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JURISPRUDENCE

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COMPENSATION OF DAMAGES, LOSSES CAUSED IN THE CONDITIONS OF THE FULL-SCALE WAR OF THE RUSSIAN FEDERATION AGAINST UKRAINE

Abstract. The Purpose of the Study is to determine the composition of damage and losses caused as a result of the full-scale war of the Russian Federation against Ukraine, as well as possible methods of their compensation. The article is also aimed at showing possible problematic issues that arise when proving the composition of the damage caused. **The Research Methodology.** To carry out the research, sources such as international acts, legislation of Ukraine and court practice were used. These sources became the empirical basis of the study. The goals of the research were achieved with the help of the used research methods (dialectical, structural-logical, formal-legal), as well as research methods (analysis, synthesis, induction, deduction, etc.). **The Scientific Novelty** lies in the fact that this article is one of the first comprehensive studies of damage compensation, damages caused because of the full-scale attack of the Russian Federation on Ukraine from the position of combining private law and public law norms. **The Conclusions.** For the effectiveness of the protection of actions violated as a result of violent aggression, the

adoption of special acts is necessary not only at the national, but also at the international level. At the same time, damage and losses caused because of the Russian Federation's full-scale attack on Ukraine can be compensated in a judicial or extrajudicial (compensatory) manner by creating special compensation funds.

Keywords: *damage, losses, methods of compensation, violent aggression, special compensation funds.*

ВІДШКОДУВАННЯ ШКОДИ, ЗБИТКІВ, ЗАВДАНИХ В УМОВАХ ПОВНОМАСШБНОЇ ВІЙНИ РОСІЙСЬКОЇ ФЕДЕРАЦІЇ ПРОТИ УКРАЇНИ

Мета дослідження є визначення складу шкоди та збитків, завданих внаслідок повномасштабної війни Російської Федерації проти України, а також можливих способів їх відшкодування. *Стаття* також спрямована показати можливі проблемні питання, які виникають при доведенні складу завданих збитків, шкоди. **Методологія дослідження.** Для здійснення дослідження використовувалися джерела такі, як міжнародні акти, законодавство України та судова практика. Ці джерела стали емпіричною базою дослідження. *Мети дослідження* вдалося досягти з допомогою використаних методів дослідження (діалектичного, структурно-логічного, формально-юридичного), а також прийомів дослідження (аналіз, синтез, індукція, дедукція тощо). **Наукова новизна** полягає у тому, що вказана стаття є одним із перших комплексних досліджень відшкодування шкоди, збитків, завданих внаслідок повномасштабного нападу РФ на Україну з позиції поєднання приватноправових та публічно-правових норм. **Висновки.** Для ефективності захисту порушених внаслідок насильницької агресії дій необхідне прийняття спеціальних актів не лише на національному, а й міжнародному рівні. При цьому, шкода, збитки, завдані внаслідок повномасштабного нападу Російської Федерації на Україну, можуть відшкодуватися у судовому або позасудовому (компенсаційному) порядку шляхом створення спеціальних фондів відшкодування.

Ключові слова: *шкода, збитки, способи відшкодування, насильницька агресія, спеціальні фонди відшкодування.*

The Problem Statement. Determining the composition of damage and losses caused because of the full-scale war of the Russian Federation against Ukraine, as well as possible methods of their compensation, is an extremely difficult task. Scientists in their studies, as a rule, focus attention on certain elements of obligations to compensate for damage, damages caused because of the aggression of the Russian Federation against Ukraine. The purpose of this article is to determine all the necessary elements to ensure the recovery of the damage caused, the damage caused because of the war launched by the Russian Federation against Ukraine. The article is also aimed at showing possible problematic issues that arise when proving the composition of the damage caused.

The presented study is designed also to analyze the current legislation of Ukraine, as well as international acts, capable of ensuring proper protection of the rights of not only Ukraine as a sovereign state, but also of other subjects, compensation for damage and losses. To achieve this goal, individual acts of law enforcement practice were studied. Using the example of possible forms of protection and methods of compensation for damages, an attempt was made to illustrate the problems that may arise when they are applied. At the same time, the article reflects the theoretical work of scientists in this field, which are dedicated to the study of certain aspects of the consequences of the full-scale aggression of the Russian Federation (hereinafter - the Russian Federation) against Ukraine.

The Analysis of Sources and Recent Researches. The main emphasis in the article is made by the authors on the study of the main international acts in the field of protection of human and citizen rights, legislative acts of Ukraine in the field of determining damage and losses, as well as the practice of their application. However, certain issues related to the Russian-Ukrainian war. Investigating the economic consequences of the aggressive war of the Russian Federation against Ukraine, S. Mariotti emphasizes that its consequences affect the world economy and politics (Mariotti, 2022). At the same time, the author compares the scale of such influence with the situation after World War II. Such negative reactions of the world economy and politics are explained by the close interconnection of national economies, the policy of protectionism. Although the author's research, in his own opinion, is aimed at identifying problems rather than solving them, the opinion about the need to unite international economic institutions to maintain the balance of the world economy is correct. Thus, the author, defining the range of issues, does not offer specific directions for their solution.

An example of the negative impact of unprecedented in the 21st century. of an attack on a sovereign state are the consequences of stopping the export of wheat and corn from Ukraine, researched by M. Carriquiry (M. Carriquiry, J. Dumortier, A. Elobeid, 2022). As a result of the research, the authors emphasize the negative impact on the environment. Thus, if avoiding a food crisis necessitates the expansion of cultivated areas, this will lead not only to the economic costs of such an increase, but also to carbon emissions due to land use change. The situation improved somewhat with the conclusion of the Agreement on the export of grain through the Black Sea, initiated by Turkey with the participation of the UN (The mass media published..., 2022). However, the author did not pay attention to other ways of transporting Ukrainian grain crops. Thus, as of November 30, 2022, according to Andrzej Adamczyk, Minister of Infrastructure of the Republic of Poland, the export of grain through Poland increased by 50% (Export of Ukrainian grain..., 2022). However, researchers do not pay attention to the direct and indirect losses caused to Ukraine because of the stoppage of exports and the destruction

of cultivated areas, as well as the search for other ways of transporting exported grain crops, etc.

