the preceding period.

It is interesting to note that this monarchical form of the hetmanate was directed toward its logical conclusion, i. e. toward a hereditary monarchy. We have in mind the efforts of some hetmans to pass their power to their descendants and relatives: Bohdan Khmelnytsky's — to his sons Timothy and, later, George; Ivan Samoilovych's — to his son Gregory; Ivan Mazepa's — to his nephew

Voinarovsky. There were in these efforts some elements of statesmanlike wisdom because, for their time, the establishment of monarchical order could bring badly needed stability and continuity of government.

But as these efforts to introduce hereditary succession were not realized, the hetmans remained the elected rulers. They were elected by the General Cossack Assembly. The decisive moment was the handing to the elected ruler of the *bulava* (the mace), the insignia of his authority. The election of a new Hetman was usually accompanied by the adoption of the new "Hetman Articles," which were actually the new constitutional charters of the Ukrainian state as well as its new (or renewed) treaty with Russia. In Left-Bank Ukraine the representatives of the Russian Government attended the election of the new Hetman and immediately administered his oath to the Tsar. There were no instances of the rejection of some candidates by these Russian representatives but, in fact, they had a great influence upon the election of one or the other candidate. This influence was exerted during preliminary negotiations and outwardly the electoral meetings of the Cossack General Assembly were free from any pressure.

The Hetman's insignia were the *bulava* and *bunchuk*. The first was a mace, a club with a ball-shaped upper end; the second — a military standard decorated with a horse tail. The first symbol of authority was of western origin. The second came from the East; the *bunchuk* was carried during the military campaigns before the rulers of Turkey and the Crimea.

The functions of the Hetman as a ruler of the Ukrainian state included in the first place command over the Cossack Army. In the preceding ("Polish") period the Hetman was just a chief commander and leader of the Cossacks, and when he became the ruler of the new state he preserved this function. In the most important military campaigns he directly commanded the Cossack Army; in the less important campaigns the Cossack forces were led by one of the officers of high standing called *nakaznyi hetman* (the acting or deputy hetman).

Foreign relations (with some limitations in the case of Poland and Turkey) were managed by the Hetman and on his behalf. The envoys of Russia, Poland, Turkey, and other countries would come to the Hetman's residence where they would be received by him, in the presence of the higher Cossack officers and officials. The Hetman

also sent his envoys to other countries and they had to submit their reports to him.

As the head of the state the Hetman had broad legislative, administrative and judicial power. The legislative function was expressed in the form of Hetman's *Universal* (edict or decree). Quite often, however, it was interconnected with action of the Cossack Officers' Council and its enlarged sessions and many of the Hetman's edicts were based on the decisions of these governmental organs. Sometimes the problems of new legislation were also discussed and decided by the Cossack General Assembly. The Hetman himself directed these meetings if they were convoked during his rule. He also presided at the meetings of the Cossack Officers' Council and its enlarged sessions.

In the seventeenth century the Hetman quite often acted as a judge, often as a judge of the first instance. Later his judicial functions were defined more exactly and he reserved for himself only the confirmation of the Supreme Court's decisions. Prior to the establishment of special courts for cases concerning the boundaries of landed estates (1763) these cases were examined and resolved by the Hetman's special representatives. Their decisions were submitted to the Hetman for confirmation. Some categories of the population were exempted from the jurisdiction of regular courts and were directly tried by the Hetman. This was the case with the standard fellows. The privilege to be tried by the head of the government was also enjoyed by the so-called "protectionists," i. e. the persons who were admitted under the special protection of the Hetman. Most of them were the widows or underage children of some outstanding statesmen or military commanders. In some cases this category covered also the skillful artisans who served in the Hetman's estates or in his palace.

As the head of the state the Hetman was the chief bearer of executive power. He directed the organs of central government and controlled the work of local administration. He appointed the higher military commanders and officials, although often they were first elected by the Cossack General Assembly or by the Cossack Officers' Council.

The distribution of landed estates was a very important function of the Hetman. All the "free villages of the Zaporozhian Army" were administered by the Ukrainian Government which, at first in rare cases and later very generously, granted them as rewards for ser-

vice in the army and government. The Hetman, as the head of state, was the general administrator of the extensive reserves of the landed estates. It is true that in some comparatively rare cases the estates were granted by the Russian Tsar. The Tsar only confirmed, in most cases, the preceding grants of estates by the Hetman. On the other hand the colonels of the Ukrainian regiments also rewarded their officers and local officials with landed estates. But, again, the instances of such granting were less frequent and the possession of the estate granted by a colonel was not as firm as the ownership of the estates granted by the Hetman.

In the eighteenth century the governmental functions of the Hetman became narrower and his position, in relation to the Russian Government, less firm and independent. The Hetman Ukraine gradually became a Russian province. In the eighteenth century the position of the Ukrainian Hetman did not exist all the time, and when it did exist (Hetmans Skoropadsky, Apostol and Rozumovsky) its functions were limited by the appointment of a special Russian representative for the control of the Hetman's actions, participation in his work, and approval of his decisions (the times of Skoropadsky and Apostol). At the same time some matters of government were transferred directly to the central and local organs of the Russian Government, the management of foreign relations by the Ukrainian state was ended, and even the authority of the Ukrainian Government in the sphere of internal affairs was curtailed (the granting of landed estates by the Hetman was prohibited after December 18, 1709 and again in the Hetman Apostol's "Decisive Articles" in 1727). The old order was partly restored during the rule of Hetman C. Rozumovsky. This Hetman, as the brother-in-law of the Russian Empress, could rule without being controlled by the Russian representatives. But this partial restoration took place in the period when the upper groups of Ukrainian society had lost their faith in the possibility of preserving the Ukrainian state.

It is time to give the names of Ukrainian Hetmans. They were — Bohdan Khmelnytsky (1648-1657), Ivan Vyhovsky (1657-1659), George Khmelnytsky (1659-1663), Paul Teteria (1663-1666), Peter Doroshenko (1666-1676). In the last part of his rule George Khmelnytsky was the Hetman only of Right-Bank Ukraine, so were Teteria and Doroshenko (except for a short time in 1668 when Doroshenko was elected the Hetman of both — Right-Bank and Left-Bank Ukraine. In Left-Bank Ukraine (eastern) — Ivan Somko (the Acting

Hetman in 1661-1663), Ivan Brukhovetsky (1663-1668), Demian Mnohohrishnyj (1669-1672), Ivan Samoilovych (1672-1687), Ivan Mazepa (1687-1708) (after his death in exile, Philip Orlyk was elected to the position of the Hetman by the Ukrainian political refugees), Ivan Skoropadsky (1709-1722), Daniel Apostol (1727-1733), and Cyril Rozumovsky (1751-1764). This list could be extended. We did not name the persons who held this position for a very short time (for instance, Stephan Opara in Right-Bank Ukraine, 1665) or the persons who were backed by a certain group or a party whose efforts and actions were not successful (Khanenko and Sukhovii).

SECTION C

THE COSSACK GENERAL ASSEMBLY

The Cossack General Assembly (*General'na Rada*) was a meeting of the Cossack Army for the discussion and solution of national problems. In principle it was an organ of direct democracy which in its outward features resembled the old popular assembly (*viche, veche*) of Kievan *Rus'*. It differed from the *viche* and the various popular assemblies in other countries, and the *comitia* of ancient Rome, because these assemblies were meetings of the inhabitants of the capital city who discussed and decided problems of importance for the whole realm. The Cossack General Assembly, on the other hand, was the gathering of the whole Cossack army and, at the same time, the assembly of members of a social class. But it would be wrong to regard the Cossack General Assembly as a unique institution. There were institutions of a similar type in other countries, for instance, in Poland. We have in mind the so-called Electoral Diet, the gathering of the Polish *szlachta* (gentry or nobility) for the election of a new king. In such a gathering participated not just the *szlachta's* (*shliakhta's*) representatives elected by the district assemblies (as in the case of a regular *Sejm*-Diet) but all the noblemen who wished to take part in the election. Such Electoral Diets usually took place on a large field near Warsaw. In its outward form the Electoral Diet in Poland was similar to the Cossack General Assembly of Ukraine whose primary function was also the election of the new ruler. Some differences existed between the two institutions, as for instance, the active participation of the *shliakhta's* regular Diet deputies, and that

the *Sejm* Speaker presided over the Electoral Diet. Outward similarity with this Polish institution should not, however, prevent us from stressing the peculiar features of the Cossack General Assembly. It was in principle, an influential organ of government, more than just an electoral meeting, which often decided the most pressing problems facing the Ukrainian state.

The origin of the Cossack General Assembly could be traced to the Cossack councils and meetings of the preceding periods, at first only occasional gatherings of hunters and fishermen and somewhat later mere meetings of small Cossack military units. The subsequent councils and more formal and regular meetings of all Cossacks were the precursors of the Cossack General Assembly in Hetman Ukraine. These Cossack councils and meetings continued to exist after 1648, along with the whole Cossack organization. However, they changed their nature and became the new organs of government of the country. The future would show whether these meetings of the Cossack Army — representing only a part of the population — could become the public organ which could protect the interests of the whole population of the new state, and ensure its security and internal order.

We can expect to find some shortcomings in the Cossack General Assembly as an organ of central government. It was difficult to discuss and decide complex and important problems of government at an open meeting, with tens of thousands of participants. The discussion could not be properly carried out and decisions could not be voted in an organized way. The ability and preparedness of the Cossack masses to discuss these important and complex problems of government were doubtful. The Cossacks could be influenced by a shrewd demagogue and this did happen more than once. The Cossack General Assembly as an organ of the Cossack hereditary and privileged class could not be regarded as a democratic institution in a strict sense of the word. With the ascendancy of the new upper class, the importance of the common Cossacks started to decline, and so also did the political role of the Cossack General Assembly. That was just the way it happened in Hetman Ukraine. Finally, the meetings of such an organ as the Cossack General Assembly could be controlled by outside forces which could influence its decisions. The meetings of the Cossack General Assembly occasionally were surrounded by units of the Russian Army. Such a situation evidently excluded free deliberations.

In the early years, 1648-1651, meetings of the Cossack General Assembly were quite frequent. The Assembly of 1648, which was attended by 70,000 Cossacks discussed the letter of Adam Kysil (a representative of the Polish Government but a member of the Eastern Orthodox Church) which contained his suggestions in regard to peace with Poland. On November 1, 1649 the Cossack General Assembly was convoked in Korsun. In the summer of 1651 this institution discussed the possibility of continuing the struggle against Poland. Later on in the same year there was a meeting of the Assembly near the village of Berestechko in the Cossack camp surrounded by the Polish Army. And again in 1651 near the city of Bila Tserkva (Belaia Tserkov) the Assembly discussed and approved the new treaty with Poland.

The role of the Cossack General Assembly began to decline after 1652-1653. It met again in 1654 in Pereiaslav and decided to conclude an alliance with Russia, and to accept the sovereignty of the Russian Tsar. After that there were no meetings of this body until Bohdan Khmelnytsky's death in 1657. These circumstances were widely discussed in Ukraine at that time and described as "a very unusual situation." After that attempts were made to convoke the Cossack General Assembly. This was requested by the pro-Russian group of Pushkar and Barabash who called for a plenary meeting of this institution. A struggle for the convention of an enlarged General Assembly, so-called "black assembly" (*chorna rada*), with the participation of all social classes developed in 1663. The "black assembly" (the term "black" at that time, if applied to people, suggested their low social position) took place in Nizhyn and elected Ivan Brukhovetsky to the position of the Hetman. After that some protests were launched against the Cossack General Assembly as an organ of government. In the camp of the Chernihiv Regiment in 1667, on the banks of the Desna River, a squadron officer told the Cossacks: "We should not march against the enemy; let us at first summon a General Assembly." And then the colonel, notes a document of that time, struck this officer and told the Cossacks: "It is time to abolish these meetings; the affairs of state should be handled by the Hetman with the council of Cossack officials." These were the words of the Chernihiv colonel, whose name was Demian Mnohohrishnyi. Two years later this colonel became the Hetman of Left-Bank Ukraine and in his new position could implement his view that, under the changed conditions, the Cossack General Assembly

was no longer a useful organ. During Peter Doroshenko's rule the Cossack General Assembly in Right-Bank Ukraine met several times. But this very hetman called the Cossack Assembly a harmful institution which resulted in some "bad business," in his letter to John (Jan) Sobieski, the Crown Hetman (later King John III) of Poland, in 1671.

The Cossack General Assembly met only a few times during Ivan Samoilovych's and Ivan Mazepa's rule. They were convoked only for the election of the new Hetman. In the eighteenth century only three Cossack General Assemblies were convoked. They had no real significance, and their decisions were made a long time before their formal meetings. General Assemblies which elected D. Apostol and C. Rozumovsky, to the Hetmanate, in 1727 and 1751, respectively, were grand pageants, and at that time ceased to be institutions of central government in Hetman Ukraine.

Soon after Ukraine's political emancipation, the Cossack General Assembly became ineffective as an organ of government. In the first two decades after Bohdan Khmelnytsky's death its meetings occasioned confrontations of dissenting and antagonistic groups. Only Peter Doroshenko, a great patriot and popular tribune, could find the support of the Cossack masses at the noisy meetings of the General Assembly. After his rule this institution fell definitely into decay.

It is true that for some time the Cossack General Assembly retained its right to decide some problems of national importance — the election of the Hetman and the conclusion of treaties with Russia. But soon this function became formal and ceremonial. We seldom hear about a discussion or a struggle at its meetings in the 1670's-1690's. Such discussions and debates were transferred to another central organ — the Cossack Officers' Council — which usually had its sessions prior to the meetings of the Cossack General Assembly. In most cases these preliminary discussions and decisions predetermined the resolutions of the Cossack General Assembly.

When we describe the composition of the Cossack General Assembly we have to mention in the first place the Cossack Army and, consequently, the majority of the Cossack class. General assemblies with a large number of participants were usually called the "black assemblies" (*chorni rady*). As a rule the peasants did not participate. Peasant participation probably occurred only at the "black assembly" of 1663 near Nizhyn because the source materials

talk about the „bands” that marched toward this place, and indicate that Ivan Brukhovetsky's regiments in their advance toward this city "were joined by a large number of non-Cossack volunteers." But this was an extraordinary case; peasant participation in the meeting of the Cossack General Assembly was covered by their temporary admission to the Cossack units, and the Cossack annalist of that time described it as "a new trouble which had never happened before."

The noble army fellows and Cossack officers always participated in the meetings of the Cossack General Assembly and were most active. They also attended the sessions of the Cossack Officers' Council before the meetings of the General Assembly and participated in the preliminary discussions of the General Assembly's agenda. The approximate correlation of forces — ten to one — could be established from the data concerning the Cossack General Assembly which elected Hetman Ivan Skoropadsky in Hlukhiv in 1708. It was attended by the 1,100 Cossacks and 124 noble army fellows.

The clergy as a class did not participate in the meetings of the Cossack General Assembly. But its higher representatives were often invited to attend these meetings and, sometimes, they played an important role there. They also had a special function — to administer the oath of the newly elected Hetman.

On the other hand some townspeople quite often participated in the meetings of the Cossack General Assembly. In some cases all of those burghers who cared to arrive participated in these meetings (as for example in 1663 near Nizhyn). However, in most cases the burghers were represented by the mayors and burgomasters. There were forty of these representatives of Ukrainian towns in Cossack General Assembly in Hlukhiv which elected Hetman Demian Mnohohrishnyi in 1669. It is evident that such representation, even if it assured for the burgher class some opportunity to present their views and to defend their interests, did not change the principal characteristics of the Cossack General Assembly as a meeting of the Cossacks.

The problem of Zaporozhian participation in the Cossack General Assembly of Hetman Ukraine is more complex. In the first years after the uprising of 1648 we see such participation. But already during Ivan Vyhovsky's rule the Hetman and his party denied their right to attend the Cossack General Assembly, and the Zaporozhians insisted on preserving it. In 1662 the Acting Hetman

Ivan Somko raised his objections in the statement that "according to our old rules the Hetmans were elected in Ukrainian towns without Zaporozhians." The Zaporozhians participated in the meeting of the "black assembly" near Nizhyn in 1663. Later they attended some meetings of the Cossack General Assembly during Peter Doroshenko's rule in Right-Bank Ukraine. At that time, however, some objections were raised against their presence. When Sukhovii, a leader of Zaporozhians, along with some Cossack regiments of Right-Bank Ukraine waited for the arrival of Hetman Doroshenko to the Rosava Valley for a meeting of the Cossack General Assembly in 1669, he tried to assure the Hetman that only the Cossacks from Hetman Ukraine would attend this meeting. There was no Zaporozhian participation in the subsequent meetings of the Cossack General Assembly. The Zaporozhians participated, however, in the Cossack General Assembly of 1710, which was really a meeting of the Ukrainian political refugees in Bendery (Moldavia). At this meeting Philip Orlyk was elected to be their Hetman.

In general, we should say that this struggle for Zaporozhian participation in the meetings of the Cossack General Assembly of Hetman Ukraine, and the efforts of Ukrainian rulers to deny their right to participation, shows that the process of establishing a separate Zaporozhian body politic had not properly begun in the early years after 1648. Later, when the separation of the Zaporozhian Sich from Hetman Ukraine was definitely established, Zaporozhian participation in the central organs of the Ukrainian Government (as well as the participation of the Cossacks from Hetman Ukraine in the organs of the Zaporozhian Government) was no longer justified.