The article by Joanna Alicja Dyczkowska and Olga Reshetnikova (Dyczkowska, Reshetnikova, 2022) is devoted to the study of logistical problems. The researchers point to the development of logistics infrastructure in connection with the popularity of e-commerce in Ukraine. This determined the attraction of investments in the field of commercial real estate construction, primarily warehouses. However, with the beginning of a full-scale attack, not only buildings were destroyed and damaged, but also roads, bridges and other objects that ensured the operation of the logistics system. According to the authors, in just 2 months of the war in Ukraine, warehouse and logistics buildings worth 1 billion dollars were destroyed. Thus, the authors only partially approached the definition of losses in the field of logistics and methods of their calculation.

In her study of the impact of the full-scale war of the Russian Federation against Ukraine on the energy system of Europe, Julia Korosteleva points out the need to achieve the double goal of sustainable development: to simultaneously carry out a digital and green transformation of the economy to achieve zero carbon emissions and zero waste (Korosteleva, 2022). However, the article only analyzes the impact on the energy system of the European Union after six months of war. Ukraine's energy system is currently suffering losses due to constant missile attacks, as well as related energy systems. So, the question of determining these losses, as well as costs for the transformation of the energy industry, including the European one.

Ensuring the stability of the energy system is interconnected with the stability of the Internet. Analyzing the situation with uninterrupted Internet access in Ukraine after February 24, 2022, A. Jain and others point to the persistence of basic Internet routing algorithms and performance degradation (A. Jain and others, 2022). Constantly maintaining the stability of the Internet requires considerable effort. However, the authors analyzed the technical aspects of Internet security in Ukraine during the 54 days of the war. Again, the authors do not analyze the property component of the consequences of the full-scale war of the Russian Federation against Ukraine.

One of the thorough studies devoted to human casualties in the first 162 days of the war is a work that united scientists from different states (U. Haque and others, 2022). The value of this study lies in the fact that the authors defined the components of the concept of "human sacrifice". In particular, this term covers the impact on the physical and mental health of generations of Ukrainians, mass deaths and injuries, destruction of the infrastructure and system of health care facilities, violations of production and delivery deadlines for pharmaceutical and

medicinal products. However, human casualties are only part of the damage and losses caused by the full-scale invasion of the Russian Federation into Ukraine.

Kirk Jensen and Vasyl Vasko focused their research on the radiobiological consequences of intentional and unintentional release of radioactive metals (Jensen and Vasko, 2022). When analyzing the situations at the Chornobyl and Zaporizhzhya NPPs, as well as shelling of a nuclear facility in Kharkiv with heavy weapons, the authors point out that there is not only a threat of radiation exposure to the population, but also a negative impact of heavy weapons on the health of the population, as well as the environment, as well as negative psychological consequences for staff. However, the scientific article is aimed at researching the medical implications. The authors only partially analyze the costs necessary to ensure public health care.

Individual researchers of the consequences of the full-scale aggression of the Russian Federation against Ukraine emphasize that they should be classified as humanitarian and economic (Astrov and others, 2022). At the same time, the authors emphasize that the cost of reconstruction will exceed the cost of destroyed or damaged property, as it will include the demolition of destroyed property and property that cannot be rebuilt, and the construction of a new one. This approach is justified and corresponds to the concept of direct damages, harm, which is enshrined in the Civil Code of Ukraine (Civil Code of Ukraine, 2003). However, the study focuses on the constituent elements of harm, damages and factors that should be taken into account in its assessment.

Emphasis on economic losses and their structure and content, as well as the impact on the national economy, as well as the level of military and economic security of Ukraine (Semenenko, 2022). At the same time, the authors included only direct losses in the concept of economic losses, which unjustifiably narrowed its meaning. We believe that when determining economic losses, it is necessary to consider normative legal acts that define the concept and procedure of compensation for damage and losses.

At the same time, separate studies are also devoted to environmental damage. Thus, P. Pereira and co-authors reveal the concept of environmental damage caused by the Russian Federation through its elements (Pereira, P., 2022). In particular, we are talking about the damage caused by soil degradation, water pollution, and deforestation. This leads to the destruction of the ecosystem. At the same time, the authors only partially outline directions for assessing the damage caused by the shelling of the Zaporizhzhya NPP. This illustrative case can be used to project the impact of aggressive hostilities on the ecosystems of Ukraine.

Individual studies dedicated to the process of proving the damage, losses, and their compensation should be considered important. The authors are cautious in their possible forecasts regarding the bodies that will consider the issue of

bringing the Russian Federation, its military-political leadership and other persons to justice. Therefore, H. Lahmann rightly notes that the use of digital technologies has made it possible to reach a new level of proving guilt in the commission of war crimes (Lahmann, 2022). This made it possible to use a large amount of publicly available evidence to confirm the war crimes committed by the Russian military. At the same time, the author does not cover international cooperation regarding the recording of war crimes committed by the Russian Federation on the territory of Ukraine.

Another thorough study that indicates the need to develop new conventions in the field of international criminal law is the scientific work of I. Brunk, M. Hakimi (Brunk, Hakimi, 2022). In its essence, this is a concentrated study of problematic issues in bringing to justice a state that forcibly changes the territorial borders of existing states. The authors' emphasis on the need to establish responsibility for the crime of violent aggression is also worthy of attention, not only for the military and political leadership of the aggressor state, but also for private individuals who finance these actions. This issue is new not only for the field of international law, but also for national legal systems. It requires detailed research and development of a mechanism for bringing such persons to justice. In some states, the adoption of national acts has been initiated, which give governments the authority to seize and sell the assets of sanctioned oligarchs (Rappeport, Sanger, 2022). However, the specified article highlights the positions of individual politicians regarding the possibility of implementing the specified mechanisms. However, the article does not contain legal aspects of the specified problem.

The highlighted studies fragmentarily highlight the problem of compensation for damage caused because of a violent act of aggression by the Russian Federation against Ukraine. At the same time, the topic of the article chosen by me is complex in its content, as it requires the necessary interaction of both international public law and private law.

The Purpose of the Article is to determine the composition of damage and losses caused because of the full-scale war of the Russian Federation against Ukraine, as well as possible methods of their compensation. The article is also aimed at showing possible problematic issues that arise when proving the composition of the damage caused.

The Research Methods. To write the article, first, primary sources were used, that is, international acts, as well as the legislation of Ukraine, the practice of its application (court decisions). The article analyzes the scientific works of foreign and Ukrainian authors, which are devoted to certain aspects of the investigated problem.

In carrying out the research, the authors used philosophical (Aristotelian), general scientific (systemic, structural-functional, ascent from the concrete to the abstract, ascent from the abstract to the concrete), special (produced by non-legal sciences analysis of written sources); separate (developed by legal science: dogmatic method, methods of interpretation of legal norms) methods. The basis of the research was the dialectical method, which made it possible to analyze the topic holistically, as well as to determine the main trends in the development of compensatory mechanisms. The specified method of scientific knowledge also demonstrated the importance of legal regulation in the system of protecting the rights of participants in these relations.

The method of autopoiesis made it possible to consider the interaction of legal, economic, ecological and international systems in the development of new mechanisms for the protection of violent aggression of a state that violates the sovereignty and territorial integrity of another state, the fundamental rights of a person and a citizen, as well as the property rights of other subjects. The application of the indicated method made it possible to reveal patterns of influence of these systems on each other. The structural-functional method made it possible to identify the constituent elements that determine the emergence of the right to compensation for damage and losses, as well as to determine their composition. The use of the methods listed above led to the need to apply such research methods as: induction, deduction, analysis, theoretical synthesis, abstraction (definition, limitation, generalization and division of concepts), description, characterization, clarification, proof, refutation.

The study was carried out in several stages, taking into account the variability of data that occurs in real-time conditions. At the first stage, the main concepts of the chosen topic were determined, as well as the results of already existing studies were taken into account. At the second stage, the elements of the offense are defined, which give rise to the right to compensation for damage, losses, as well as their fixation. At the third stage, an attempt was made to determine problematic jurisdictional issues, as well as possible compensatory methods of restoring violated rights.

The Main Material Statement. With the beginning of the full-scale war of the Russian Federation against Ukraine, the total amount of direct damage caused to the infrastructure of Ukraine as of August 9, 2022 is 108.3 billion US dollars, while the amount needed to restore and modernize the economy may reach 750 billion US dollars (Maloletkova, 2022). However, the damage caused to Ukraine's energy system as a result of massive attacks reaches billions of US dollars (EXCLUSIVE, 2022). When studying the issue of compensation for damages, the main thing is to determine their size, its proof and the guarantee of compensation.

Classically, the basis for compensation for damages involves the presence of four elements: illegal behavior, causation, fault and presence of damages. Illegal behavior consists in a full-scale invasion of the Russian Federation into the territory of Ukraine: making the appropriate decision to invade (carrying out the so-called "special operation" on the territory of Ukraine), issuing illegal orders, orders regarding the shelling of civilian infrastructure, the killing of civilians and prisoners of war, the commission of other war crimes and crimes against humanity. Such actions violate the UN Charter and give the right to retaliatory actions by the state that is attacked (The Charter of the United Nations, 1945).

It should not be forgotten that war crimes should include mass rape (an example is the "Foci case" (Tribunal over Putin..., 2022)) and torture. In addition, one should not forget about the actions of the Russian Federation aimed at destroying crops (wheat fields were set on fire), blocking ports and other ways of transporting products. Thus, farmers from Kherson Oblast and Zaporizhzhia suffer significant losses due to the impossibility of delivering goods to the controlled territory and fulfilling contractual obligations (Kherson vegetables are rotting in landfills..., 2022).

At the same time, the actions of the Russian Federation have negative environmental consequences. So, ecologists sound the alarm because of the threat to the ecosystems of the Azov and Black Seas. As a result of the bombing of the Azovstal plant, there was a threat of complete extinction of the Sea of Azov (The Sea of Azov may die out..., 2022). The activity of warships, as well as constant bombardment, caused the death of thousands of dolphins (Masovy mor..., 2022). These losses should be considered as damage caused to the environment as a result of a violation of international obligations, in particular the Convention on the Prohibition of Military or Any Other Hostile Use of Means of Influence on the Natural Environment (Convention on the Prohibition of Military..., 1977). Also, the Askania-Nova biosphere reserve is currently under occupation, which is deprived of the ability to provide for the livelihood of animals (Occupied Askania-Nova Reserve..., 2022).

As of July 2022, 423 episodes of Russian war crimes against the cultural heritage of Ukraine have been documented (Members of the UN Security Council..., 2022). Members of the UN Security Council recognize these actions as being directed against Ukrainian identity. To return stolen objects of cultural heritage, the Ministry of Culture and Information Policy announced the creation of a digital platform for the management of national heritage (UNESCO will support digitization..., 2022). This electronic resource will make it possible to track the movement of stolen objects and return them to Ukraine, as well as expand the possibility of cooperation with international organizations and

organizations of foreign countries that conduct activities to combat the illegal circulation of cultural heritage objects.