Before and after 1648 the usual meeting place of the Cossack General Assembly was a field near the Masliv Stav (Pond) in the Rosava Vally (Right-Bank Ukraine), now the town of Maslivka in the Province of Kiev. Here the general assemblies met in 1622, 1630, 1632, 1637, and 1651. Here George Khmelnytsky was elected the Hetman in 1659. The meetings of the Cossack General Assembly were held there in October 1661 and May 1662. Hetman Peter Doroshenko stated in one of his edicts in 1669 that "from the ancient time the Cossack General Assemblies met in the Rosava Valley." In 1673 he summoned the Cossack General Assembly to meet in this very place. However, even before 1648, some meetings of the Cossack General Assembly took place elsewhere. In 1632 it assembled at Pryluky, in 1637 — near Borovytsia, in 1638 — in Kiev.

When Left-Bank Ukraine separated from Right-Bank Ukraine its general assemblies could not meet in the Rosava Valley. In Left-Bank Ukraine they frequently assembled in Pereiaslav. Here the Cossack General Assembly met in 1654, and this assembly decided on joining Russia; Hetman Ivan Vyhovsky was re-elected in 1658, George Khmelnytsky re-elected in 1659, and Ivan Samoilovych elected the Hetman of both Right-Bank and Left-Bank Ukraine in 1674. Some meetings took place in other localities: near Nizhyn in 1663, near Hlukhiv in 1669, and at Kozats'ka Dibrova in 1672. The meetings of the Cossack General Assembly tended to be summoned in the springtime ("on the grass") or in autumn. The grass was important as fodder for Cossack horses; the autumn was the proper time after harvesting.

The Cossack General Assembly was convoked by the Hetman who sent his summons inviting the Cossack regiments to come for a meeting. After the arrival to the designated place the Cossacks were called to the meetings by the sound of drums and kettles.

The procedure of the Cossack General Assembly was determined by its form and nature. Its many members formed a large circle. In the 1660-1680's in Left-Bank Ukraine most Cossack general assemblies were supervised by the units of the Russian Army; these Russian military units were placed outside the Cossack circle. As a rule the Hetman opened the meeting and directed its proceedings. Chief aides-de-camp (*general'ni osavuly*) also had some functions in regulating the meeting. It is clear that a strictly organized discussion was not possible at such a gathering. The participants expressed their views by shouting and tossing their hats up. There could be a scuffle in case of a disagreement between two or more groups.

The foremost function of the Cossack General Assembly was the election of the Hetman. In this connection its power was exclusive and its rights were several times confirmed by the „Articles” (treaties) with Russia. The candidate whose name was shouted out had, according to the old Cossack custom, several times to decline to accept the Hetman's position (a Cossack annalist, ill-disposed to Demian Mnohohrishnyi, noted that his refusal looked "like the refusal of an old maid to accept the proposal of a becoming fellow"). The decisive moment was the handing of the *bulava* to the newly elected Hetman and covering him with the Cossack banner. Also an abdication of the Hetman, if it occurred, took place at the meeting of the Cossack General Assembly. Thus Hetman Ivan Vyhovsky

tried to relinquish his position at the Cossack General Assembly's meeting in Korsun in 1658; he definitely gave it away at the Cossack General Assembly near the village of Germanivka in 1659. George Khmelnytsky and Michael Khanenko relinquished the Hetman's position at the meetings of the Cossack General Assembly in 1663 and 1674 respectively. The decisive moment of abdication was when the Hetman expressed his gratitude to the Cossack Army and laid down his *bulava*.

Sometimes the Cossack General Assembly elected also the chief officers of the Cossack Army and the officials of the Ukrainian state; in a few cases it also elected some colonels of Cossack regiments. But in other cases the colonels were elected (or appointed) by the other organs of government.

Important problems of foreign policy were discussed at and decided by the Cossack General Assembly. We can name its meetings in Bila Tserkva, 1651 (the treaty with Poland); in Pereiaslav, 1654 (alliance with Russia); in Korsun, 1657 (discussion of an alliance with Sweden); once more in Korsun, 1669 (discussion of an alliance with Turkey), etc. In Left-Bank Ukraine the Cossack General Assembly several times discussed and concluded the treaties with Russia.

Some other problems of military, administrative, and judicial character were sometimes discussed at and decided by the Cossack General Assembly. In 1657 in Chyhyryn the Cossack General Assembly decided to establish custom-free trade in wine; and in 1669, in the Rosava Valley, it abolished the mercenary (*serdiuk*) regiments.

SECTION D

THE COSSACK OFFICER'S COUNCIL

If the Cossack General Assembly was the only supreme organ in Hetman Ukraine, the governmental system of the Ukrainian state would have been quite unique, and sharply different from the political structures of other European countries. But the Ukrainian state was much more complex; it had a long historical development, its population was numerous and it was divided into several hereditary social groups. It also had old contacts with other European peoples and countries. That is why the Cossack General Assembly, an insti-

tution born in the preceding period of the Ukraine's history, could not survive here as a governmental organ of paramount importance. That is why the Hetman's role tended to grow stronger, along with the power and influence of another central organ — the Cossack Officers' Council (*Rada Starshyny*).

In the history of most European countries in the early postfeudal period we usually find the representative institutions of hereditary classes. In some states these organs overcame all external and internal obstacles to development — foreign conquest, the absolutist tendencies of the king and princes, — and came, in a modified form, to our time. It is clear that in the first place we have in mind the magnificent organization of the British Parliament. In other countries these organs for some reason or other could not survive, the *États généraux* of France, the *Snem* of Bohemia, the *Sejm* of Poland, to name some of them. But in the second half of the seventeenth century, the time of the Cossack Officers' Council in Hetman Ukraine, most of them flourished, evidently answering the needs of their societies. The characteristic feature of these organs was the principle of representation — a more effective form of government than direct participation of all the people. But, it was a representation of hereditary classes as separate social divisions, and did not include all classes. The largest class — the enserfed peasants — usually was not represented. In some representative bodies the deputies of hereditary classes met and deliberated separately (e. g. in France).

Most of these institutions had long and complex development. Their origin could be traced to the early feudal period when they had the form of "council of elders" which consulted and controlled the tribal leaders. Later they became the councils of feudal princes and dukes, and still later on, of kings. Alongside with them were the assemblies of the people where the larger social groups had a voice in the decision of common affairs. The peculiar synthesis of these two early institutions that followed was a turning point in the evolution of methods of government, and a long step toward the constitutional principles of our time. The first of these old institutions was transformed into a "House of Lords" (or the Senate, or the *Pany-Rada*, as it was called in the Grand Duchy of Lithuania); the second became a "House of Commons," a *Sejm*, etc. When the proud English barons defeated King John at Runnymede and forced him to call two knights from each county and two representatives from each city for the discussion and decision of problems connected with the

imposition of taxes, they opened a new page in the history of constitutional government.

Ukraine did not pass through all the phases of such development. There were some interruptions of the historical path caused by a temporary though lengthy loss of statehood. Thus the councils of *boiars* and the *vicha* (sing. *viche* or *veche*) — the popular assemblies of the capital cities — of the period of medieval Kievan *Rus'* were not substituted by the new organs because the Ukrainian principalities lost their independence. In the period of the Grand Duchy of Lithuania the *Pany-Rada* and the *Soim* (Diet) were the real institutions of class representation like those postfeudal parliamentary institutions in other European countries. At the meetings of these institutions the representatives of Lithuania, Belorussia, and Ukraine met as equals among the equal until in 1569 when the regions of the Ukrainian Dnieper Valley were incorporated into the Kingdom of Poland.

The fact that in Hetman Ukraine the restored Ukrainian state started again the organization of a representative organ of social estates proves that the general line of Ukrainian socio-political development followed the historical development of other European nations. The Cossack Officers' Council of Hetman Ukraine was, in our opinion an organ corresponding to the European institutions of estate (class) representation.

Before starting the description and evaluation of this institution we have to note the uncompleted path of its development. The Cossack Officers' Council, with its enlarged session, had just begun its development, making only the first steps towards its logical goal. Therefore, we see only the rough and uncrystallized forms of this organization. The time of Ivan Samoilovych's and Ivan Mazepa's rule (1672-1708), when this body began to develop into a real organ of class representation, lasted, after all, only three and half decades. This time was too short. In 1708 the Hetman state was defeated. In the "Constitution of Philip Orlyk" (1710) the idea of the Cossack Officers' Council as a form of European parliamentarism was lucidly expressed. "There is in the independent countries a good and useful for common weal order — said Section VI of this document — that always, in the time of war as well as in the time of peace, the problems of national importance are decided by the special councils." But this Constitution was a document prepared by the Ukrainian refugees outside Ukraine and it could not directly influence the

subsequent political development of Hetman Ukraine. In the eighteenth century the Cossack Officer's Council continued its existence in a manner corresponding to the changed form of the Ukrainian political structure and under the powerful and direct influence of the Russian Government.

We have to start with the description of this institution, at first — its structure. In this connection we have to distinguish its three forms. The first was a conference of the Hetman and his chief aids (ministers) and advisers — the Council (or Collegium) of Cossack Chief (General) Officers. The second form included also the colonels of the Regiments (sometimes accompanied by several other officers). This form was not clearly separated from the others. It existed in the period when the third form — the enlarged sessions of the Cossack Officers' Council — had not become an established and permanent institution. Even at the time of its existence the second form was an intermediate organ which sometimes was close to the Collegium of Chief officers or to the enlarged sessions of the Cossack Officers' Council.

The enlarged sessions of the Cossack Officers' Council indeed comprised a great many members: the chief officers and officials of the army and state, colonels, the officers and officials of Cossack regiments, and the hundred commanders. As a rule the noble army fellows also participated in the sessions of this institution. In addition to them we often encounter at these sessions in the seventeenth century the mayors and burgomasters of Ukrainian towns. There was some participation by the higher clergy, but evidently this was not regular or obligatory. The ordinary Cossacks, peasants and lower clergy did not participate in the enlarged sessions of the Cossack Officers' Council.

The enlarged sessions were, as a rule, attended by all those who had a right to attend by their social or official positions, and also those invited persons who wished to participate. Starting from the 1660's and after this period we often find in documentary materials notes showing the participation in enlarged sessions of the "councilmen" or the "Cossack advisers." The documentary materials do not give a detailed description of this category. It is possible that they were the elected representatives of the noble army fellows who were unable to attend, empowered to defend their interests at the enlarged sessions of the Cossack Officers' Council.

Section VI of the "Constitution of 1710" or the "Constitution of Philip Orlyk" stated that for participation in "common council" there "should be elected, with the Hetman's consent, from each regiment one noble, eminent, wise and honoured councilman. The present-day High and Noble Hetman and his successors have to seek the advice of the chief Cossack officers, colonels and councilmen in all the problems of the homeland's integrity and common weal as well as in other public affairs; without their consent the Hetman should not initiate, establish, and carry into practice anything by his own will." Each councilman, in co-operation with the proper colonel, "has to control the administration of the regiment which he represents and to protect its people against all wrongdoing and oppression."

The "Constitution of Philip Orlyk" was adopted in 1710 in Bendery (Moldavia) by the Ukrainian political refugees who, in the place of the deceased Hetman Ivan Mazepa, elected Philip Orlyk as their new Hetman. We can assume that in their constitutional document, in general, they tried to continue the old governmental tradition of the Ukrainian state, while introducing some new forms and principles. As far as they used the term "councilmen" it is clear that they tried to restore the old tradition of the enlarged sessions of the Cossack Officers' Council which, as we have seen, included the representatives of the upper social strata. The really new feature was the establishment of this order in a written constitution.

We often notice that in the eighteenth century the membership of the Cossack Officers' Council was extended by invitation. "Several noble army fellows" joined the Council in the autumn of 1755 and ten standard fellows (i. e. one from each regiment) in early 1759. In all probability these noble army fellows were the elected representatives of their social group. We can state that the Cossack Officers' Council was gradually developing into a representative body. But this form was just in its embryonic stage. The "Constitution of 1710" tried to establish it as a form of Ukrainian parliament but this Constitution never really became the law of the country.

The normal development of the governmental system in Hetman Ukraine was interrupted after the defeat of 1709 (the Battle of Poltava) and the Cossack Officers' Council did not develop into an organ of the Ukrainian parliamentary system. Before this, in harmony with the parliamentary forms of other European countries, the Ukrainian organization was also developing into a dual chamber

system. The Collegium of the Cossack Chief Officers (and colonels) was — or was developing into — the upper branch of this system and the enlarged sessions of the Cossack Officers' Council — its lower chamber.

The times of meetings of the Cossack Officers' Council were determined by the character of its two "chambers." The meetings of the Collegium of the Cossack Chief Officers were regular and, evidently, took place several times during the week, when there were problems which had to be decided. The enlarged sessions also had specially fixed terms. They usually met in the period between Christmas and Epiphany and in spring, at Easter. The Cossack officers and noble army fellows as well as the representatives of the towns arrived at the Hetman's residence to greet the head of the government and at the same time to discuss with him the pressing problems of the state. Such a combination of holiday festivities with the meetings of representative organs was not a special feature of Ukraine. We find a similar situation, for instance, in England where in the early history of her parliamentary organs, their sessions took place three times in the year — on Christmas, Easter, and Whitsunday. In the "Constitution of 1710" adopted at Bendery we also find three terms of these sessions — on Christmas, Easter, and in autumn (on Intercession of Holy Virgin Day). The first two terms were established before, the third was new.

The documentary materials of the period show us explicitly that the enlarged sessions usually lasted several days. In the eighteenth century the enlarged sessions of the Cossack Officers' Council regularly met during Hetman Skoropadsky's rule. Later on they only met from time to time, and rather as an advisory body and not as a real organ of central government.

The procedure of these meetings and sessions was in the first place determined by the fact that they took place in the Hetman's residence, i. e. in the capital city of the Ukrainian state. Usually they met at the Hetman's palace. Some of the sessions — certainly not all of them — took place during festive banquets. Very often, we learn from documentary materials, that there was a prepared and announced preliminary agenda. The meetings and sessions of the Cossack Officers' Council were presided and directed by the Hetman. They were opened by his introductory and salutary address. Only Peter Doroshenko had the habit of leaving the meeting after the opening

address, giving the members an opportunity to discuss the problems of the agenda in his absence. Evidently this showed his intention to ensure a free discussion. Numerous sources provide information about the discussions at these meetings. Thus we see in the report on the session of January 1, 1697 that the decision concerning measures for the defense of the country was reached "after a long discussion and argumentation." Sometimes there were sharp disputes with the Hetman. For instance, at a session of the Cossack Officers' Council summoned by Hetman Doroshenko in 1666 members of this body "shouted loudly at the Hetman."

It is not clear whether the Cossack Officers' Council decided by formal voting based on the opinion of the majority. It is possible to find some instances leading in this direction. For example, at the enlarged session of the Cossack Officers' Council on Easter in 1673 there were "more of those" who decided to impose taxes on the taverns. This might be a hint on the possibility of counting votes. On the other hand, many documents say that the opinion and decisions were "unanimous and harmonious" and this seems to exclude formal voting. There was no special confirmation of the decisions of the Cossack Officers' Council by the Hetman. Evidently it was not necessary because the Hetman himself participated in and directed the work of this organ. The resolutions were promulgated as the joint decisions of "the Hetman and *Starshyna* (Cossack officers)." The sessions were closed by the Hetman. Not all the decisions of the Cossack Officers' Council were made in written form. But we have found some written decisions of this body — in the spring of 1671, on the Epiphany of 1690, and some others.

In the eighteenth century — especially after Ivan Skoropadsky's rule — the meetings and sessions of the Cossack Officers' Council changed their form and character. Now as a rule, the Hetman did not attend them. At this time the Cossack Officers' Council had always to present its written "opinions" signed by all its members. Those who disagreed had to submit their "dissenting opinions." The "opinions" did not bind the Hetman and had to be confirmed by him (or by the chief of the administration when the Hetman's position did not exist).

The functions and jurisdiction of the Cossack Officers' Council — before it became an advisory body — were fairly large. But very often they competed with and repeated the functions and jurisdiction

of the Hetman and the Cossack General Assembly. There was no clear-cut delimitation of functions and authority. During Ivan Samoilovych's and Ivan Mazepa's rule the comparison of the authority of the Cossack General Assembly and that of the Cossack Officers' Council shows clearly the greater influence of the second organ; this coincided with the decline of the Cossack General Assembly. The Cossack Officers' Council discussed and decided problems of foreign policy. As a rule there was a session of this body preceding the meeting of the Cossack General Assembly. The problems which were on the agenda of this organ were preliminarily examined by the Cossack Officers' Council; in many cases this in fact predetermined the decisions of the Cossack General Assembly.

Examination and discussion of financial problems was a very important function of the Cossack Officers' Council. The examination and discussion of revenues for the upkeep of the standing (mercenary) military units played a decisive role in the development of the enlarged sessions of the Cossack Officers' Council which began their existence during the rule of Demian Mnohorishnyi and continued to regularly meet during the rule of Ivan Samoilovych and Ivan Mazepa (1669-1708). Under the conditions of a natural economy with poorly developed monetary resources it was not easy to find money for the soldiers. The Ukrainian Government tried to find a way out in the taxation of distilleries and taverns for the production and sale of alcoholic liquor. Because the ordinary Cossacks were very often small-scale producers of alcoholic beverages they vehemently opposed the imposition of these duties. That explains why the problem of taxes on alcoholic liquors and their sale was regularly discussed and examined by the enlarged sessions of the Cossack Officers' Council, where some of its members tried to protect the interests of the small-scale producers and sellers of alcoholic beverages and, consequently, opposed the taxation of taverns and distilleries, while the other members tried to prove its need for the state. Problems of the taxation of alcoholic beverages, tobacco, and wood tar were discussed and approved by the enlarged sessions of the Cossack Officers' Council in 1678, 1684 and 1685. The Cossack General Assembly, which elected Ivan Mazepa the Hetman in 1687, abolished these taxes and blamed Hetman Ivan Samoilovych, — who was accused of treason — for their imposition. But the enlarged session of the Cossack Officers' Council in 1690 restored these duties. During the rebellion of I. Petryk, who called for the abolition of the unpopular taxation of

alcoholic liquors in 1692, these taxes were discontinued by the enlarged session of the Cossack Officers' Council. This decision was confirmed by the enlarged session of this body in 1693. However, they were reestablished by the enlarged session of the Cossack Officers' Council in 1694.

This shows that the maintenance of mercenary military units was one of the most important political problems of that time and that in most cases the enlarged sessions of the Cossack Officers' Council were called to discuss and to decide it. In the eighteenth century we also find the advisory "opinions" of the Cossack Officers' Council concerning some problems of financial policy.

The jurisdiction of the Cossack Officers' Council in judicial cases is indicated by its examination of some important political offences. Thus the enlarged session examined on Christmas — Epiphany 1676-1677 the attempt of the Colonel of the Starodub Regiment to separate this regiment from Hetman Ukraine. An enlarged session examined the case of L. Polubotok, the Colonel of the Pereiaslav Regiment in 1687; and it tried the notorious monk Solomon in 1691.

Quite often the Cossack Officers' Council discussed and examined other important military problems such as military campaigns, and construction of fortresses and military installations. We also know about several decisions of the Cossack Officers' Council to confiscate the landed estates of the noble army fellows and Cossack officers (for instance, the decisions of the enlarged session of the Cossack Officers' Council in 1692).

In the eighteenth century the Cossack Officers' Council discussed problems relating to the codification of Ukrainian laws. Sometimes the Council discussed the means of preventing the peasants' escapes from their landlords' estates. In 1764 this organ decided to submit to the Russian Empress a petition for the establishment of the hereditary hetmancy in Ukraine.

During Cyril Rozumovsky's rule we see a certain revivification of the Cossack Officers' Council. It still remained the organ with only advisory functions but at this time the Hetman quite often asked it to submit to him its "opinions." However, this intensification of its activity lasted but a short time and after the incorporation of Hetman Ukraine into the Russian Empire the Cossack Officers' Council ceased to exist.

SECTION E

COSSACK CHIEF OFFICERS

When we talk about the Cossack Chief Officers — *General'na Starshyna* — we have in mind both the higher military commanders as well as the high officers of the Ukrainian state. The functions of these commanders and officials were of special character. Some of them had their fixed range of duties, but primarily they were the Hetman's aids and advisers in the various problems of government.

That is why the term "officials" seems to be the most appropriate. In European countries of the early post-feudal period this term was applied to the higher retinue of the monarch, whose members had some functions of government as well as some managerial and ceremonial duties in the royal court. In various European countries there existed positions of several court officials such as *seneschals*, *constables*, *stewards*, *marszalki* (Poland), *koniushie*, *kravchie*, and *stol'niki* (Russia), etc.

In Hetman Ukraine there were also some officials with ceremonial and managerial functions in the Hetman's palace and estates: the *marshalky* and *dvorets'ki* (stewards), *koniushi* (equerries), *shaternychi* (setting up the Hetman's tent during military campaigns), etc. But the characteristic feature of Hetman Ukraine was that these officials of the Hetman's palace did not become the higher officials of the state. This difference from other European countries can once more be explained by the fact that these other countries had experienced uninterrupted political development since the feudal period, when there was no distinct delimitation between service to the monarch and to the state. As a result many of these servicemen of the kings gradually relinquished their original court functions and became, primarily, the high officials of the state.

The political development of Ukraine was interrupted several times. That is why instead of the former constables and stewards, the Cossack commanders became the higher officials of the Ukrainian state. These new officials preserved their military ranks and positions. But, at the same time, they became the officials and chief executives of the new state.

We have to separate the role of the Cossack chief officers as a distinct group, which (sometimes joined by the colonels) constituted a form of the upper chamber of the Cossack Officers' Council, from

the functions of each member of this group as an official of the Ukrainian state.

As a kind of upper chamber of the Cossack Officers' Council the Collegium of the Chief Officers constituted a standing advisory council of the Hetman. In the most important cases this council was augmented by the colonels of the Ukrainian regiments. As such its functions are covered by our description of the Cossack Officers' Council. But it also had its special duties. This collegium had the right to govern the state during the interregnums as a regency council of sorts. Thus the Collegium of Cossack Chief Officers ruled Hetman Ukraine in 1672 after Hetman Demian Mnohohrishnyi's fall. It also exercised governmental functions after Hetman Ivan Skoropadsky's death in 1722. The historians of Ukraine have usually regarded this time as the rule of Paul Polubotok, the Colonel of the Chernihiv Regiment. But it was rather a period of government by the Collegium of Cossack Chief Officers. Polubotok himself, while describing the constitutional structure of his government, wrote in August 1722 that "up to the election of the new Hetman we have to substitute him and govern Little Russia jointly with the Cossack Chief Officers." At that time the problems of government were decided "after a joint discussion and by common consent." In the summer of 1733, in the closing hours of Hetman Daniel Apostol's life, the Collegium of Cossack Chief Officers tried again to assume the reins of government. But by this time the situation had been changed and the permanent representative of the Russian Government in Ukraine nipped its action in the bud. The Collegium of Cossack Chief Officers could do nothing more than to send a petition to St. Petersburg, asking the Russian Government to "permit the Cossack Chief Officers to decide all the military and civil affairs of Little Russia till the election of the new Hetman." This request was rejected. Later on, in the absences of Cyril Rozumovsky, the last Hetman, who frequently travelled to St. Petersburg, the Ukrainian state was ruled by the Collegium of Cossack Chief Officers.

We have to remind our readers that the Cossack Chief Officers were usually elected by the General Cossack Assembly or by the Cossack Officers' Council. However, in some cases they were appointed by the Hetman. In the eighteenth century, after Hetman Ivan Skoropadsky's death, as a result of the increasing dependence of Hetman Ukraine on Russia the Cossack Officers' Council only nominated a few (usually three) candidates for the open position of a

Cossack chief officer. Then the Russian Government selected and appointed one of them.

There was no regular advancement of the Cossack chief officers from one position to another though in some cases the newly appointed chief officer had held before that another position in this group (for instance, a chief standard bearer could be appointed to the position of the chief justice or chief quartermaster). In other cases the colonels, the senior regiment officers, or the noble army fellows (as a rule members of the upper group — the standard fellows), were appointed to the position of Chief Officers. We have to note that, while the colonels were often appointed (or elected) to the positions of the quartermaster-general, chief justice or treasurer-general they were never appointed to the positions of chief aides-de-camp, the chief flag bearer or the chief standard bearer. On the contrary, there were quite a few appointments and elections from these positions to the colonels of Ukrainian regiments (we can name the well known historical fact when the chief standard bearer Ivan Skoropadsky — the future hetman — was appointed to the position of the colonel of the Starodub Regiment). As a result we can note some traces of a division of the Cossack chief officers into two groups — the upper one and the lower. As a rule the officials who were appointed or elected to the position of the secretary-general prior to that served in the General Chancellery. For their work tracts of land were granted to the Cossack chief officers and other officials of the Ukrainian state. The possession of these landed estates was temporary and conditional, and the estates belonged to them as the bearers of a certain rank. Accordingly these estates were designated as *rangovi maietnosti* ("rank estates").

Each of the Cossack chief officers was — and we have always to remember that — not only the chief executive officer of a certain department of government, but also a member of the upper chamber of the Cossack Officers' Council as well as the Hetman's assistant and adviser. In addition, each of them, on the Hetman's orders, carried out various assignments that very often were not in the least connected with their regular and direct functions.

The first and senior member of the Collegium of Cossack chief officers (officials) was the Quartermaster-General (*general'nyi oboznyi*). As an acting hetman (*nakaznyi hetman*), he usually substituted for the Hetman during the periods following the death or deposition

of the previous ruler as well as during the Hetman's trips outside the country. In the absence of the Hetman the Quartermaster-General presided also over the Cossack Officers' Council. His main function was the command and administration of the artillery as a separate unit of the Cossack Army. The artillery officers as well as servicemen were placed under his command; the artillery officers were appointed by him. The artillery was sustained from the income from the select towns and districts attached to it for this purpose. Such were the towns of Korop, Korsun, Lokhvytsia, with adjacent rural regions. The Quartermaster-General was the chief administrator of these districts. Each Ukrainian regiment also had its own artillery but the Quartermaster-General had the right to control and supervise these units. A special "Office of the Cossack Artillery" was established in the eighteenth century and was controlled and supervised by the Quartermaster-General. In addition to these direct duties the Quartermaster-General acted as a member of the Ukrainian Government and one of the commanders of the Cossack Army. He led the Cossack units during military campaigns, travelled as an envoy of Hetman Ukraine to other countries (when the Ukrainian Government exercised such contacts), set the boundaries of the noble army fellows' estates, examined the complaints against the organs of local government, and attended (in the eighteenth century) the sessions of the General Chancellery or the Supreme Court. Quartermaster-Generals in other European states usually exercised strictly military functions. Only in England did the Master of the Ordinance have wider functions and a more influential position, but it was not as influential as the position of the Quartermaster-General in Hetman Ukraine.

The Chief Justices (*general'ni suddi*) were the next in rank. In the seventeenth century (with the exception of 1659) there was one Chief Justice; after 1690 there were always two. At that time the Supreme Court in most states was more or less separated from the executive organs of government. But in the sixteenth to seventeenth century Russia, the heads of the special departments of government (*prikazy*) were called "judges" and, in fact, in addition to their direct administrative functions, had the power to try their subordinates as well as the people of the regions which they controlled. The position of Chief Justices in Hetman Ukraine was of an intermediate nature between these two types. On the one hand they performed their special judicial functions, on the other hand they were the members

of the Cossack Officers' Council and its upper chamber — the Collegium of the Cossack Chief Officers. As they also acted as the Hetman's advisors, and executed various assignments, very often far removed from their judicial functions (for instance, the mission of the Chief Justice Samuel Bohdanovych-Zarudnyi to Moscow for negotiations on the form and conditions of Russo-Ukrainian alliance in 1654). More explicit separation of judicial and administrative functions was introduced in the eighteenth century. As a result, the judicial functions became the main duty of the Chief Justices. However, they still were members of the Cossack Officers' Council, though at that time they were given no more assignments of a non-judicial nature.

It is interesting to note the similar position of the "Supreme Vornic" in Rumanian principalities to that of the Ukrainian Chief Justices. He was also the chief justice who, like Chief Justices in Ukraine, was a member of the ruler's council ("the Divan") and quite often had various assignments of non-judicial character. We have to note that the Chief Justices had their special symbols of authority — the judge's staffs (*leski sudeis'ki*).

The third place in the chief officials' hierarchy, but only in the eighteenth century, belonged to the Treasurer-General (*general'nyi pidskarbi*). In the seventeenth century this position existed only in 1663-1668 during the rule of Ivan Brukhovetsky. Afterwards it was abolished and did not exist for a long time. Evidently there was no need for it because the treasury of the state and the personal finances of the Hetman were not separated, and the Hetman's finances were usually managed by the personnel of his estates. A permanent position of the Treasurer-General was restored in 1728. At this time the separation of the public treasure from the Hetman's personal finances was accomplished by putting the Ukrainian treasury under the control of the Russian Government. The posts of the Treasurers-General were established for this purpose; one of them had to be a Russian. The work and functions of the Treasurers-General were regulated by special ordinances. The first ordinance was dated April 29, 1729, the second June 4, 1760. We learn from these regulations that the treasurers directed the collection of taxes (monetary as well as in kind), controlled the expenditures of the administrative organs, supervised the work of the tax collectors and financial activities of cities and towns. They directed the work of the central Treasury Office and the Auditing Committee.

The position of Secretary General (*general'nyi pysar*) of Hetman Ukraine corresponds to that of chancellor in other states. He was the head and director of the General Chancellery. Like the chancellors of other countries, he conducted the foreign affairs of the state. In this capacity the Secretary-General usually received the envoys and representatives of foreign governments and carried out preliminary negotiations, so that later, when the envoys were introduced to the Hetman, the positions of the parties were clearly established. This was clearly shown in the work and position of Ivan Vyhovsky — the Secretary-General during Bohdan Khmelnytsky's rule and later Bohdan Khmelnytsky's successor.

The Secretary-General acted also as a secretary to the Cossack Officers' Council when and if the proceedings of its meetings and sessions were recorded. He personally presented to this organ the letters and state documents.

Like chancellors elsewhere, the Secretary-General was the keeper of the state seal, and his function was to affix it to the documents issued by the General Chancellery. However, the Ukrainian Secretary-General did not sign the documents of the Ukrainian state; they had but one signature, that of the Hetman. The Secretary-General, just as other chief officers, quite often carried out various commissions and errands ordered by the Hetman.

Starting from the position of the two Chief Aides-de-camp (Sing., *general'nyi osavul*) we are passing to a somewhat lower group of the Cossack chief officers. As we already said it was possible to be appointed a Colonel from these positions but not vice versa. These positions were especially characteristic to Hetman Ukraine as it was difficult to find similar state posts in other countries; and even when they existed they were connected with the personal service and functions in the ruler's court. In Ukraine these positions originated not from the ruler's retinue but from the Cossack military organization. This position of the *osavul* was adopted from the East. We find similar officers and officials in Mongolia, Khiva, Kokand, and the Crimea. In these countries they had the same functions as the *general'ni osavuly* in Ukraine — they were the executors of the rulers' personal commissions and errands. In Ukraine, in addition to the Hetman's Chief Aides-de-camp there were also officers of this category in the administration of Regiments and Hundreds. Their name remained in the Ukrainian language after the incorporation of Het-

man Ukraine into Russia; in the nineteenth century it, however, designated the managers of manorial estates.

The Chief Aides-de-camp were members of the Cossack Officers' Council and its upper branch. The source materials of that time show us that very often they were the trusted assistants of the Hetman. In 1751, when Cyril Rozumovsky began his rule, he requested the lower group of Cossack chief officers to prepare a written report describing their functions and duties. In this report the members of this group stated that "the Chief Aides-de-camp, the Flag-Bearer, and the Standard-Bearer remained in turns in the Hetman's residence for the execution of various assignments and commissions. During military campaigns they, as the other Cossack chief officers did sometimes by the Hetman's request, held command over the Cossack regiments."

Among "various assignments and commissions" carried out by the Chief Aides-de-camp were assignments of a military nature. More often than other Cossack chief officers we find them in the role of the "acting hetman" during the military campaigns not led by the Hetman himself. We can also notice their supervisory functions in regard to the mercenary units and regiments. At the meeting of the Cossack General Assembly the Aides-de-camp played the role of regulators and supervisors. Quite often they carried out the assignments of diplomatic nature as the Hetman's envoys or couriers. Sometimes they investigated the judicial cases or determined the disputed boundaries of landed estates. During Demian Mnohohrshnyi's rule the *general'nyi osavul*, P. Hrybovych "went at nights to other people's backyards and informed the Hetman about the overheard conversations." This shows that the Aides-de-camp's functions evidently included some duties of a police character. In the eighteenth century the Chief Aides-de-camp often were members of the General Chancellery and (or) the Supreme Court.

On December 5, 1763 Hetman Cyril Rozumovsky issued special instructions establishing the functions of the lower group of the Cossack chief officers — the Chief Aides-de-camp, Flag-Bearer (the Sergeant-at-arms general), and Standard-Bearer (Adjutant-general). The Hetman stated that "their duties have not been clearly established" and that he decided to define them more precisely. According to this instruction they had annually to review the Cossack regiments — the first year, the Chief Aides-de-camp; the next year, the Chief Flag-Bearer and Standard-Bearer. They also had to supervise the

mercenary units and regiments, examine the complaints of the Cossacks against the officers of their Regiments and Hundreds, keep the records of the assignments and commissions performed by the officers of Regiments and Hundreds and, finally, supervise the guards in the Hetman's residence. A small office of three clerks had to handle the correspondence connected with these duties. As we learn from this document, the functions of the Chief Aides-de-camp as well as the Chief Flag and Standard Bearers, in general were still of a military character.

The description of the Aides-de-camp's functions could to a considerable extent be applied to the two remaining positions of the Cossack chief officers: the Chief Flag-Bearer (*general'nyi khorunzhyi* — the Sergeant-at-arms General) and the Chief Standard Bearer (*general'nyi bunchuzhnyi* — adjutant-general of sorts). They were also members of the Cossack Officers' Council and in the same manner as the Aides-de-camp carried out military and administrative assignments and commissions.