The Russian Federation is responsible for the actions of its military, which carry out the criminal orders of the military-political leadership of this country. Therefore, these actions are the actions of the Russian state. The Russian military will be the subject of tortious obligations and will have the obligation to compensate for the damage caused for those actions that were covered by their intent. Theft of household appliances from houses in the occupied territories also belongs to war crimes (violence against the population in the area of hostilities). The situation with cases of cruelty to animals is more complicated. Thus, cases were recorded when Russian soldiers ate dogs, ostriches, destroyed or maimed animals (In Vorzel near Kyiv..., 2022; Ostriches eaten..., 2022; In Gostomel, the occupiers burned..., 2022). The problem with the qualification of these actions is that they can be considered as animal cruelty or as violence against the population in the area of hostilities (illegal destruction of property). This qualification will depend on who will compensate for the damage – the Russian Federation or a specific Russian serviceman.

The guilt of the Russian Federation is presumed in accordance with the general principles of private law. At the same time, the Russian Federation deliberately commits actions aimed at the destruction of the Ukrainian people, openly talking about it in its mass media, telegram channels, etc. On February 26, 2022, Ukraine submitted an application to the International Court of Justice accusing the Russian Federation of genocide (Application Instituting Proceedings..., 2022). This statement was not only to refute the accusations of the Russian Federation of Ukraine in the genocide of Russian-speaking citizens on the territory of Donbas, but also to confirm the opposite, considering the invasion of Ukraine on February 24, 2022. Mass graves, bodies of tortured persons, as well as living victims of violent crimes committed by the Russian military (HRW documented dozens of war crimes..., 2022) discovered in the north of Kyiv and Chernihiv regions (in Buch, Irpen, Gostomel, and other settlements) testify to purposeful actions of the Russian Federation to deliberately destroy everyone who lives on the territory of Ukraine. The Central Committee became the basis for filing a complaint by Ukraine against the Russian Federation for committing genocide against the Ukrainian people, which was supported by other states. Among these people there was a lot of Russian-speaking population, including citizens of the Russian Federation. At the same time, these crimes are committed on an even larger scale in the territory of the occupied south of Ukraine and Donbas. Therefore, the invasion of Ukraine is an illegal use of force, an act of aggression and a flagrant violation of the rule of *jus cogens* (Green J.A., Henderson Ch., Ruys T., 2022).

The act of aggression of the Russian Federation against Ukraine is an international crime. Such a conclusion should be reached, taking into account the Nuremberg trial of 1946, which indicated what actions are included in international crimes, crimes against peace, war crimes, crimes against humanity (International Military Tribunal for Germany, 1946). These actions also include the planning, preparation, initiation and waging of an aggressive war. As of today, these actions also include committing cybercrimes with the aim of harming another state. It is known that before the large-scale invasion of the Russian Federation in Ukraine, a massive cyber-attack was carried out from the territory of the Russian Federation on the websites of state bodies. These actions should be qualified as preparation for an aggressive war in Ukraine.

Scientists working in the field of environmental security emphasize another important aspect – the duty of the state to prevent or mitigate damage to the environment and to eliminate or compensate for any such damage is a conventional duty (Shelton, D., Cutting, I., 2015). Moreover, the initiation of an aggressive war, the violation of fundamental rights and freedoms is also a violation of convention obligations, and not only of them, but also of the so-called *jus cogens* (norms of international public law that do not require convention consolidation but are mandatory to fulfill).

Each of the specified actions must receive proper documentation for its qualification and the transfer of this evidence to the consideration of the case at the International Criminal Court or a specially created military tribunal, or when applying to national courts with a civil claim for damages. At the same time, it is also necessary to establish the circle of private individuals and companies that financed the commission of crimes against Ukraine as a sovereign state, as well as its population and other subjects. This will allow to start the procedure of seizure of their assets as those used to finance terrorist and other illegal activities on the territory of another state(s).

The first step to bringing the Russian Federation to justice is to recognize it as a state sponsor of terrorism. By doing so, it violates its obligations under the 1999 International Convention for the Suppression of the Financing of Terrorism (International Convention for the Suppression of the Financing of Terrorism, 1999). At the same time, I believe that the main task in proving the illegality of the actions of the Russian Federation is that the collected evidence confirms the intention to destroy Ukrainians as a people and for this purpose crimes are used that cannot be qualified as actions of a specific person against a specific person (it is about the recognition of rape, torture, threats of war crimes directed against the Ukrainian people).

The next mandatory condition for compensation is the presence of damages. As already noted in the Civil Code of Ukraine, the legislator distinguishes between

the concepts of "damage" and "damages". Damages include two components - actual damages and lost profits. Real damages are understood as losses suffered by a person in connection with the destruction or damage of property, as well as expenses that a person must make to restore his violated right. Lost benefit covers income that a person could have received under normal circumstances if his right had not been violated. In turn, property damage covers only real losses.

The right to compensation for non-pecuniary damage arises in connection with mental suffering, which a person suffered because of wrongful behavior towards him, his family members, destruction or damage to his property. At the same time, it is necessary to emphasize another important aspect, which concerns moral damage. After the injured person is safe, his condition should be described in detail in the medical history or recorded in some other way. For example, after Buchi's release, rape victims attempted suicide even during the provision of psychological help. These and other facts testify to the depth of a person's mental suffering, which is proper and admissible evidence. Moreover, the conversation with this category of victims requires delicacy at each stage of proving the fact of moral damage.

It is also necessary to draw attention to the fact that, in addition to the civilian population, the natural persons who have the right to compensation for damage caused to the Russian Federation should also include military personnel, law enforcement officers who are in captivity, as well as their family members. Already today, the ECtHR emphasized the obligation of the Russian Federation to ensure proper conditions of detention of prisoners of war with the provision of appropriate medical care (ECtHR obliged the Russian Federation to respect the rights of prisoners of war..., 2022). However, the criminal acts in Olenivka, as well as other publicly available evidence (videos of Russian soldiers flaunting torture of Ukrainian soldiers) confirm a nihilistic attitude to the requirements of the ECHR.