The Chief Flag Bearer was also the guardian of the Cossack Army's Flag (*viis'kova khorohva*). He carried this flag before the Cossack units on solemn parades and ceremonies. The Chief Standard Bearer was the guardian of the *bunchuk*, a standard of oriental origin which was carried in front of Cossack units during military campaigns. In time of peace the *bunchuk* was placed in the Hetman's palace. It is interesting to note that during the rule of Bohdan Khmelnytsky and his nearest successors the Standard Bearer did not belong to the Cossack chief officers and was called the "Hetman's [not *general'nyi*] *Bunchuk* Bearer." His place in the lists of the Cossack Army was rather low, after the officers of Cossack regiments. Only during Ivan Samoilovych's rule the Standard Bearer joined the group of Cossack chief officers and their collegiums. We do not know why the guardians and bearers of the Hetman's second ensign of authority — the *bulava* (mace) did not enter the ranks of Cossack chief officers. The *bulava* bearers (*bulavnychi*) were sometimes mentioned in the documents of that time but they did not join the Cossack chief officers and remained only the personal attendants of the Hetman.

We should not be surprised by the relatively prominent role and position of such officers as the bearers of the flag and standard. We know that the position of "Great Flag Bearer" was a very prominent

one in the army and administration of Poland and Lithuania-Belorrussia. Also such a position as that of the Lord Privy Seal in Great Britain, which has survived to our time, is in nature the same as that of the Ukrainian chief flag and standard bearers.

SECTION F

THE ORGANS OF LOCAL GOVERNMENT

The organs of local government in Hetman Ukraine corresponded with the administrative and territorial divisions in the country. The country was divided into the Regiments (*polky*, sing., *polk*), as intermediate military as well as administrative and territorial units. The Regiments were subdivided into Hundreds or Companies (*sotni*, sing., *sotnia*) — as both military and administrative districts. Accordingly we have to describe the organs which governed these Regiments and Hundreds.

Once more we have to note that, as it was with the case of central government, the organs of local government retained the outward character of Cossack military units. In fact, they became the organs of the new state, endowed with the new functions of government which they did not have before the successful Rebellion of 1648. And again, as it was with the organs of central government, we find here the same inexact delimitation of military, administrative and judicial functions.

The Colonel (*polkovnyk*) was the head and chief officer of a Regiment. The colonels were either elected by the Cossack Officers' Council or appointed by the Hetman. Such appointments were often resented and opposed because they probably violated the established custom. In some cases the colonels were even elected by the Cossack Assemblies of their regiments. The principles and rules of election and appointment were not firmly established. It is interesting to note that, while in the northern and central Regiments of Hetman Ukraine, the colonels, in most cases, were appointed (by the Hetman) or elected (by the central Officers' Council), in the southern Regiments — in the first place in the Regiments of Poltava and Myrhorod (Mirgorod) they were elected in the seventeenth century by the Cossack Assembly of their Regiment. The colonels who were appointed or elected by the organs of central government quite often ruled

their Regiments for a long time; on the other hand, in the Poltava and Myrhorod Regiments they frequently were dismissed shortly after their election by the same Regimental Cossack Assembly which had elected them. We have to remember that these southern regiments had much closer contacts and ties with the Zaporozhian Host and, as a result, they were more influenced by the Zaporozhian political and administrative system.

In the eighteenth century the Russian Government forced Hetman Ivan Skoropadsky to appoint several colonels of Russian origin. This was a singular case, and later on the colonels were appointed from the officers of Ukrainian origin. However, they were never elected by the Cossack Assemblies of their Regiments in the eighteenth century. The Regimental or the Cossack Chief Officers' Council nominated several candidates for this position and the Russian Government or its representative in Hetman Ukraine approved one of them. Only during Cyril Rozumovsky's rule the colonels were again appointed by the Ukrainian Government.

Colonels participated in the political activity and decision-making process of the central Ukrainian Government. They often attended the meetings of the Collegium of Cossack Chief Officers, and always participated in the enlarged sessions of the central Cossack Officers' Council. The colonels arrived at these sessions as the heads and leaders of the Cossack officers and noble army fellows of their Regiments and could undoubtedly influence the composition of the regimental delegation. The influential position of the colonels was evident from the fact that, when an enlarged session of the Cossack Officer's Council passed a written resolution, it was usually signed only by the colonels, on behalf of the Cossack officers and noble army fellows of their Regiments.

In fact, the position of the colonel was in many aspects second to the Hetman's. A colonel who was backed by the strong organization and military force of his Regiment was by far more independent than the Cossack chief officers who were dependent on and controlled by the Hetman. As we had already mentioned, there were quite a few cases when members of the lower group of Cossack chief officers were appointed or elected to the position of a colonel.

The wide scope of the Colonels' power assured their influential position. The colonel was the commander of his Regiment as a military unit. He led this unit in military campaigns. In the time of peace

he summoned the Cossack Hundreds for inspections and reviews; on his order they had sometimes to serve as the guards or to carry out various errands and commissions. At the same time the colonel was the governor of his Regiment, as an administrative and territorial unit. He directed and supervised the work of all the organs of local administration, among them Cossack officers as the military and administrative officials of their districts. Quite often they were appointed by the colonel himself; in other cases, especially in southern Regiments, they were elected by the Regimental Cossack Assembly or the Hundred (Company) Assembly. Under the conditions of that time the granting of landed estates to the Cossack Officers of the regiment, or to the noble army fellows, for their service in the army or local government, was an important part of the colonels' functions. The colonels' "Letters," sometimes confirmed by the Hetman's grant charters, served as documents for the possession of landed estates. Later they helped the holders to acquire the full right of ownership to these estates.

Besides his position as the military commander and the governor of province-like territory, the colonel also carried out some judicial functions. Decisions of the regimental courts show us that in the seventeenth century the colonel often presided over the judicial college, superseding the judge of the Regiment. In these cases the monetary fines, which were the principal form of punishment, went to the colonel.

The colonel's special ensign (symbol of authority) was the so-called *pernach*, a baton with a large end covered by metal.

The Regiment, as an administrative and territorial unit, was also governed by other organs — the Regimental Council of Cossack Officers and the Regimental Cossack Assembly.

The meetings of the Regimental Council of Cossack Officers (*polkova starshyns'ka rada*) were attended also by the commanders of the Hundreds and the noble army fellows who resided in the Regiment. This body could probably have developed into an organ of elected self-government, but we can talk only about a possibility or probability of such development. The meetings of the Regimental Council took place in the town which was the seat of a Regiment's administration. The meetings were not regular and were only called from time to time. The jurisdiction of the Regimental Council repeated in general the functions of colonels in the sphere of government

and administration (i. e. had concurrent powers). At the same time its powers were more limited because the sheer number of cases and problems on its agenda.

The Regimental Cossack Assembly (*polkova kozats'ka rada*) was an organ based on the principle of direct democracy, i. e. the direct participation of the people (or, in this case, only members of the Cossack social group) in the discussion and decision of the problems of government. In this sense the Regimental Assembly was similar to the Cossack General Assembly of the whole state. The Cossack Regimental Assembly, just like the Cossack General Assembly, was a meeting of only one social group, in fact, of all members of the Cossack estate. However, these assemblies were the organs of government which discussed and decided the problems that concerned not only the Cossack estate but the whole state population (Cossack General Assembly), or the whole population of a certain region (the Cossack Regimental Assembly).

Being organs of the same type, the Cossack Regimental Assemblies followed the development of the Cossack General Assembly. As in the case of the Cossack General Assembly, they proved themselves unable to effectively govern their region of the state. Consequently the development of the regimental assemblies repeated the story of the Cossack General Assembly; it was a path of decline and extinction. The difference was only in the fact that the dying off of the regimental assemblies was not uniform and simultaneous in the different areas of Hetman Ukraine. We have already pointed out the different socio-political situation in the northern Regiments, a territory populated in the preceding centuries which joined Hetman Ukraine as a region of a complex social structure, and the recently populated southern Regiments. While in the northern Regiments the decline of regimental assemblies coincided with the decline of the Cossack General Assembly (roughly in the 1670's), the regimental assemblies functioned for a longer time in the Regiments of Poltava and Myrhorod (up to the early eighteenth century).

The authority of the Cossack Regimental Assembly covered the discussion and decision of military, administrative and financial problems of their regions as well as the election of local officers and officials; in some cases they also acted as a court. These functions competed with the functions of the Regimental Officers' Council.

In the eighteenth century, the time of increased influence of Russia on the Ukrainian government and society and the introduction

of Russian bureaucratic procedure, the Cossack Regimental Assembly (where it still functioned) and the Regimental Officers' Council were replaced by the regimental chancelleries (*polkovi kantseliarii*). To some extent these chancelleries acquired even certain functions of the colonels. They were not only an apparatus of clerical service but also organs of public administration. Strictly speaking, the administrative functions belonged to their executive boards (*prisutstviia*) — collegiums of the regimental officers led by the colonel. The important part of the chancellor's work was the carrying out of the population census, the valuation of the estates, the determination and regulation of the rights to these estates, etc. They also prepared and preserved the *komputy* — the master rosters of the Cossacks of the Regiments and, separately, the official registry of the noble army fellows. In the registry of the noble army fellows were recorded all the services and commissions performed by each of them during his whole life. Finally the functions of the regimental chancelleries included financial matters and especially the collection of taxes.

The regimental chancelleries were served by the large number of clerks who were full-time employees, a result of mushrooming bureaucratic procedures in the work of eighteenth century governmental organs. The clerks or their superiors, the Cossack officers, prepared and drew up the countless reports, opinions, orders, etc. that filled the numerous bulky volumes which before World War II were preserved in the archives of Kiev, Chernihiv and Poltava.

Like the officials of the central government, the Cossack officers of the Regiments had the titles and ranks of military commanders which had originated before 1648. Their functions as well as their titles corresponded to the functions and titles of the Cossack chief officers. Thus the Regimental Quartermaster (*polkovyi oboznyi*) was second to the Colonel in his position and influence. He also was the commander of the regimental artillery. When the Colonel was absent the Regimental Quartermaster carried out his functions. In such cases he was called the "Acting Colonel" (*nakaznyi polkovnyk*). Next in line was the Regimental Judge (*polkovyi suddia*). He prepared the court cases for judicial examination and presided over the court sessions which the Colonel did not attend. The Regimental Secretary (*polkovyi pysar*) carried out the official correspondence of the Regiment; he directed and supervised the work of the clerks (*kantseliarysty* and *pidpysky*) of the regimental chancellery. The Regimental Aide-de-camp, had mainly military functions. He inspected the

Cossacks and their arms and supervised the guards; he also had some police functions. Next to him was the position of the Regimental Flag Bearer (*polkovyi khorunzhyi*) whose functions were in most aspects very close to the functions of the regimental aide-de-camp. His special duty was to guard the regimental flag (*polkovyi znachok*).

Besides these special functions the regimental officers were members of the Regimental Officers' Council. In the eighteenth century they sat on the board of the regimental chancellery.

The Hundred or Company (*sotnia*) was the lower military, administrative and territorial unit (or district) of Hetman Ukraine. It was governed by the Hundred's Commander (*sotnyk*). He was the military commander of the Cossack Hundred and administrator of its district. These functions were somewhat limited in comparison with the functions of the Hetman and Colonel. Thus, for instance, the Hundred's commander usually did not dispose of the landed estates which belonged to the Ukrainian state.

In the documentary materials of the seventeenth century we find frequent notes about the meetings of the Cossack Hundred assemblies. Their structure, functions and procedure correspond to the structure, functions and procedure of the Cossack General Assembly and the regimental Cossack assemblies but were limited by their small territorial extent. An important part of their functions was the election of the Hundred's commander and officers (but it often competed with the appointment of the Hundred's commanders by the colonel, and the Hundred officers by the Hundred's commander). In the southern Regiments of Poltava and Myrhorod this practice of the election of the commander and officers of the Hundreds by the Cossack Hundred Assembly existed even in the first decades of the eighteenth century.

There were only a few officers' positions in the Hundred. Next to the Commander of the Hundred in rank and position was the Hundred's Captain (*sotennyj otaman*); he performed the functions of the Hundred's Commander in his absence. The holders of this position had a special duty to supervise the Cossacks who resided in the Hundred's centre. If it was a comparatively large settlement the Hundred's Captain was called the Town Captain (*horodovyi otaman*). Next to him was the Hundred's Secretary (*sotennyi pysar*) who in the eighteenth century directed the work of the special Hundred's Office and its personnel. The position of Hundred's Aide-de-camp

(*sotennyi osavul*) was similar in functions to that of the chief and regimental aides-de-camp.

When we describe the organs of municipal government in Hetman Ukraine, we have to note their great variety in the different cities and towns of the country. In the first place some of them enjoyed the right of self-government in accordance to German Magdeburg Law. This privilege was granted only to twelve larger cities: Kiev, Chernihiv, Pereiaslav, Novhorod-Siverskyi (Novgorod-Severskii), Starodub, Nizhyn, Poltava and others. If we look at the map we can notice that five of these cities were in territory of the northern Starodub Regiment (Starodub, Novhorod-Siverskyi, Mhlyn, *Pochep, and Pohar*). In the south-east only Poltava was governed by Magdeburg Law.

The town hall in these "Magdeburg" cities was called *magistrat*; its counterpart in other cities was just *ratusha* (the town-hall). The magistrates of Magdeburg Law cities were the mayor (*viit* or burgomaster), councilors (*raitsi*), jurors (*lavnyky*) and the secretary (*py-sar*). If we look closer into the structure of individual cities in Hetman Ukraine we see that the number of these magistrates varied in different cities; there were more of them in the larger cities, fewer in the smaller ones. The councilors and jurors performed their duties in turns. Ukrainian cities did not strictly observe the Magdeburg Law's formal division of functions between the mayors and jurors as a college of judicial character, and the burgomaster and councilors as a group with administrative and financial functions. In the proposed code of Ukrainian laws — *Prawa, po kotorym suditsia malorosiskii narod* (Laws by Which the Little-Russian People Are Judged) we read that the mayor was the head of municipal government; other members of city government should "care for general welfare." The cities and towns which had not been granted the Magdeburg Law were governed by the boards of burgomasters and councilors; they were more dependent on the government of Cossack Hundreds than the Magdeburg Law cities. But in the eighteenth century even the Magdeburg Law cities lost a large measure of self-government and were more and more controlled by the central and regimental organs of Cossack government. As a result in time some of them were ruled by the appointed mayors who were selected from the noble army fellows and not from the burgher class. This situation shows, on the one hand, the strong influence of the upper social layer in a state of hereditary estates and, on the other hand, the weak poli-

tical position of the Ukrainian cities. They had not developed strong industry and commerce and, as a result, could not effectively protect their rights to self-government.

The organs of municipal government exercised their functions in the fields of justice, finances and taxation. They supervised local guilds and the organization of municipal services. Especially important among the last was the prevention and extinguishing of fires which often resulted in the destruction of the large parts of whole towns.

SECTION G

THE ORGANS OF GOVERNMENT IN THE EIGHTEENTH CENTURY

We have to describe separately the organization of government and administration in the eighteenth century because, after the defeat of Hetman Ivan Mazepa in 1709, the regular historical development of the Ukrainian state was interrupted by Russian influence, although this was not always consistent. Periods of intensive action against the Ukrainian socio-political order were often followed by the restoration of some old Ukrainian socio-political forms and of some concessions to Ukrainian autonomy. The Ukrainian state was able to preserve some institutions of its government, and sometimes was even able to develop them further. In general, however, the political and cultural influence of Russia grew stronger. The Russification of members of the upper social layer — who envisaged the inevitable victory of Russia and became reconciled to it — was more and more successful. This development eroded the principles on which the Ukrainian polity had been built in the seventeenth century.

In the eighteenth century Russian state, the social position of the nobility (*dvorianstvo*) became stronger and the bondage of enserfed peasants more burdensome. During the reign of Peter III the nobility was released from compulsory duties in the army and government services, and from this time enjoyed full property rights to their estates. This happened because it was now possible to maintain paid governmental officials and employees as well as the army officers. In the past armed noblemen were called for temporary military services, now they were replaced by regular soldiers drafted from among their able-bodied serfs. Peter I introduced the "Table of Ranks" (*Tabel' o rangakh*, with fourteen ranks) for the army offi-

cers and public officials. They received new European-type names and designations.

The reformed Russian state — The Russian Empire (since 1721) — developed a new policy toward the non-Russian dependencies. While the old Tsardom of Muscovy was content to leave their old socio-political system intact if their rulers and governors were loyal to the Russian suzerain, this was not enough for the St. Petersburg Empire. The imperial government tried to curb and then abolish the autonomy of these dependencies by introducing direct rule, in order to bring the governmental system of these lands closer to that of Russia. Meanwhile, in accordance with new conditions and objectives, the eighteenth century Russian Empire introduced new administrative organs which replaced the old *prikazy* of the seventeenth century Muscovite state. The new bodies were governmental boards ("colleges"), noted for their bureaucratic forms and procedures that in many aspects exceeded the bureaucratic forms of government in the seventeenth century. We have to remember these characteristics of the eighteenth century Russian state when we try to understand the development of the Ukrainian social system and governmental organization in the eighteenth century.

Russian efforts to transform Hetman Ukraine into an ordinary Russian province failed at first, and this process was extended for several decades. The Ukrainians endeavoured to preserve their own established socio-political forms, and there were mutual concessions. Hetman Ukraine maintained some forms of government but these forms were strongly influenced by the Russian system. In some periods Hetman Ukraine was directly ruled by the resident officials of the Russian state. After that followed periods when Ukraine restored some old forms of her governmental and social system (for instance, under the rule of Cyril Rozumovsky, the last Ukrainian Hetman). However, even under such conditions the Ukrainian polity was strongly influenced by the Russian trends and forms.

After the Poltava defeat of Hetman Ivan Mazepa and his Swedish allies in 1709 the organization of the Ukrainian Government went through several stages. From 1709-1722 Ukraine was governed by Hetman Ivan Skoropadsky but his rule was restricted by a resident Russian representative in the seat of the Hetmanate. Several months before Ivan Skoropadsky's death the functions of this Russian representative were transferred to the "Little-Russian College" (*Malo-rossiiskaia Kollegiia*), a standing board of Russian officials. The

responsibilities of this organ were more extensive than the duties of its predecessors — the resident representatives. For instance, it imposed taxes on the Ukrainian population and collected them directly. Its control was strengthened by the ominous rule that no decision of the Ukrainian Government was valid unless it was approved by the "Little-Russian College" (and signed by its members, side by side, with the signature of the Hetman). Notwithstanding Ivan Skoropadsky's protests, the College frequently interfered with the internal affairs of Hetman Ukraine. In several cases the Russian Government directly appointed Ukrainian colonels without the Hetman's consent; some of them were Russian officers, who had not been connected with Ukraine. As a result the Ukrainian colonels started to regard the Russian Government as a real source of power, and in some cases disregarded the orders of their own government. Forbidding the Hetman to grant the landed estates, under the conditions of that time, was another very serious limitation of his prerogatives.

Eventually, supervision over the Ukrainian affairs in the capital of the Empire were transferred from the "College of Foreign Affairs" (the successor of the Agency of Legations as well as the Little-Russian College) to the Russian central administrative organ — the Senate, which governed all Russian provinces. At the request of the Russian Government in 1720 the apparatus of the Cossack Chancellery, administered by the Secretary-General, was transferred to the new "General Chancellery of the Cossack Army" (*general'na viis'kova kantseliariia*). This in effect established a Ukrainian "college", following the Russian example. This organ had a board (*pritsutstvie*), with several Cossack chief officers as members (later, in some periods, half of these were Russian officers), and the clerical staff of the General Chancellery, i. e. the chancellery in the proper sense of the word. In the decision-making process the Secretary-General was just one of the members of the General Chancellery, but he directed the work of the office clerks. The board of the General Chancellery acted as an organ of central government and, in some cases, as administrator of justice.

After Hetman Ivan Skoropadsky's death, from 1722-1727 the Russian Government did not give its consent to the election of a new Hetman, and subsequently Hetman Ukraine was ruled by the Collegium of Cossack Chief Officers headed by Paul Polubotok, the Colonel of the Chernihiv Regiment, as the Acting Hetman. The Cossack chief officers, however, clashed with the Little-Russian College. The

Little-Russian College won and the Acting Hetman and some of the Cossack chief officers were imprisoned in St. Petersburg.

After Emperor Peter I death in 1727, Ukraine was again allowed to elect its new hetman. Daniel Apostol, the Colonel of the Myrhorod Regiment, won the election. He remained the Hetman until his death in 1734. As a Hetman Apostol was controlled by the permanent representative of the Russian Government, its "Minister-Resident." This official also directed the work of a special organ, the so-called "Ministerial Chancellery." Its principal function was the investigation of the cases of political dissent.

After Daniel Apostol's death and an unsuccessful attempt by Cossack chief officers to revive government by their collegium, the Ukrainian state again remained without its own ruler. This situation changed in 1750 when Cyril Rozumovsky was elected the Hetman. From 1734 to 1750 the country was ruled by the so-called "Administration of the Hetman's Office" (*pravlinnia het'manskoho uriadu*), instead of Ukraine's own Hetman, with an equal number — (three from each side) — of Russian and Ukrainian members but presided over by the Russian "Director" (*pravitel'*). This gave the Russian members the upper hand.

During Cyril Rozumovsky's rule (1750-1764) the principal forms of the Ukrainian governmental system were temporarily restored. But Ukraine in the time of Cyril Rozumovsky was not the same country as Cossack Ukraine of the seventeenth century. There were clear signs of the "Russification" of the Ukrainian upper social strata. This was due to steady contacts with the Russian upper classes as well as with the Russian governmental apparatus. Also at that time many Ukrainian noble army fellows (or *shliakhhta*, as they started to call themselves tracing their origin to the nobility of the former period) were employed directly by the Russian government. These were the tragic features of the time when Hetman Ukraine for the last time tried to restore its old forms of government. The new Hetman, as was clearly revealed by the historical studies of the 1920's and 1930's, was eager to do his best for the preservation of the Ukrainian governmental system. But all his efforts in this direction could not restore this governmental system because the changes brought by Russian influence were too deep and too decisive.

There was a significant group of patriotic Ukrainian noblemen who petitioned the Russian Empress in 1764 for the establishment

of the hereditary hetmanate. This would have completed the monarchic tendencies in the development of the Ukrainian governmental system and preserved the Ukrainian state. But the Russian Government decided instead to abolish the Hetmanate. Cyril Rozumovsky was forced to renounce his position. The hands of his supporters did not grasp the handles of their sabers in the defence of this cause. Ukraine obediently accepted this decision, and after that there was no chance to preserve the identity of the Ukrainian state, even as an autonomous dependency of Russia.

The Hetmanate was replaced by the second "Little-Russian College" in 1764. Its board had four Russian and four Ukrainian members; it was headed by General (later Field Marshal) Rumiantsev. This was a return to the form of collegial government which was preferred in eighteenth century Russia. Jurisdiction and authority of the second Little-Russian College corresponded to the previous authority and functions of Ukrainian hetmans. In this respect it differed from the first Little-Russian College which was only an organ of Russian control and supervision.

The second Little-Russian College existed till 1781, when it was abolished and Hetman Ukraine was incorporated into the Russian Empire as an ordinary province. Administrative and territorial division of Hetman Ukraine into Regiments and Hundreds was abolished. In their place, new divisions were created — the vice-regencies (*namestnichestva*) and later on the *guberniias* (provinces) of Chernihiv and Poltava. The governmental and administrative organs of Hetman Ukraine were replaced by the regular administrative apparatus of the Russian provinces. The Cossack regiments, as military units, were also abolished. The noble army fellows and Cossack officers became the noblemen (*dvoriane*) of the Russian Empire. It was the death of Hetman Ukraine.

This closed the most interesting pages of Ukrainian history. It meant the downfall of the reborn Ukrainian state. This state had weaknesses as many historians convincingly showed, and it occupied only the lesser part of the Ukrainian ethnic territory; its hereditary social structure was based on inequality. But it was truly Ukrainian and so long as it existed, it could assure the progressive development of its people and country as equals among other European peoples. The downfall of Hetman Ukraine set back the Ukrainian emancipation struggle for more than a century.

CHAPTER 8

THE BELORUSSIAN COSSACK REGIMENT, 1655-1659

Now we have to move outside the strict ethnic boundaries of Ukraine and get acquainted with its dependencies. In the first place we have to deal with the time of Bohdan Khmelnytsky, which was a period of upswing in Ukrainian political emancipation. At first we have to look to the north of the Ukrainian lands, i. e. toward Belorussia (or White-Ruthenia). We have in mind the Belorussian Cossack Regiment. In Bohdan Khmelnytsky's time the situation of the Belorussian people differed from that in Ukraine. This people had preserved their old statehood in the form of the Grand Duchy of Lithuania, where they constituted most of its population. After 1569, when a personal union with Poland was replaced by a real union, the Grand Duchy of Lithuania still continued to exist as a full-fledged state.

This advantage of Belorussia over Ukraine was lessened by a rapid Polonization of her upper classes. Official acts and correspondence more and more often were written in Polish. The conditions that helped to create a new form of socio-political organization in the free steppes of Ukraine did not exist here. Life in the old villages and towns of Belorussia passed according to the old customs and traditions of the forefathers. In some respects that protected the Belorussian people from the tragedy, tears and sorrow associated with fierce and violent struggles. On the other hand, there were no prospects for a national popular uprising.

This situation changed in the time of Bohdan Khmelnytsky. In this period the Grand Duchy of Lithuania fought against Ukraine on the side of Poland. But large groups of the Belorussian population sympathized with the Ukrainian struggle for independence. Documentary sources show us that Ivan Vyhovsky, the Secretary-General and later the Hetman of Ukraine, who was married to a Belorussian woman, had maintained constant contacts with these Belorussian groups.

After the beginning of the joint war of Russia and Ukraine against Poland in 1654, when Belorussia became the theatre of military operations, the anti-Polish groups started their action. They were led by Constantine Paklonski, a nobleman from Mogilev (Mohiliou) district, who joined the Russo-Ukrainian coalition. He started to organize the "Belorussian Cossack Regiment" in Mogilev district

under the Russian occupation. This regiment was organized according to the pattern of Ukrainian Cossack regiments. But its composition was different. There was no hereditary class of the Cossacks in Belorussia. Consequently we find in the Regiment members of other social groups — the nobility, townspeople and peasantry. Mogilev on the Dnieper River and Lupolovo, a suburb of this city, became the centre of this organization. The documentary materials of that time show us that Constantine Paklonski, who accepted the position of the Colonel of the Belorussian Cossack Regiment, sought to establish, along with the Ukrainian Cossack state, a Belorussian Cossack state allied with and protected by Russia. This was difficult, as a large part of eastern Belorussia was occupied by Ukrainian forces, commanded by Colonel Ivan Zolotarenko. Paklonski could not control this part. And in his own Mogilev district he was hindered in his quest for power by Russian statesmen who were not inclined to permit the creation of a Belorussian Cossack state, even if it was to be dependent on Russia. They preferred to incorporate the conquered and occupied territory outright into Russia. That is why the Russian Government always considered the Belorussian Cossack Regiment not to be a state-type organization but an auxiliary military detachment of Belorussian volunteers.

A clash between these two different conceptions was unavoidable. At first it showed in Paklonski's protests against commanders of Russian military units who acted as the masters of Belorussia. It became clear later that the conflict could be resolved only by force. For such a solution the several thousand Belorussian Cossacks — most of whom had no previous military experience and who were based on an area partly occupied by the Russian armed forces — were not sufficiently strong. As a result in 1655 Paklonski and a large part of his Cossacks went over to the armed forces of the Grand Duchy of Lithuania.

But the problem of a Belorussian Cossack state did not fade away. Some Belorussian Cossacks did not follow Paklonski. They remained in their region and decided to continue their struggle. Now they turned their eyes toward Ukraine, expecting to attain their goal in alliance with the Ukrainian Cossack state. The Ukrainian Government gave its support to their plans. In May 1655 these Belorussian Cossacks joined the Ukrainian armed forces and the Belorussian Cossack Regiment was revived. The city of Chausy (in the presentday Mogilev Province of the Belorussian Soviet Socialist

Republic) became its centre. The Belorussian Cossack Regiment was led by Ivan Nechai, a Ukrainian officer and the brother of Daniel Nechai, the Colonel of the Regiment of Bratslav, and the favoured hero of Ukrainian historical folk songs. The Nechai brothers were born in the Ukrainian region of Podilia as members of the *shliakh*ta class.

As originally planned by C. Paklonski, the Belorussian Cossack Regiment became a military as well as a territorial unit. Its territory was governed only by its commander and there was no intrusion into his prerogatives by any foreign force. It did not become involved in Ukrainian military operations or internal affairs. Hetman Bohdan Khmelnytsky many times stressed this fact when answering the requests of the Russian Government to disband the Belorussian Cossacks, and stated that he had no direct authority over their region. Therefore we can conclude that the Belorussian Regiment was a state-type organization. But this peculiar polity was dependent on the Ukrainian Hetman, even if this was in name only. That meant that its relation to Ukraine was of the same type as Ukraine's relation to Russia: it was a form of vassalage. As a matter of fact there was a pyramid of vassal-suzerain relations — the political dependence of Ukraine on Russia and of Belorussia (properly speaking, the Belorussian Regiment) on Ukraine. It was not an unusual form of the unequal political alliance of peoples. The vassalage was born in the period of feudalism, when such pyramids were a rather common form of state organization.

The territory of the Belorussian Cossack Regiment extended to the larger part of the present-day Mogilev (Mahiliou) and Mozyr (Mazyr) provinces of the Belorussian Soviet Socialist Republic. It was divided into Hundreds, which also were the military as well as territorial and administrative units. It was led and governed by its Colonel, who, stressing the special nature of this organization, called himself the "Belorussian Colonel" (and not just the "Colonel of Chausy"). The colonel was assisted by regimental officers; the Hundreds were led and governed by hundred (company) commanders.

Adjacent to the Belorussian Cossack Regiment, the other Belorussian regions (Minsk and Oshmyany [Ashmyany] to the west; Vitebsk and Smolensk to the north and north-east; and Roslavl to the south-east) were also occupied by some Belorussian Cossack units. These were the guerrilla forces led by Lisouski, Mindvil, Murashka, Theophil Babrovich, and others. Located in the Moscow Archives of

the Ministries of Justice and Foreign Affairs are rich collections of documentary materials relating to the activities of these Belorussian Cossack units which fought against the Russian Army. Some data show their contacts with Chausy but it is difficult to determine the nature of these contacts and relations. We can only conjecture that, in the event of a victory over Poland and Russia, the Belorussian Cossack Regiment would be a centre which could unite the regions under the control of the Belorussian guerrillas. But there was no such victory.

Ivan Nechai's Belorussian Cossack Regiment fought against Russia in 1659 shoulder to shoulder with Hetman Ivan Vyhovsky's army. Then the Russian armed forces carried this struggle into the territory of the Belorussian Cossack Regiment. The Belorussian Cossacks stubbornly defended the strong Staryi Bykov (Stary Bykhau) fortress but were defeated. The Belorussian Cossack Regiment, an ally of the Ukrainian Cossack state, ceased to exist.

This was an end to a short but very interesting page from the history of Belorussian-Ukrainian relations, and from the history of Ukrainian and Belorussian constitutional law. We shall find the same form of political dependence in the relations of the Zaporozhian Host with Hetman Ukraine.

In the last months of Bohdan Khmelnytsky's rule the district of Pinsk also accepted the protection of Ukraine, but it preserved the old forms of its administration and its *shliakhta's* self-government which it had under the rule of Poland. The protection of Ukrainian hetmans over Pinsk district was very short-lived.

CHAPTER 9

THE ZAPOROZHIAN HOST

Now we have to return to the lower Dnieper Valley and the Zaporozhian (Zaporogian) Host, the centre of the Zaporozhian Cossacks. We have to describe its socio-political system in the period from 1648 — when the Zaporozhians began their struggle against Poland with Bohdan Khmelnytsky's Cossacks — up to 1775, when the Host's destruction by the Russian Army put an end to its relations with both Hetman Ukraine and Russia.

During Bohdan Khmelnytsky's rule the Zaporozhians' role was not very active. We can believe the statement by this Hetman's representatives in Moscow that at that time there "remained just a few people" in the Zaporozhian Host. But events in the following years caused a large-scale migration to the Zaporozhian Host by Ukrainian groups who were not satisfied with the policy and situation of Hetman Ukraine. Already during Ivan Vyhovsky's rule the Zaporozhian Host played an active role in the internal struggle in Ukraine. At first it sided with the regiments of Poltava and Myrhorod in their action against Hetman Vyhovsky. In this struggle it tried to protect the interests of common people — ordinary Cossacks and peasants, and to enlist for this purpose the support of the Russian Government. In 1662 it came forward with its own "Zaporozhian Hetman" Ivan Brukhovetsky, who in 1663 was elected the Hetman of Left-Bank Ukraine. After Brukhovetsky's death the Zaporozhians at one moment supported M. Khanenko, a vassal of the Polish state, and at another they helped Peter Doroshenko, who accepted their plan to convoke an enlarged ("black") Cossack General Assembly.

Following the Treaty of Andrusovo between Russia and Poland in 1667 the Zaporozhian Host was left in a peculiar *condominium* (or, rather shared vassalage) of these two states, and it remained in this legal position till 1709.

During Samoilovych's and Mazepa's rule the Zaporozhian Host — admitting the failure of its efforts to prevent the growth of the new Ukrainian upper social class and the development of new social relations — avoided participation in the domestic affairs of Hetman Ukraine.

In 1708-1709 the Zaporozhians took part in the anti-Russian action of Hetman Ivan Mazepa and, after his defeat, moved to the Dnieper Delta, which at that time belonged to Turkey. In 1734 they returned under the protection of Russia and remained under this protection until 1775.

The legal nature of the Zaporozhian organization, especially in its external relations, was not the same in the different periods. We shall try to find a distinguishing feature of the Zaporozhian Host's relations with Hetman Ukraine, Russia and Poland. In general — under the overall Russian-Polish *condominium* — it was the development toward increased independence from Hetman Ukraine. This development was completed in the 1670's when the Zaporozhians shut themselves off in their own region, having only extraneous

contacts with the government of Hetman Ukraine. The Zaporozhian Host preserved this position of a peculiar state-type organization, separate from Hetman Ukraine, in the following period. Only in Bendery in 1710, when the Ukrainian exiles were electing their new Hetman (Philip Orlyk), the Zaporozhians participated in this act of the internal policy of the Ukrainian Government in exile. They were mentioned in the "Constitution" adopted at the electoral assembly as an integral part of the Ukrainian state represented in the future Ukrainian parliament.