When determining the amount of damage and losses, a unified approach and the principles of their calculation should be developed. To ensure such an approach, the Cabinet of Ministers of Ukraine adopted the Procedure for determining damage and losses caused to Ukraine as a result of the armed aggression of the Russian Federation (Decision of the Cabinet of Ministers of Ukraine, 2022), damage is a property expression of losses and expenses incurred by a person when objects are destroyed or damaged, as well as non-property losses suffered by a person as a result of illegal behavior towards himself and members of his family, close people (this makes it possible to divide the damage into property and moral), damages include lost profits, that is, real income that a person could have received under normal circumstances. This Procedure also defines the basic principles (principles) of damage assessment, on the basis of which the

methodology for determining each group of losses provided for by the Procedure must be developed and approved. It is obvious that such a method of assessing the cost of damage and losses should be universal for property, regardless of the type of ownership.

However, the said Order raises many questions. In the text of the Cabinet of Ministers of Ukraine, the concepts of damage and losses are used. Such an interpretation seems to be justified given that damages include losses and lost profits, while damage covers only losses.

However, the principles of damage assessment are already mentioned in the appendix to the Procedure (in the title), although the text of the appendix stipulates that they are mandatory when developing, approving, and applying specific methods. The appendix states that the assessment concerns property, property rights and other assets (item 6 of the appendix). As you know, the concept of "property" includes property rights (Article 190 of the Civil Code of Ukraine). It would be necessary to specify exactly which property rights and assets are subject to assessment.

As of today, the Ministry of Economy of Ukraine has developed a Draft Methodology for determining the damage and amount of damage caused to enterprises, institutions and organizations of all forms of ownership as a result of the destruction and damage of their property in connection with the armed aggression of the Russian Federation, as well as lost profits due to the impossibility or obstacles in the proceedings economic activity (Project of Methodology for determining damage and amount of damage..., 2022). The draft of the specified Methodology indicates its purpose of damage assessment - determination of the value of real damages, lost profits and expenses necessary for the restoration of property and property rights that have suffered a destructive impact because of armed aggression. However, the last element of loss is a component of actual damages.

As of today, the Methodology remains only a project. However, with its adoption, it will be mandatory to use regardless of the organizational and legal form of a legal entity and the property right based on which it owns the property that ensures its activity. At the same time, recording of damage and losses must be carried out considering the situation at the time of their assignment. Moreover, primary documents confirming the value of the lost assets are often destroyed along with the property. In connection with this, there is a need to confirm the value of lost assets in another way. Such documents must comply with the signs of admissibility, propriety and authenticity of evidence.

In addition to the above-mentioned Resolution for the determination of damages caused to agricultural and forestry production, standards for the determination of losses have been approved (Decree of the Cabinet of Ministers

of Ukraine, 1997). It is obvious that such standards should be revised periodically, as climatic and other changes that affect the soil are constantly occurring.

Crop fires, constant shelling affect soil fertility, which already belongs to losses, that is, losses due to the impossibility of obtaining harvests at the level of previous years. These losses are related to environmental safety violations. At the same time, they are a component of economic losses, which provide for the compensation of real losses (the value of the crop, the cost of the loss of soil fertility) and the lost profit (forgotten profit due to the destruction of the crop).

Again, the presence of property damage, losses must be confirmed with proper and admissible evidence. The evidence that substantiates the amount of property damage, losses, in addition to documents on the availability of goods, prospective business development plans, preparation of certificates by accountants regarding the loss of property, etc., also includes a conclusion on an expert assessment of the damage and losses with the involvement of specialists who have experience in conducting assessments in accordance with international standards. At the same time, such evidence can be obtained from publicly available sources, which is new for both Ukrainian and international justice.

Perhaps the most difficult part of compensation is receiving such compensation (compensation). The simplest option for compensation for damage and losses could be an international agreement on the payment of reparations to the Russian Federation, similar to the agreements concluded by Germany after World Wars I and II. However, the Russian Federation's violation of all possible conventions and international treaties indicates the ineffectiveness and futility of this path.

The second option is the simultaneous consideration of the case of bringing the Russian Federation and its military-political leadership to criminal liability for committing crimes and compensating for damages caused by such actions. Neither Ukraine nor the Russian Federation has ratified the Statute of the International Criminal Court, which causes difficulties with the consideration of this case. As of today, European government officials are inclined to create a special ad hoc military tribunal to hold the Russian Federation and its military-political leadership accountable. The difficulty of obtaining compensation in such a case is the length of the process itself.

The appeal to the ECtHR is complicated by the situation with the termination of the membership of the Russian Federation in the Council of Europe. Moreover, the President of the Russian Federation signed the law on non-implementation of ECtHR decisions adopted after March 15, 2022 (Putin signed the law..., 2022). Although Ukraine has already appealed to the ECtHR to compensate the Russian Federation for damages in the amount of 80 billion US dollars (Ukraine filed a new large-scale lawsuit..., 2022). The specified amount is not final and concerns

only damage caused during the occupation of Kyiv and Chernihiv regions. It is obvious that the decision of the ECtHR will make it possible to confirm the facts of the violation of fundamental rights and freedoms, but difficulties will arise in connection with the implementation of these decisions.

Despite the fact that the Supreme Court justified the impossibility of using immunity of the Russian Federation in the courts of Ukraine (Decision of the Supreme Court, 2022), we already understand that these decisions will not be implemented by the Russian Federation. Moreover, there may be difficulties with their implementation in foreign countries.