The legal nature of Zaporozhian relations with Russia and Poland before 1709 is a very complicated problem. Maybe we can find a key to its solution in the often repeated statement of that time that the Zaporozhians "obey the Hetman and are the subjects of His Majesty the Tsar (or the King [of Poland])." The statement indicates the dual obedience and dependence of the Zaporozhian Host first, on the Ukrainian Hetman and, secondly, on the more removed sovereigns of Russia and Poland. These relations could be defined as a form of direct vassalage to Hetman Ukraine, with a further and more general dependence on the Zaporozhian Host's protectors in conformity with the Treaty of Andrusovo. Such an indirect *condominium* over a vassal of Hetman Ukraine is an interesting and peculiar form of relations between unequal polities.

In many aspects of its social, economic and constitutional development the Zaporozhian Host differed from Hetman Ukraine. In fact, this dissimilarity explains its opposition to Hetman Ukraine and its condemnation of the new socio-political system (i. e., the rise of a new upper social class) which was developing and crystalizing in the Ukrainian state. But these Zaporozhian protests were understood and supported only in the recently populated southern regions of Hetman Ukraine where social inequality was not much in evidence. The central and northern parts of the Ukrainian state differed very much from the social structure of the Zaporozhian Host and they could not react favourably to the programme of the Zaporozhian struggle without going back in their socio-political development.

On the other hand, somewhat later we can trace in the Zaporozhian Host itself the same process of social differentiation against which it so persistently struggled in the 1660's and 1670's. This development lagged far behind Hetman Ukraine; we see its intensification only in the 1730's, when the Zaporozhian Host resumed its old vassalage to Hetman Ukraine and, through it, to Russia. Up to the

end of Zaporozhian history as a state-type body this process of social differentiation was shorter than that in Hetman Ukraine. It coincided with the transition of Zaporozhian economy from hunting, fishing, bee culture and cattle breeding to agriculture which began in the 1730's and evidently strengthened tendencies to increase social differentiation and the development of more complex social forms.

The Zaporozhian territory was growing during the successive periods of Zaporozhian history. Originally an area of remote and poorly populated steppes, it grew with the process of economic development. Only in the north, where it bordered on the populated regions of Hetman Ukraine did it have permanent and fixed boundaries along the southern banks of the Orel River. In the east, west, and south this territory did not border on a settled land, and in the free and virgin steppes it was defined by the real results of Zaporozhian successes in the population and cultivation of the steppe.

In the eighteenth century the territory of the Zaporozhian Host which was called the "Free Lands of the Zaporozhian Host" (*Vol'nosti Viis'ka Zaporoz'koho*) was divided into eight districts or *palanky* (sing. *palanka*). There were the following *palanky*: Samars'ka, Kodats'ka, Ingul'ska, Buhohardova, Orel'ska, Krotovchans'ka, Kalmiis'ka and Prohnoivs'ka. Each *palanka* was governed by a Colonel. This position, with the same name as the name of commanders and governors of Regiments in Hetman Ukraine, did not play the same role as its prototype in the Ukrainian state. That could be explained by the fact that the *palanky* were not such well established territorial and administrative units as were the Regiments in Hetman Ukraine. The *palanka* was rather an embryo of such a unit and, consequently, a Colonel of the Zaporozhian *palanka* did not have such broad and strictly defined authority and functions as his counterpart in Hetman Ukraine. Likewise he was not surrounded and assisted by such a number of officers as a Colonel in Hetman Ukraine.

The Zaporozhian lands were allotted among the squadrons (*kureni*, sing. *kurin'*) of the Zaporozhian Host for hunting (land), fishing (rivers, lakes and ponds), and pasture (meadows). The division and distribution took place every six months and the *kureni* drew lots for the temporary tenure and use of each part.

The centre of the "Free Lands of the Zaporozhian Army" was on the Khortytsia Island (of the Dnieper River). It was called the *Sich*. Later the centre was transferred to the Buzuluk (or Bazavluk) Valley and still later to the Chortomlyk Valley. As there were no

city-type centres and settlements in the Zaporozhian territory the Sich's role as the regional centre grew especially important and that fact unexpectedly gave to a free steppe region a highly centralized form of government. The Sich as we said, was the "capital city" and the centre of government. Here lived and worked the leading officials of the Zaporozhian Host. The assemblies of the Zaporozhian Army met here. Here were the buildings and barracks of Zaporozhian squadrons and here lived the larger part of the Zaporozhian Cossacks. The Sich also was the single centre of Zaporozhian commerce. Here was the church of the Zaporozhian Army, where religious rites and ceremonies were conducted.

The Cossacks were the principal group of the Zaporozhian population. Their special characteristic was the rule of celibacy. In principle each Zaporozhian Cossack could not be married and was not permitted to have a family, at least in the Sich. This rule hampered and delayed the growth of population of the "free lands" and weakened the Zaporozhian Host. As a result in the later period it was interpreted in the way that women could not enter the Sich itself where the Cossacks lived in the barracks of the Zaporozhian *kureni*. However, there were many Cossack farms in the outlying rural districts where the Cossacks lived with their families and cultivated their plots. Only when they had to come to the Sich they had to leave their families behind.

While discussing the principle of celibacy many historians have compared the Zaporozhian system with the medieval orders of European knights. Recently this comparison was made by Professor Borys Krupnytsky. In our opinion it is not always possible to compare the social phenomena of different historical periods. The orders of medieval knights in Western and Central Europe were organizations of the feudal period, and the celibacy of their members can be explained by the fact that they were organized with the help of the church and had to carry out some church-inspired tasks, such as the conversion to Christianity of the non-Christian people, the recovery of the Holy Land, etc. A member of such an order was a kind of armed monk devoted to a holy cause.

We cannot find such religious implications in the position of the Zaporozhian Cossack, even if we cannot deny that the church interests were very close to his heart. The comparative method should not only look for similar features in the social development of various countries but also for differences and variations in this development.

Sometimes these differences and variations could lead to the conclusion on the singular and peculiar forms in the development of some peoples. In this instance the unmarried life of the Zaporozhian Cossacks, at least those who did not possess farms and who did not have their families in the countryside was quite a singular phenomenon in sixteenth to eighteenth century European history.

Another special feature could be found in the elements of communal economy. We certainly cannot contend that there were no private property rights in the Zaporozhian Host. First of all it cannot be said about the "Free Lands of the Zaporozhian Host" where, as we know, there were many individually owned farms. In the Sich itself numerous and frequent cases of trial and punishment for theft show the absence of deliberate communistic trends and ideas. But there was a communal economy in the temporarily allotted regions, rivers and lakes and there was communal consumption of the products of joint fishing, hunting and bee culture by the Cossacks who lived in the squadron barracks.

Evidently we have to explain these peculiar forms and conditions by their origin in the unsettled regions of the remote steppe under the threat of Tatar raids in the early history of the Zaporozhian organization. At that time the groups of hunters and fishermen formed small communes, with combined action and communal consumption. Naturally, they could not bring their families into such a wild and desolate land. More interesting than the problem of the origin of the peculiar forms of life in the Zaporozhian Host is the fact of their stubborn survival in later and different times. Only in the eighteenth century do we see the gradual elimination of these old forms and conditions.

Were the Zaporozhian Cossacks a uniform social group or were there some signs of social differentiation? In our opinion there were some trends toward such a differentiation. Thus even in the late sixteenth and the first half of the seventeenth century we could find some records showing the existence in the Zaporozhian Host of a group of *molodyky* ("young Cossacks") and *dzhury* (orderlies) with the clear indication of their lower position in relation to the ordinary Cossacks. Later we frequently find the notes relating to the *starshe i menshe tovarystvo* ("senior and junior companions"). Evidently it was — more than mere descriptive terms — a sign of a process of social differentiation into two Cossack groups. When we come to the second half of the eighteenth century we find records showing the

existence of the *znachni kozaky* ("noble Cossacks") or the *znatni tovaryshi* ("noble fellows"). Remembering the existence of the noble army fellows and their social position in Hetman Ukraine we can ask ourselves whether there also were in the Zaporozhian Host some elements of the upper social hereditary class, as in other countries? The materials for categorical answers are not sufficient. It is probably more correct to speak about trends toward the establishment of the upper social group of the "noble" or "senior" Cossacks, but the process of social differentiation was interrupted by the destruction of the Zaporozhian Host in the late eighteenth century.

Does that mean that Zaporozhian society was not divided into distinct social groups? In the seventeenth century there were no hereditary social groups and this reflects the relative primitivity and simplicity of this society in the unpopulated steppe. But after 1734 — when the Zaporozhians returned under the protection of Russia and Hetman Ukraine and the numerous groups of Ukrainian peasants settled in the "free lands" — we can note some signs of a second social class. We say "some signs" because the legal limits of this differentiation still were not clearly established and the classes were not completely separated. The Zaporozhian Cossacks were clearly in a position superior to the peasants. Only they could participate in government, by attending meetings of the Cossack Assembly.

If we acknowledge the existence of hereditary Zaporozhian social structure we have to limit the number of classes to two groups — the Cossacks and the peasants. If a third social group of the "noble fellows" had developed, the Zaporozhian Host would have come closer to the European social structure of that time, and would have led to the enserfment of peasants by the "noble fellows" or "senior Cossacks." History precluded this development by the destruction of the Zaporozhian Host. The peasants were enserfed anyway, this time by the supporters and lovers of Empress Catherine II who were granted the landed estates in the former "Free Lands of the Zaporozhian Army."

According to the data of 1762 there were in the "free lands" 33,700 Cossacks and 150,000 peasants. At the time of the destruction of the Zaporozhian Host there were close to 200,000 peasants. Before their enserfment some of them cultivated their own plots and had to pay taxes to the Zaporozhian treasury. A large number of peasants did not own their plots and were hired labourers or "Cossack helpers" (*pidpomichnyky*) on Cossack farms. They, obviously, were

prime targets for future enserfment. Their dissatisfaction with their social position was demonstrated by peasant unrest in 1763-1769. The uprisings were suppressed by the Cossack units of the Zaporozhian Host.

The peasant class was not obliged to serve in the army; only the Cossacks did. To make up for this the peasants did not participate in government. They were also not allowed to reside in the Sich; the right of permanent residence belonged exclusively to the Zaporozhian Cossacks.

In starting to describe the organization of the Zaporozhian Government we have to stress the paramount role of the Cossack Assembly. In most cases it was called the "Sich Assembly" (*Sichova Rada*) because, as a rule, it met in the Sich. The importance and authority of this organ far exceeded the significance of its counterpart, the Cossack General Assembly in Hetman Ukraine. The meetings of the later organ were not regular and in time they became rather rare, but in the Zaporozhian Host, the Cossack Assembly met very often, and at regular intervals. Thus the meetings for the distribution or allocation of land to the Zaporozhian squadrons were semi-annual, and annual for the election of the Sich Chief or Commander (*koshovyi otaman*). Besides, the relations between the General Assembly of the Ukrainian state, on the one hand, and the Sich *Otaman* and the Sich Assembly in the Zaporozhian Host, on the other hand, were quite different. In the Zaporozhian Host the dominant position belonged to the Cossack Assembly. It elected the Sich *Otaman* for a special term (one year) and could remove him before the expiration of this term. The Cossack Assembly could request accounts from the Sich *Otaman* or from the other Zaporozhian officers and could even force them to change their decisions or their policy. The Zaporozhian governmental system was thus close to a republic. Only in the second half of the eighteenth century we can note some signs of the strengthening of executive power in the Zaporozhian Host. The elections of Cossack officers were not at that time as frequent and regular as before, and some officers retained their positions for more than ten years. The downfall of the Zaporozhian Host, however, precluded further development in this direction of the Zaporozhian political system.

The Sich Assembly was an organ of direct democracy, but the right to participate in its activities was enjoyed only by a single social group, the Cossacks. In principle all the Cossacks had to attend

meetings of the Sich Assembly. In fact, only those who lived in the Sich, and some of those who resided in the "free lands" and knew about the meeting, participated in these sessions. There was no minimal quorum because there was no counting of votes. But all the same, if the attendance was small, the decisions of the assembly could be disputed by the statement that they were adopted by the "small number of Cossacks." Participation of all squadrons seemed to be imperative for the validity of the Sich Assembly and its decisions.

The assembly was summoned by the Sich Chief and Zaporozhian officers, but it also could be convened against their wish by a group of squadrons or even by a significant group of the Cossacks. It was summoned by the sound of kettledrums. In the eighteenth century when the region of the "Free Lands of the Zaporozhian Army" grew more extensive and when many Cossack resided outside the Sich, the Sich Assembly was usually summoned by gunshots.

The meeting had the form of a circle. The Sich Chief and the Cossack officers were in its centre; somehow they directed the proceedings. There was no orderly discussion of the agenda. The participants showed their approval or disapproval of proposals by the Cossack officers (or the other initiators of the meeting) by shouting, tossing their hats into the air, etc. There was no counting of votes. In principle the decisions had to be unanimous. "All the senior and junior companions gave their consent to this decision," said the materials of that time. But in fact they were the decisions of the majority which drowned the voices of the minority. In some cases, when there was a relatively strong minority or when it stubbornly defended its position, the participants could come to blows.

The functions of the Sich Assembly included the election of the Sich Chief and Cossack officers, their removal, problems of war and peace, foreign relations and alliances, the distribution of land among the squadrons, and in some cases, legislation and the administration of justice.

If we compare this organ with the Cossack General Assembly in Hetman Ukraine — which as a matter of fact had originated from the Sich Assembly — we shall see that these institutions are similar in many aspects, although the position of the Zaporozhian organ was more influential and that allowed it to function during the whole period of Zaporozhian history, long after the General Assembly of Hetman Ukraine went out of existence. On the other hand, its proce-

dure was simpler and less orderly and, we can say, less solemn; it was also attended by fewer Cossacks.

The Sich Chief (*koshovyi otaman*) was an elected governor of the Zaporozhian Host and the military commander of Zaporozhian military units. As a rule he was elected for one year but he could be at any time removed by the Sich Assembly. This position was usually occupied by an experienced and popular Cossack commander from an old and influential Zaporozhian squadron. A person could be elected to this post several times and there are quite a few instances of such practice. According to an old custom the candidate nominated for this post had to turn the nomination down several times, but, later, accept it, pretending that it was against his will. The rites of election included the smearing of his head with mud. The functions of the Sich Chief included command during military campaigns; military preparations in time of peace; civil administration; the trial of lawsuit; and in some cases, current diplomatic relations. The more important problems of foreign policy were decided by the Sich Assembly. The Cossack officers of the Zaporozhian Host had to obey him and carry out his orders, but they were appointed (elected) and removed by the Sich Assembly.

If we compare the position of the Sich Chief with the power and functions of Ukrainian Hetmans, especially at the time of Bohdan Khmelnytsky, Ivan Samoilovych and Ivan Mazepa — we shall conclude that the position of the Sich Chief was different in many aspects. His dependence on the Sich Assembly, the short term of his office and the possibility of his removal, all these bring the post closer to the chief executive in the republican type of government.

Only during the military campaigns was the Sich Chief's power considerably extended; nobody could question his orders and acts of disobedience were severely punished. As a result, in time of war the rather unruly Zaporozhian Cossacks were a strong and orderly military force whose actions were significantly recorded in Ukrainian military history.

We have, however, to make some reservations in regard to the position of the Sich Chief when we turn to the eighteenth century. As we already said, there were at that time some signs of the consolidation and strengthening of the Zaporozhian Government. Among them was the rising role and influence of the Sich Chief, and that led to the re-election of some holders of this post for several years in a row.

As in Hetman Ukraine, the third organ of central government in the Zaporozhian Host was the Sich Officer's Council. Professor M. Slabchenko mentioned in his works also the Council of Squadron Commanders. We cannot accept his view because as far as we know the squadron commanders always attended the meetings of the Sich Officers' Council. It is true that some documents say that a certain decision was made "by the Sich Chief and squadron commanders" but it does not prove that the other Zaporozhian officers (whose number as we shall see was very limited) were excluded from the discussion and approval of this decision.

Besides the squadron commanders, the documentary materials often note also the participation of the "senior Cossacks" in the meetings of the Sich Officers' Council. Evidently they were the old, influential and experienced members of Zaporozhian society. It is difficult to determine whether some of them were elected representatives of ordinary Cossacks. We are inclined to answer in the negative.

The functions of the Sich Officers' Council paralleled, or concurred with, the functions and authority of the Sich Chief but, in general, it discussed and decided the problems of special importance (the most important were decided at the meetings of the Sich Assembly). The meetings were directed by the Sich Chief. They were not regular but, on the whole, quite frequent.

The Sich principal officers, i. e. the commanders and officials of the Zaporozhian Host, included the Sich Judge, Secretary (*pysar*) and Aide-de-camp (*osavul*). The Sich Judge was the most senior officer. Like the other Sich officers, he was an assistant to the Sich Chief, member of the Sich Officers' Council, executor of the various assignments of the Sich Chief or the Sich Assembly. As the senior officer he was also the deputy of the Sich Chief during the latter's absence. His special function, as we can see from the name of his position, was to try minor judicial cases which did not belong to the jurisdiction of the Sich Assembly or the Sich Chief. In the eighteenth century the Sich Judge often reviewed the cases which were tried by the colonels of the *palanky* or the commanders of Zaporozhian squadrons. His additional duty was to manage the armory.