Another opportunity for the state to partially compensate for the damage caused to it is the Law of Ukraine "On the Basic Principles of Forcible Expropriation in Ukraine of Objects of Property Rights of the Russian Federation and its Residents" dated March 3, 2022 (Law of Ukraine, 2022). This Law provides an opportunity to seize the assets of the aggressor state and its residents in connection with an act of aggression on the basis of a decision of the National Security and Defense Council of Ukraine, which is put into effect by the Decree of the President of Ukraine and is subject to approval on the basis of a law adopted by the Verkhovna Rada of Ukraine no later than as in the six-month period after the end or cancellation of martial law in Ukraine. Seized assets are transferred to the management of a specially created state enterprise. Thus, the specified Law does not provide for compensation for damage to other entities at the expense of seized property.

And finally, another option for compensation for the damage caused, losses at the expense of the assets of the Russian Federation, its residents arrested and seized in foreign countries. In this context, the recognition of the Russian Federation as a terrorist state provides the possibility of confiscation of its property. At the same time, the mechanisms of its transfer to Ukraine need to be worked out. One of the possible mechanisms for implementing this is the creation of one or more funds for the restoration of Ukraine with the creation of a supervisory board to ensure transparency of compensation for damage and losses suffered by individuals, legal entities, territorial communities, as well as the state of Ukraine.

The possibility of creating special compensation funds is being discussed by both Ukrainian and foreign lawyers. Bills submitted to the parliaments of Canada and the USA provide for the seizure and repurposing of the assets of oligarchs who are associated with Putin's repressive regime, and directing them to the needs of humanitarian aid and assistance to refugees (Canadian bill) and the post-war reconstruction of Ukraine (American bill) (Maslov, 2022). It is also proposed to create funds like the fund that was financed by the proceeds from the sale of oil

by Iraq, the funds from which were directed to reparations due to the war in the Persian Gulf (Stephan, 2022).

As of today, the Fund for the Restoration of Property and Destroyed Infrastructure, the Fund for the Reconstruction and Transformation of the Economy, and the Fund for the Support of Small and Medium-Sized Businesses have become operational in Ukraine (four funds have become operational in Ukraine..., 2022). Their goal is to attract funds to restore the stability of Ukraine's economy, but at the expense of voluntary contributions.

In the case of the creation of a fund(s) for compensation for damages and losses caused to Ukrainian business because of the aggression of the Russian Federation, the need for their confirmation remains. It is obvious that the algorithm for confirming the fact of causing damage and losses must meet the standards of proof in court. At the same time, it is likely that in order to receive compensation, it is necessary to provide a conclusion on the assessment of damages and losses, which will meet international assessment standards.

The Conclusions. The act of aggressive war carried out by the Russian Federation led to a review not only of the effectiveness of international law in the field of maintaining peace and security in the world, but also led to the need to develop new mechanisms to protect the rights and freedoms of individuals and legal entities, territorial communities and the state in the event of implementation against them such aggression. Moreover, the reality of the implementation of decisions, including those of international judicial institutions, is the basis for evaluating the effectiveness of the protection of the rights outlined by them.

The war of the Russian Federation against Ukraine also obliges the latter to ensure the presence in the national legislation of the necessary methods for assessing the damage and losses, as well as the possibility of effective protection of the rights of individuals and legal entities in national courts. At the same time, all facts of violation of fundamental rights and freedoms must be properly recorded, which imposes on Ukraine the obligation to help individuals and legal entities, territorial communities in the implementation of such activities. Electronic resources have already been developed, which facilitate the recording of evidence, as well as requests for the facts of detected violations. All this together will make it possible to confirm the facts of damage, losses and their subsequent compensation.

At the same time, damage and losses caused because of a full-scale Russian attack on Ukraine can be compensated in a judicial or extrajudicial (compensatory) manner. This illustrates new approaches to the protection of rights violated because of aggression.

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WAYS AND FORMS OF IMPLEMENTATION OF LANGUAGE LEGISLATION IN UKRAINE

Abstract. The Purpose of the Study is to propose ways and forms of implementation of language legislation, arguing the necessity of implementation by state and local authorities, public organizations, and citizens of the provisions of the Law of Ukraine “On Ensuring the Functioning of the Ukrainian Language as the State Language” in 2019. **The Research Methodology.** During the preparation of the research article, were used the following methods: General scientific and specially-scientific, in particular: Comparative, historical, philosophical–legal, systemic, functional, and generalization. **The Scientific Novelty** of the research article consists in the fact that it is one of the first studies devoted to the issue of ways and forms of implementation of the adopted Law of Ukraine “On Ensuring the Functioning of the Ukrainian Language as the State Language”. **The Conclusions.** The issue of the Law of Ukraine “On Ensuring the Functioning of the Ukrainian Language as the State Language” is proposed to consider at the meetings of the National Security and Defense Council of Ukraine since the issue of the state language belongs to the sphere of national security. It is justified that parliamentary hearings “On the Functioning of the Ukrainian Language in Ukraine” – which are also an effective form of language policy implementation, are sufficient to be held once per cadence of parliamentary convocation, however precisely for effective implementation of the provisions of the law on language, identification of gaps and shortcomings, and outlining ways of overcoming. It is expedient to create a specially authorized body of executive power on issues of state language policy. The role of the Committee of the Verkhovna Rada of Ukraine on culture and spirituality in the implementation of the language policy of the state has been defined. The Cabinet of Ministers of Ukraine’s role in monitoring the implementation of language legislation is outlined. The available experience of the language policy implementation and ensuring the functioning of the Ukrainian state

language, such forms as scientific conferences, round tables, symposia, congresses, discussions, etc., in Ukraine, has been analyzed.

Keywords: *Language; state language; language policy; Law of Ukraine “On Ensuring the Functioning of the Ukrainian Language as the State Language”; state security.*

The Problem Statement. On April 25, 2019, the Verkhovna Rada of Ukraine adopted Law №2704-VIII “On Ensuring the Functioning of the Ukrainian Language as the State Language” (“Law of Ukraine”, 2019), almost thirty years later, as the Law of the Ukrainian SSR “On Languages in Ukrainian SSR” of October 28, 1989, was adopted, from which the implementation of the language policy on the territory of Ukraine began. Since then, the guarantee of the national-cultural and language rights of all citizens started to combine with the priority development of the Ukrainian language, which received the status of the State Language.

The Analysis of Sources and Recent Researches. Adopted on July 3, 2012, the Law of Ukraine “On Principles of State Language Policy” was, in our opinion, aimed not at the development and maintenance of the functioning of the Ukrainian language as a state language but at ensuring of the further protection and functioning of the Russian language. On February 23, 2014, it was abolished by the Verkhovna Rada of Ukraine, and on February 28, 2018, the Constitutional Court of Ukraine recognized it as inconsistent with the Constitution of Ukraine (Decision of the Constitutional Court, 2018).

The law of Ukraine of April 25, 2019 does not contain such shortcomings. For more than four years, a group of experts has been working on the text of the draft law. During its preparation for the second reading, more than two thousand amendments has been made, which were considered by the Verkhovna Rada of Ukraine (Koba, Sokolan, 2019). Andriy Smoliy from the V. M. Koresky Institute of State and Law of NASU noted in an interview with “Newspapers in Ukrainian” that the law on language does not discriminate against any category of the population, is more liberal than similar laws of Poland, Latvia, Lithuania, Estonia, and it does not contain any legal provisions that violate the rights of the Russian-speaking population in private life (Koba, Sokolan, 2019). Director of the European Center for minority issues (ECMI) Tove H. Malloy admitted that the Ukrainian language law complies with international standards, saying that he does not violate the right of national minorities to speak and study in the native language. Analysis of polemics on social media makes it possible to state mostly favorable assessments of citizens regarding the language law.

In general, while positively assessing the fact of the law on language adoption, we believe that the content of the law-making facility No. 5670-D was

much more effective in ensuring the functioning of the Ukrainian language as a state language.

At the same time, the long consideration of the language law in the second reading verified the existence of political forces in Ukraine opposed to any regulated laws in the sphere of ensuring the functioning of the Ukrainian language as a state language, declaring that they will dispute on this laws in the Constitutional Court of Ukraine.

Immediately after the publication of the language law, the delegation of the Russian Federation appealed to the President of the UN Security Council with a request to convene a meeting in connection with the adoption of this normative-legal act by the Verkhovna Rada of Ukraine and tried to present it as a violation of the Minsk agreements. On May 20, the UN Security Council rejected Russia's inquiry to hold a meeting on this issue. "The Russian objective is to pursue its notorious policy of intimidation against Ukraine again" – German Ambassador to the United Nations, Christoph Heusgen, said after the meeting. – "We, therefore, welcome the decision of the majority of member states not to support this Russian proposal. The law on "The Functioning of Ukrainian as the State Language" does not need the immediate attention of the Security Council which needs to focus on its core mandate – the maintenance of international peace and security – and matters where we urgently need progress, instead of taking up the internal affairs of a sovereign UN member state without any discernible effects on peace and security in the region" (Mandziuk, 2019).

The Purpose of the Article. In view of the aforementioned, the research article aims to propose ways and forms of implementation of the language legislation, arguing the necessity of strict implementation by state and local authorities, public organizations, and citizens of the provisions of the Law of Ukraine "On Ensuring the Functioning of the Ukrainian Language as the State Language" 2019.

The Research Methods. In general, the problems of language policy and the role and status of the state language in the countries of the European area and Ukraine have been considered in publications by various scientists.

In particular, Azhnyuk B. formulated the main provisions defining the European language policy: 1) the leading role of the state language as a factor of national unity; 2) protection and support of minority languages; 3) bilingualism with sufficient knowledge of the state language; 4) effective mechanism of observance of language rights. The researcher concluded that maintaining a balance between the unified role of the state language, on the one hand, and the satisfaction of linguistic needs, on the other, meets the principles of linguistic ecology, which offers theoretical substantiation and practical recommendations for the establishment of the conflict-free interlanguage relations (Azhnyuk, 2019).

Well-known scientist Grytsenko P. has analyzed the part of the Ukrainian language in the process of state formation over the last two decades. The author notes the complexity of the process of language identification of Ukrainians at the end of the '80s of the XX century, highlights the main aspects of profound changes in the language situation, emphasizes the fact that during the last twenty years, changes occurred both in the Ukrainian language and the language situation, as well as in and the society regarding the attitude to the Ukrainian language and language problems in general (Grytsenko, 2018).

The retrospective review of language policy in Ukraine for the period of independence was conducted by Prystupenko T. The researcher analyzes several draft laws directly or indirectly related to issues: of the national and state language and its functioning in society, foremost – in the mass media of Ukraine as the principal source of information. She outlined the main directions of the state language policy in modern Ukraine as a determining factor and the main features of the identity of the Ukrainian nation, highlighted the problems and contradictions of the state language policy implementation based on the position of the motivation strengthening of the state language use and increasing its prestige (Prystupenko, 2018).

The current state language policy was analyzed by Kuts Y. and Sergeyeva O. Authors prove that there should be comprehensive support of the state language in the sphere of domestic policy, which is one of the symbols of statehood. Its profound function is to provide a single political, economic, and educational space throughout the country. The state language policy should be implemented based on well-developed language legislation. The state language policy of Ukraine has adequate set of formalized and separated goals, as well as other properties and qualities to define one as a type of state policy. Every language in Ukraine is a subject of business, cultural, scientific, and other activities. The state language of Ukraine is also an instrument of state governance, which serves to reveal the will of the people and the will of the state (Kuts, Sergeyeva, 2019).