The Sich Aide-de-camp had to carry out the assignments of the Sich Chief and the Sich Assembly. The majority of his functions were military and disciplinary. The Sich Secretary attended to the correspondence and records of the Zaporozhian Host. He directed the work of the Sich Chancellery. He also had to collect the taxes

and supervise the treasury. All the Sich officers were elected, in principle, for one year. But quite often some of them were removed from their positions by the Sich Assembly before the completion of their terms if the Cossacks were not satisfied with their performance. In the eighteenth century the Sich officers quite often remained in their positions for relatively long periods.

When we come to the organs of local government we need not talk about the Zaporozhian *palanky* which, as a matter of fact, were established only in the late period of Zaporozhian history. We should rather talk about the organs of lower administration. In fact the Zaporozhian organization was a central framework of squadrons (*kureni*). But they were not the territorial subdivisions of the Zaporozhian Host; most of them were in the Sich itself. We cannot equate the Zaporozhian squadron to the Regiment or Hundred of Hetman Ukraine. The *kurin'* was the lower military, administrative and also economic unit of the Zaporozhian Host.

The *kurin'* was the military unit which in the time of war fought under the command of its *kurinnyi otaman* (the squadron chief or commander). In the time of peace the Zaporozhian Cossacks were registered, on the permanent basis, as members of one or another squadron and were supervised by their officers. The squadrons were also the economic (and residential) organizations — each of them received for exploitation during a special term some land, meadows and fisheries. The fishing, hunting, and stock farming was carried out jointly by the squadron Cossacks.

At the same time the term of *kurin'* applied also to the barracks in the Zaporozhian Host where some of the Cossacks enlisted in this squadron resided. Others lived on their farms outside the Sich and some even had their own houses in the Sich. The kitchens of these barracks served the Cossacks the products of their joint hunting and fishing. The squadrons had their own property and the money acquired during the military campaigns was kept and controlled by the squadron commanders.

It was accepted for a long time that there were thirty-eight or forty-eight squadrons in the Zaporozhian Host. Later it was established that these were only the *kureni* that had their barracks in the Sich itself. In the eighteenth century a few existed outside the Sich proper. Professor M. Slabchenko counted sixty-nine squadrons but, it seems, that he included some military and administrative units which existed for only a short time.

There were usually several hundred Cossacks in each squadron. The squadrons were not equal in their numbers and their influence. The old and more prominent squadrons usually succeeded in electing their members to the positions of the Sich Chief and Sich officers.

The squadron *otamans* (commanders) were elected by the squadron assemblies. In the Zaporozhian Host their position was very influential, including wide-ranging functions and many-sided activities. This influence corresponded to the significance of the squadron as the basic administrative and economic organization of the Zaporozhian Host. The squadron commanders had wide-ranging functions in the field of administration and police. They also were the judges who examined the less important lawsuits of the squadron Cossacks and tried them for minor offenses. At the same time they were the managers and organizers of the economic activity of their squadrons. Professor M. Slabchenko saw in the power of squadron commanders (as well as of the Sich Chief) some elements of a patriarchal nature. We are ready to share his view. But in our opinion the elements of such patriarchal traits could be found in the first place in the rather simple and uncomplicated relations of the Zaporozhian frontiersmen, hunters and fishermen of the sixteenth and early seventeenth centuries.

The circle of the organs of Zaporozhian lower government could be closed by the Squadron Assembly. It was a meeting of all the Cossacks registered in the squadron, the lower unit of Zaporozhian direct democracy. In accordance with the principle of the Zaporozhian mass participation, the Squadron Assembly was an active and important organ. It elected the Squadron *Otaman* and discussed and decided economic and administrative problems.

CHAPTER 10

THE UKRAINIAN COSSACK ORGANIZATIONS IN THE SLOBODIAN UKRAINE AND ELSEWHERE

In our description of the Belorussian Cossack Regiment or the Zaporozhian Host we dealt with the self-governing organizations which recognized their dependence on the Ukrainian Hetman. We have now to leave Hetman Ukraine. There also existed at the same

time other Cossack organizations which did not belong to the Ukrainian state. Among them in the first place, were the Cossack regiments in the Slobodian Ukraine (*Slobids'ka Ukraïna*). For a long time this was the unpopulated southern frontier territory of the Muscovite (Russian) tsardom. In the sixteenth and, especially, in the seventeenth centuries the Muscovite Government had built in this region, which was endangered by the Tatar raids and lacking the natural boundaries, a line of fortified military strongholds, among them Belgorod, Kursk and Voronezh (now in the Russian S.F.S.R.). Some of them soon developed into centres of local administration, which organized the colonization of these lands. The settlement process was rather slow because these fertile lands were too far from Moscow and too open to Tatar attacks. Russian colonists settled gradually in the northern part of this region, protected by the Kursk and Voronezh strongholds, closer to the old boundary of the Russian state.

In the seventeenth century the colonists from Ukraine moved to this land. The first were political refugees who in the 1630's escaped from the Ukrainian Dnieper Valley after the defeat of Ukrainian uprisings against Poland. The Russian Government received these Ukrainian refugees because their settlements in the desolate steppe blocked the way to Tatar raids.

The Ukrainian colonization of the Slobodian Ukraine (*Sloboda* meant a free settlement) intensified in the 1660's and 1670's. At this time the refugees from Right-Bank Ukraine were fleeing, not from the Poles, but as the result of the fratricidal civil war in Ukraine in the "period of destruction" (*ruïna*). This mass escape from the Kiev and Podilian (Podolian) regions — the heartland of Cossack Ukraine was a silent condemnation by the Ukrainian people of their leaders and statesmen who were not able to organize the defence of their land, and who even tolerated the plunder of the countryside by their Tatar and Turkish allies (taking prisoners, especially women, etc.). While some refugees settled in Left-Bank Ukraine, i. e. in the Hetman Ukrainian state, others moved farther from their former land toward the east into the southern steppe regions of the Russian state. In this way the western part of the Russian southern frontier received a considerable Ukrainian population in the 1660's and 1670's. In 1679 Hetman Ivan Samoilovych requested the incorporation of these Ukrainian settlements into Hetman Ukraine but the Russian government turned this down.

Moving to the east, the Ukrainian refugees brought to their new homeland their customary forms of social and political organization. This was also a Cossack society. Even in its early phase it included quite a few peasants. There were five Cossack Regiments established, as the units of military and territorial-administrative character. These were the Regiments of Kharkiv (Kharkov), Okhtyrka (Akh-tyrka), Iziium, Sumy (now in Ukrainian Republic) and Ostrogozhsk (now in Russian S.F.S.R.). The Moscow Government, however, did not permit their incorporation into the Ukrainian state and did not consent to their unification. There was no central organization and each of these Regiments was directly controlled by the Russian governmental organs.

There was double subordination of these Slobodian regiments to the organs of Russian local and central administration. Locally the region was governed by the *voevoda* (military governor) of the Belgorod Fortress. The central organ that controlled the Slobodian Cossack regiments was the *Razriad*, a kind of Russian department of defence. Among its duties were the organization and maintenance of the defensive line in the areas of the southern frontier. In 1682 this control was transferred to a newly organized special organ which had the rather incongruous name of "Great-Russian *Prikaz*." That name may have been intended to distinguish the organ from the „Little-Russian *Prikaz*," which managed relations with Hetman Ukraine, or to stress the fact that the Slobodian Ukraine was a dependency of Great Russia (Russia proper) and not of "Little Russia."

The "Great-Russian Agency" organized the collection of direct and indirect taxes, granted landed estates to military and administrative personnel, controlled the work of the local Cossack administration and examined complaints against the action of Ukrainian Cossack colonels. As the legal status of the Regiments of the Slobodian Cossacks was different from those in Hetman Ukraine, the authority of the Great-Russian Agency differed from that of the Little-Russian Agency. Whereas the latter carried out external relations with the Hetman Government of Ukraine, the former directly exercised the functions of control and administration of the Slobodian regiments.

Evidently the authority and functions of the Great-Russian Agency in Moscow paralleled, and clashed with, in many aspects, the authority and functions of the Russian *voevoda* in Belgorod.

This situation changed in the early eighteenth century during the reign of Peter I, when the Great-Russian Agency was abolished, and the regions of the Slobodian Cossack regiments were included into the recently established Russian *guberniia* (province) of Azov. After that they were directly supervised by the Russian provincial organs.

The dependence on the local government agents of the Muscovite state and, later, of the Russian Empire, as well as the direct intervention of Russian organs and officials into the Cossack Regiments in the Slobodian Ukraine, allow us to define them only as the semi-autonomous regions of the Russian state.

Their autonomy was manifested in their administrative system which was distinctive and different from the political organization of the Russian state. This system corresponded in many respects with the system of intermediate military and territorial units of Hetman Ukraine. Thus the autonomous administrative units of the Slobodian Ukraine were called Regiments (*polky*). Like the Regiments of Hetman Ukraine they were military units as well as administrative districts, and were divided into Hundreds (*Sotni*). They were led by a Colonel, who — and there is a difference — was not subordinated to the Ukrainian Hetman but to the organs of the Russian Government. The Slobodian colonels also had military, administrative and judicial functions and, as in Hetman Ukraine, they were assisted by the regimental officers. In the seventeenth century the colonels and regimental officers were elected by the regimental Cossack assemblies. The Slobodian Hundreds were led by the commanders and officers who were elected by the Hundred's Cossack assemblies which also discussed and decided the most important problems of local government.

The social structure of Slobodian regiments was less complex than that of Hetman Ukraine. There were not as many different social groups and as complex social relations as in Hetman Ukraine, where, especially in the northern Regiments, we find the influence of the old nobility and the towns governed by Magdeburg Law. At first there were just two social groups in the Slobodian Ukraine, the Cossacks and the peasants. Only later the burgher class was formed. Here we also find a gradual differentiation of the Cossack class itself. This began later than in Hetman Ukraine, but it had assumed the same forms as in Hetman Ukraine. This process was caused by

basically similar historical conditions but, on the other hand, we cannot deny the possibility of the direct influence of social order in Hetman Ukraine. A group similar to the noble army fellows in the Ukrainian state was formed and they were called the *pidpraporni*, i. e. the Cossacks who served under the banner (*prapor*) of a Regiment. They were exempted from the jurisdiction of local government in Hundreds, and were directly subordinated to the Colonels. This category was established in the early eighteenth century (the first mention we find in 1714). They (as well as the Cossack officers who, before their election were members of this very group), were rewarded for their service by landed estates, and became the nucleus of the new upper class of landowners.

In the eighteenth century the Russian Government and its local organs and officials more and more restricted and violated the autonomy of Cossack regiments in the Slobodian Ukraine. In 1765 the Russian Government was able to abrogate this autonomy altogether and to abolish the Cossack autonomous units in the region. The territory of Kharkiv, Okhtyrka, Sumy and Iziium regiments was organized into a new Slobodian-Ukrainian *guberniia* which, except for its name, had a governmental system completely similar to other Russian provinces. The Ostrogozhsk Regiment became a part of the Voronezh *guberniia*. The upper layer of the population acquired the rights of the Russian nobility (*dvorianstvo*). The Cossack hereditary class was abolished altogether and its members became free peasants, but had to provide the Russian Army with draftees for the five regiments of light cavalry (the Hussars).

In other regions beyond the boundaries of Hetman Ukraine, especially in western Right-Bank Ukraine, the Cossack organization did not last long. After Peter Doroshenko's defeat this devastated and depopulated region belonged at first to Turkey but in the 1680's, excluding the Kamianets-Podilskiy (Kemenets-Podolskii) Fortress, was transferred to Poland. It was repopulated soon and anew there was established the Cossack organization. The Cossacks of western (Right-Bank) Ukraine had for a short period their own hetmans (Ivan Mohyla, Hryshko and Samus) who resided in the Podilian city of Nemyriv (Nemirov). There were seven Cossack Regiments; those of Bila Tserkva (at first of Fastiv), Bohuslav, Korsun, Chyhyryn, Uman, Bratslav and Mohyliv (Mogilev, on the Dniester). Some of these regiments existed until 1711. But, in general, this restored

Cossack organization was just a shadow of the old Cossack Ukraine. The legal nature of its relation to Poland was never clearly defined and it never acquired the status of a vassal state. Its armed forces were not strong enough to defend it from its powerful neighbours: its population basis was not sufficient. Its organizational structure was imperfect, and consequently the power of its Hetmans was just a shadow of the Hetman rule in eastern (Left-Bank) Ukraine. It was rather a title of one of the Colonels and in fact, the other colonels were very little dependent on their nominal superior.

Sound national instinct impelled the Cossack leaders of Right-Bank Ukraine to look for support from the comparatively strong Ukrainian state in Left-Bank Ukraine; Hetman Ivan Mazepa who ruled in that period tried to incorporate the western provinces into his state. But there was some friction between Hetman Ukraine and the Cossacks of these provinces. This could be explained by the different social structure of both organizations. In Ivan Mazepa's time Hetman Ukraine was already a state ruled by the new upper class of the noble army fellows. In the west the situation was different. This recently repopulated area was the land of ordinary Cossacks who still had close social contacts with the peasant masses. This caused some agitation in the western provinces against the "new lords," the owners of the landed estates in Hetman Ukraine. There were calls for a "Khmelnysky-type" uprising against Hetman Ukraine's new upper class. These calls were connected with the name of Semen Palii, the colonel of the Regiment of Fastiv, who subsequently was arrested on Hetman Mazepa's orders, and exiled by the Russian Government to Siberia. After the defeat of Ivan Mazepa the Cossacks of Right-Bank Ukraine lost the support of Left-Bank Ukrainian state which no longer was able to pursue an independent policy. That led to the dissolution of these regiments. Then the Polish and Polonized owners of manorial estates returned to Right-Bank Ukraine, and the Ukrainian ethnic element was once again represented by the enserfed peasants. There were many instances of armed struggle by these serfs against the new social order. Most of them took the form of *Haidamak* uprisings. These were unorganized manifestations of social and religious (and only indirectly national) discontent by the local population. Social and spiritual separation from eastern, Left-Bank, Ukraine was at that time so complete that the armed forces

of Hetman Ukraine participated in the suppression of the *Haidamak* peasant uprisings.

A few words should be said about the Cossack organization in the regions which were temporarily annexed by Turkey. In parts of Right-Bank Ukraine conquered by Turkey in 1677-1681 the government of George Khmelnytsky, as the "Prince of Sarmatia" was established. This undertaking was short-lived and unsuccessful. In the times of Ivan Mazepa there was some talk about the existence of so-called "Dubossary hetmans." There exist unpublished data about these "hetmans" in the Moscow archives of the former Ministry of Foreign Affairs. Evidently this was an attempt by the Turkish sultans to create an embryo of their own Cossack organization that could be used in the event of a conquest of Right-Bank Ukraine by the Turks. The impressive title of "hetmans" was in fact inappropriate for these petty Cossack chieftains who resided in the Moldavian village of Dubossary of the lower Dniester Valley, under the protection of Turkey, and who according to the available data had very few (several hundred) Cossacks.

In all instances when the Ukrainian population had an opportunity to start its struggle for liberation (with exception of the "Sarmatian Principality" of George Khmelnytsky), whether it was in remote steppes of the Slobodian Ukraine, or in Podilia during the rule of Samus and Ivan Mohyla, or in Turkish Dubossary, there were Cossack "hetmans" and "colonels" who led a Cossack organization. There was no upper class of the old nobility in the recently populated or the old but devastated regions and, as a result, the new leading groups arose out of the Cossack class. Evidently the formation of this Cossack group was influenced by the traditions of the long liberation struggle by the Ukrainian Cossacks which began in the sixteenth century and resulted in their legendary glory and admiration of the masses. It also could have been influenced by the socio-political order of the Hetman state in Left-Bank Ukraine which was also based on the Cossack organization, even if it had changed its forms.

We can say that this Cossack organization was a special national Ukrainian form of socio-political relations in the period of hereditary social structure. This distinguished Ukraine from the other states and nations of this period (with the exception of southern Russia's Cossack organization in the Don and Ural valleys).

EPILOGUE

After the incorporation of Hetman Ukraine into the Russian Empire the last flame of Ukrainian independence was extinguished. Other Ukrainian regions had lost their independence or even limited autonomy a long time before and had become provinces of other states such as Poland (the large part of the Ukrainian lands to the west of the Dnieper—until the downfall of this state); Moldavia (Ukrainian Bukovina until 1774); Hungary (Transcarpathia) and finally Austria (Galicia and Bukovina — since 1772 and 1774, respectively). They were distinguished from the other provinces of these states only by the fact that the enserfed Ukrainian peasants had preserved their language, their old customs.

The Russian Empire at this time included the larger part of Ukrainian ethnic territory. In its direct possession was easternmost Slobodian Ukraine since 1765; it had incorporated the region of the Zaporozhian (Zaporogian) Host in 1775 and the territory of Hetman Ukraine in 1781. After the partition in 1793 and 1795 of Poland (officially — The Polish-Lithuanian Commonwealth) which could not survive the struggle against the coalition of the absolute monarchies of Russia, Austria and Prussia, the Russian Empire acquired also Right-Bank Ukraine, i. e. the Kiev region, Volhynia and Podolia (Podolia). As in the other parts of the Russian Empire the Ukrainian regions were divided into *guberniias* (provinces). There were the eight *guberniias* of Chernihiv, Poltava, Kharhiv (which at first was called the "Slobodian-Ukrainian *guberniia*"), Kiev, Katerynoslav (Ekaterinoslav) and Kherson as well as the *guberniias* of Podolia and Volhynia. Parts of southern Ukraine were included into the Taurida *guberniia* (on the Black Sea) and the "Oblast [territory] of the Don Cossack Army." A part of the northern borderland of the Eastern Ukraine was included into the Russian *guberniias* of Kursk and Voronezh. All these provinces had a uniform Russian administrative structure and organization.

The population of these new regions of the Russian Empire was officially designated as the Russian (unofficially, the *malorossy*-Little-Russians). This gave the Ukrainians some privileges enjoyed by the Russians as the dominant national group in the Empire, with the most extensive personal rights and best opportunities, especially in relation to employment by government. In this respect the Ukrainians enjoyed some privileges in comparison with the status of the

inorodtsy ("non-Russian people") or the population which did not belong to the established Eastern Orthodox Church. This situation was in some respects personally advantageous to the inhabitants of the Ukrainian land, but at the same time meant that they had to renounce their own national identity.

The magnificent northern capital of the Russian Empire, St. Petersburg, attracted a great number of the Ukrainians, mostly from the upper layer of society. Here they became the servants and sometimes (let us mention the names of the Kochubeis, Bezborodkos and Rozumovskys who held the higher posts in this empire) the masters of the Russian state. Many of them had to feel that they entered a new bright and enlightened world and left behind the provincial backwoods, where their fathers quietly lived the rest of their days. Few of them could understand that the backwardness of Ukraine was caused by her political situation and the downfall of the Ukrainian state. If that state continued to exist, its own capital — as Kiev was in medieval times — could have been too a great European metropolis.

It was a time of great achievements in the foreign affairs of the Russian Empire. In the west it acquired Finland, the Baltic Provinces, a large part of Poland, a larger part of Ukraine, Belorussia (White-Ruthenia) and Bessarabia. In the south it conquered the Crimea and fought for the incorporation of the Caucasus. In the east it had already the vast expanses of Siberia reaching up to the Pacific Ocean, and the conquest of Central Asia had begun. A great alliance of Eastern Europe and Asia could have developed, provided it were a commonwealth of free nations. In this empire of two continents the Ukrainian people met and joined many conquered nations. Most of them lost their independence and were in the process of losing the last traces of their autonomy. This multi-national empire faced great danger during the War against Napoleon in 1812, but its adversary showed himself to be not sufficiently prepared and strong, and the Empire itself was sufficiently consolidated. The victorious Russian Armies marched through Central and Western Europe toward Paris. After that Russian diplomacy for long time played the most important and influential role in the "Concert of Europe."

In the Russian Empire the Ukrainian people found a social hereditary structure in one of its most pronounced forms. It was a state dominated by its nobility (*dворянство*) which did not share power

with other social groups. The serfdom system was still very strong and its severity was much more pronounced than in the somewhat patriarchal relations between the landlord and serf as they existed in Hetman Ukraine.

Did the Ukrainian people completely lose in this period -- the late eighteenth and early nineteenth century -- all traces of their autonomy and the system of their laws? The answer would be negative. There remained some traces of this autonomy and these laws.

At first we should mention the Zaporozhians (Zaporogians). The Zaporozhian Host was destroyed by the Russian Army in 1775. Its region fell under the direct administration of the officials and institutions of the Russian state. But a considerable part of the Zaporozhian Cossacks did not accept that situation and emigrated to Turkey. In this act, and in the efforts to preserve its old organization, the Zaporozhian Host showed its will to oppose Russia much more than had been shown by Hetman Ukraine. Evidently this can be explained by the more favourable geographical position. The Zaporozhian land was situated farther from the core of the Russian Empire and it was easier for the Zaporozhians to retreat from the Russian-occupied territory. In Turkey or to be more exact, in the Turkish dependent territory in the lower Danube Valley (now in Rumania) they established a new Zaporozhian Host and restored the old Zaporozhian organization. Its thirty-eight *kurins* were reestablished and again at the noisy meetings of the Sich Assembly the Zaporozhians elected their Sich leaders and other officers. During the Russo-Turkish War in 1828 the Sich Chief O. Hladkyi betrayed Turkey and with a part of the Zaporozhian force came over to the side of Russia. This led to the destruction of the new Zaporozhian Host by the Turks. The Zaporozhian organization was finally destroyed and the Zaporozhian autonomy under Turkish rule came to an end. Those Zaporozhian Cossacks who remained in Rumanian Dobruja (Dobrogea) became just a category of free peasants.

The Zaporozhians who did not emigrate to Turkey were organized into the "Black Sea Cossack Army" in the 1780's. In the 1790's Russia, helped by these Black Sea Cossacks, occupied the fertile lands of the Kuban Valley, and a considerable part of this territory was assigned to these Cossacks. In this land remote from Central Russia the former Zaporozhians and their descendants preserved some traces of their old organization. It is true that these Black Sea Cossacks (their name was changed to the "Kuban Cossacks" in 1864)

were led by an "Acting Commander" (*nakaznyi otaman*) appointed by the Russian Government, but some traces of the old autonomy were preserved in their internal organization. As in the old Zaporozhian Host the Kuban Cossacks at first were divided into forty squadrons (*kurins*). These squadrons — and here there was a difference — were military units as well as administrative-territorial districts, and each of them had a special settlement as its administrative centre. The old Zaporozhian principle of self-government with elected administrative organs, was preserved until 1920, in the organization of the Cossack settlements. Their chiefs (*stanychni otamany*) were elected at the Cossack village meetings.

These remnants of the old Cossack autonomy to some extent were a temporary exception to the general elimination of all the features of Ukrainian statehood and autonomy. This process was also somewhat interrupted or, rather, slowed down in the new Russian viceregencies (*namestnichestva*) and, later, the new *guberniias* organized in the territory of former Hetman Ukraine. The *guberniias* of Chernihiv and Poltava preserved some traces of the old governmental and social system. The upper layer of Ukrainian society acquired the rights of the Russian nobility (*dvorianstvo*) in 1785. But in each case the admission of an Ukrainian family to the ranks of the Russian *dvorianstvo* was separately examined and decided by the Department of Heraldry of the Ruling Senate. As a result we could find even in the 1820's and 1830's in the Chernihiv and Poltava *guberniias* quite large categories of persons who were as yet not certified as belonging to the Russian nobility. Until their legal status was finally established they continued to call themselves by their former Ukrainian Cossack titles and ranks; for instance "the *bunchuk* fellow," "the son of a regimental judge," etc.

A more important difference of these regions from the other provinces of the Russian Empire was the existence of a hereditary class (or social estate) absent in Russia proper. We have in mind the class of the Cossacks. It was not possible to include this Ukrainian social group into one of the social estates of Russian society because this society had no corresponding social category. On the other hand it was not possible to place this large group of Ukrainian people, who cherished their old freedoms, in the position of serfs. As a result the rank and file Ukrainian Cossacks retained their position as a separate hereditary class in the Chernihiv and Poltava provinces up to the October Revolution of 1917. The Cossacks of Chernihiv and Poltava

provinces did not serve in the special Cossack units of the Russian Army as did the Russian Cossacks of the Don and Ural valleys as well as the Ukrainian and Russian Cossacks in the Kuban Valley. The legal status of the Chernihiv and Poltava Cossacks was closer to the status of the free and non-enserfed farmers (peasants). Frightened by the early military successes of Napoleon I in 1812, Russia started again to organize the Cossack regiments in Left-Bank Ukraine; but after the defeat of the French Army this stopped. It was repeated again, with the same results, during the Polish Rebellion of 1831.

During the rule of Paul I (1796-1801) the old Ukrainian Supreme Court was temporarily restored in the region of former Hetman Ukraine, and at that time its judicial system differed from the judicial system in other Russian provinces. When the territory of the Ukrainian state was incorporated into the Russian Empire it preserved for several decades its old laws. The Russian legal rules did not operate in the provinces of Chernihiv and Poltava until 1842 when the rules of Lithuanian Statute were abrogated. But even after that these provinces preserved some norms of their old law (in the first place, the rules of inheritance and succession). The cities and towns of Left-Bank Ukraine were governed up to 1835 by the rules of Magdeburg Law, and retained their old municipal organization which differed significantly from the Russian one.

These differences in the governmental, social and judicial system in the provinces which were organized in the regions of former Hetman Ukraine distinguished them from the other administrative and territorial units of the Russian Empire. When some of these special features were abrogated by the Russian Government (the Magdeburg law or the Lithuanian Statute), it led to opposition and passive resistance, shown in the pleas to restore the old rights and old laws.

Western (Right-Bank) Ukraine incorporated into the Russian Empire after the partition of Poland — the later provinces of Kiev, Podilia and Volhynia under the authority of a Governor General — did not preserve the traces of its old socio-political system because even before the incorporation into the Russian Empire it was an ordinary part of Poland. This region also differed from former Hetman Ukraine in the position of its upper social group. The new *dvoriane* (noblemen) of eastern (Left-Bank) Ukraine were Ukrainians by origin and even after their "Russification" they still cheri-

shed the Cossack past of their ancestors. A nobleman and owner of a manorial estate in the western (Right-Bank) Ukraine was at that time a Pole or a "Polonized" Ukrainian, who had even changed his religion and had become a Roman Catholic. The large part of these noblemen in Right-Bank Ukraine treasured the memory of the Polish state and culture. When in 1831 and 1863 the people of the central Polish regions (incorporated into the Russian Empire) rose up for the liberation and the restoration of the Polish state, the nobility in Right-Bank Ukraine actively participated in these uprisings.

The hostile attitude of the new *dvoriane* in Right-Bank Ukraine toward Russia provoked repressive measures of the Russian Government against Poles and, to its efforts to ensure the support of the local "Little-Russian" (i. e. Ukrainian) elements of this region. This action, however, was not successful because the larger part of the Ukrainian population were serfs. An insurmountable wall divided a Russian official, who was a *dvorianin* (nobleman) from his "Little-Russian brother" in Right-Bank Ukraine, who was a serf. Consequently, the Russian organs made only minor efforts to alleviate serfdom and the oppression of peasants by the Polish landlords. Among the measures against the interests of Polish landowners in Right-Bank Ukraine we should mention the strict verification of their rights to be recognized as members of the Russian upper class in 1840-1845. This verification resulted in the exclusion of more than 60,000 small Polish landowners from the registers of the Russian nobility. They acquired only the status of free peasants. The Governor General of "South-Western Land" in Kiev, D. Bibikov, introduced in 1847 the so-called "inventories," the cadastres of landed estates, which established the limits of peasant bondage services to their masters. This measure for a time significantly improved the situation of Ukrainian peasants. Under Bibikov's successor, Prince Vasilchikov, some supplementary rules were issued which, in fact, abrogated the larger part of the measures established in Bibikov's cadastres.

In our brief description of the situation of Ukrainian lands in the late eighteenth and the first half of the nineteenth century we have to move farther to the west. A historian of the Ukrainian socio-political system usually leaves Galicia in the middle of the fifteenth century. In this time the special institutions and legal norms of the old *Rus'* (Ruthenian) Law in Galicia were abrogated and the region

was divided into three provinces (*województwa*) — Ruthenian (with the city of Lviv as its centre), Podilian (Podolian) and the province of Belz. Their status became identical to that of all other regular Polish provinces. The subsequent history of these provinces includes the "Polonization" of their nobility, the acceptance of Polish culture by the townspeople; religious struggle for and against the Eastern Orthodox Church; the granting of some privileges to the Roman Catholics, in comparison with the members of the Greek Catholic and Eastern Orthodox churches; and the increasing dependence of peasants on the noble owners of manorial estates. The legal norms and forms seldom deviated from the legal norms and forms of other Polish provinces.

In the first partition of Poland in 1772, Galicia was given to the Austrian Empire. Also included were some Polish ethnic regions close to the city of Cracow (Kraków). The whole region was named the "Kingdom of Galicia and Lodomeria" but in fact it became an ordinary Austrian province.

The Austrian Empire of the late eighteenth and first half of the nineteenth century was an autocratic state. Its struggle against the French Revolution resulted in the establishment of Metternich's ultra-reactionary rule. Under such conditions the inclusion of Galicia, and Bukovina (1774), "into Europe" did not bring the results we could expect. The Austrian Government paid little attention to the industrial and cultural development of its Slavic lands. Consequently the Slavic regions newly incorporated into Austria continued to preserve the characteristics of their old socio-political order, which for a long time was influenced by Polish social forms (Moldavian, or Rumanian in the case of Bukovina). Now these forms acquired one additional feature: German became the language of communication with the Austrian Government and its local administrators. The situation of Ukrainian serfs was somewhat improved during the rule of Joseph II (1780-1790). But most of the improvements were annulled by his successors.

If we mention the Ukrainian Transcarpathian region — long ago conquered by the Hungarians — which became a northern part of Hungary (at that time herself an Austrian province) we can have the full picture of the Ukrainian land, a large belt from the Kuban Valley in the Northern Caucasus to the foothills of the Carpathian Mountains.

In the late eighteenth and early nineteenth century Ukrainian people were not masters of their own land, although this great people lived here from time immemorial. If we exclude the Kuban Cossacks, who served the Russian Empire in its warfare against the people of the Caucasus and had preserved some part of their old autonomy, the Ukrainian lands had become regular parts of Russia or Austria. The upper class was included in the Russian and Austrian (really Polish) nobility and was gradually losing its Ukrainian national character, although more slowly in the case of Left-Bank Ukraine. In Ukrainian cities the dominant role was more and more played by Russian, Polish and Jewish (the latter in Right-Bank Ukraine and Austrian Ukrainian lands) groups. Only the peasant masses preserved their Ukrainian ethnic character but most of them were peasant-serfs. Only the provinces of Chernihiv and Poltava maintained the old social class or estate of the Cossacks. But these Cossacks had lost their former influence and their original role as members of the Ukrainian armed forces.

In this period the states were based on the system of the hereditary social estates and were dominated by the nobility. In the late eighteenth and early nineteenth centuries this system acquired especially sharp and clearly expressed forms. Therefore, the situation of the Ukrainian people looked very hopeless indeed. According to the famous Russian poet, Lermontov, the Russian Empire of that time was a "country of slaves and their masters." The Slavic provinces of Austria also could be described in these words. In fact most of the Ukrainian people in both empires had the social position of unfree peasant-serfs.

But the sources of national spirit remained active. Even in this time of national decline of Ukraine rising voices heralded the advent of the new time. It suffices to mention Kotliarevsky's and Kvitka's literary works, and Maksymovych's scholarly studies. We can also name the Decembrist "Society of the United Slavs" as well as the "Society of Sts. Cyril and Methodius" which planned to establish a federation of the free Slavic peoples with the city of Kiev as its metropolis. Kostomarov, a nobleman, and Kulish, a Cossack (a descendant of the "banner fellows") from Left-Bank Ukraine, and Shevchenko, a serf from Right-Bank Ukraine were the principal ideologists of the latter group. They showed that there still were those who loved their native land and believed in its historical destiny. In the Austrian Ukraine we see the fruitful cultural work of

the "Ruthenian Three" (Markian Shashkevych, Ivan Vahylevych and Jacob Holovatsky).

It was the beginning of a new period. Society divided into hereditary classes was in its last days. A new life with its rapid economic development called for release from the old social fetters which hampered and impeded this process. Western Europe started to move toward the elimination of the very foundations of the old class-divided society. In 1848 Austria also went this way. The Western Ukrainians, the first time after a long interval, established their own national organization — "The Supreme Ruthenian Council" (*Holovna Rus'ka Rada*) and raised their national demands both in Galicia and in Vienna. Most of these demands, especially the most important one — the separation of Ukrainian Galicia from the western ethnically Polish regions, were not realized. But the serfdom of peasants was abolished.

This happened somewhat later in Ukraine under the Russian rule. At the time of the Crimean War against Great Britain and France the Russian Empire revealed the obsolescence of its social and political organization and, consequently, its inability to struggle and compete with the progressive countries of Europe. Emperor Alexander II, who understood the situation, made a brave step and emancipated the serfs in 1861.

From this time on we can date the beginning of a new period in the history of the Ukrainian people. It is true that the reforms of 1848 and 1861 were not a social revolution and that they did not do away with all the forms of the division of society into hereditary social estates. But that should not allow us to think that the former system of social relations remained intact. The emancipation of serfs undermined the very foundation of the social relations of the preceding period. The peasant ceased to be a serf who was forced to till the great landed estates without remuneration. Now he became the free owner of his own farmstead. It was up to him to decide whether he would remain on his farm or go to work in industry. The nobleman ceased to be the serf's master and retained in his possession only a part of his former land. Towns began to change their old organization of the closed communities of burghers, due to the influx of the new workers from rural areas. Although the differentiation of classes still was preserved in the legal norms, it lost its role as the most significant feature of social relations. This really was a new period, with new problems and new aspirations.

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