Regulation of the status of the state language in Ukraine by the directions of constitutional order and regulation in other laws was researched by Penkovska S. The author argues that the use of the Ukrainian language as a state language is not properly managed, lacks effective legal mechanisms of independent protection of the state language and its popularization. In view of the aforementioned, it is obvious that it is necessary to adopt a new legislative basis for the standardization of the use and protection of the Ukrainian language as a state language. In her research, Penkovska S. outlined the directions of development of such legal regulation of the status of the Ukrainian language: adoption of a law that would regulate the rank of the state language; establishment of responsibility for

violation of its norms with its incorporation in the relevant codes; establishment of state language policy bodies, etc. (Penkovska, 2019).

Based on the analysis of a considerable array of information on the subject of the study, it should be noted that since the recognition of Ukraine's independence, many steps have been taken to determine its language policy and ensure the functioning of the Ukrainian state language, despite the absence of a language law. The principles of language policy were already regulated in the Constitution of Ukraine of 1996. Important milestones were the decision of the Constitutional Court of Ukraine of December 14, 1999, № 10-рп/99 in the case of the constitutional submission of 51 People's Deputy of Ukraine on the official interpretation of the provisions of Article 10 of the Constitution of Ukraine concerning the application of the state language by state authorities, local self-government bodies and its use in the educational process in educational institutions (Yevkramov, 2001) and parliamentary hearings "On the Functioning of the Ukrainian Language in Ukraine" dated March 12, 2003, as well as the relevant resolution of the Verkhovna Rada of Ukraine of May 12, 2003 (Oberezhno-mova, 2003).

In our opinion, the comprehensive measures concerning the all-round development and functioning of the Ukrainian language, approved by the resolution of the Cabinet of Ministers of Ukraine of September 8, 1997, № 998 ("Resolution of the Cabinet of Ministers of Ukraine" 1997), were profound and substantial.

This document envisaged important directions and tasks in the spheres of the Ukrainian language as a state language; the Ukrainian language as the language of the Ukrainian nation, the basis of its spiritual and artistic culture, science and education; the Ukrainian language in mass media; of the Ukrainian language in the world, as well as in the financial provision of their implementation.

At the beginning of 2000, the press reports on the subject of the resolutions of the Cabinet of Ministers of Ukraine "On additional measures to expand the functioning of the Ukrainian language as a state language", which provided: recertification of civil servants of all categories and ranks, taking into account the level of their knowledge of the Ukrainian language and its use in the course of performance of their duties; check the implementation conditions in all spheres of the public life of all regions of the state, in particular, observance of the requirements for their language use during the exercise of their powers; prevention of violations of the Ukrainian regime in the daily work of the executive and local government bodies, etc. (Masenko). These additional measures of the Cabinet of Ministers of Ukraine aimed at strengthening the positions of the state language have not even been published in official sources. However, as the analysis of printed mass media publications of that time showed, they were utmost negatively

evaluated by representatives of the official circles of the Russian Federation and individual political parties, politicians, scientists, and ordinary citizens of Ukraine.

Since then, has been formed a new generation of Ukrainian citizens, the presidents have changed, some political parties have disappeared, and others have appeared in return, political preferences of Ukrainian citizens have changed, but no significant change has happened in the sphere of language policy and ensuring the functioning of the Ukrainian language as a state.

The main reason for this was the non-implementation or improper execution of adopted laws, resolutions and decrees. One can conclude that if the state and society do not comply with the provisions of the language law of 2019, yet another generation of citizens will have the following language law with similar norms to the current ones.

In connection with the above mentioned, it is expedient to signify our vision of ways and forms of implementation of the provisions of the Law of Ukraine “On Ensuring the Functioning of the Ukrainian Language as a State Language”, even though the analysis of numerous documents on the functioning and development of the Ukrainian language adopted by the Presidents of Ukraine, by the parliaments of all convocations, the governments of different states and the formation of language policy in Ukraine in general, shows no proper and necessary continuity in the state power. Although it is still being constitutionally re-loaded, we would like to hope that our proposals will be thoroughly analyzed, carefully considered and perhaps practically implemented.

1. During the second reading discussion of the draft law on language in the hall of the Parliament and at talk shows of different TV channels, it was repeatedly noted that the language belongs to the sphere of national security, so it attracts such attention from the state authorities as any other sphere of national security.

In particular, the doctor of philological sciences and professor of the National University Kyiv-Mohyla Academy, Masenko L.T. put his view of the Ukrainian language as a factor of national security on the pages of “Ukainska Pravda”. Expert criminologist, candidate of Legal Sciences Maliar A. noted – “our language is a factor of our security. And the war came to our home, including through the russification and the decline of Ukrainian language policy. “She rightly asserts that all languages of the national minorities are protected by conventions, declarations ratified by Ukraine, and the Ukrainian language is used only in Ukraine, and there is no one else to preserve and protect this language” (Maliar).

2. We analyzed the provisions of the Law of Ukraine “On the National Security of Ukraine” (“Law of Ukraine” 2018), however, the concepts of “Ukrainian language”, “languages of national minorities” and “language policy” are not present in it. In our opinion, they are “hidden” in the definition of the term

“national security of Ukraine”, which is interpreted as “national security of Ukraine is the protection of state sovereignty, territorial integrity, democratic constitutional order and other national interests of Ukraine from real and potential threats” (Para. 9, Sub-s. 1, Art. 1 Law of Ukraine), as well as “National interests of Ukraine are the vital interests of a man, society and the state, the implementation of which provides the state sovereignty of Ukraine, its progressive democratic development, as well as safe living conditions and welfare of its citizens” (Para. 10 Sub-s. 1 Art.1 Law of Ukraine).

In view of the above, as well as taking into account the prominent place among national security subjects of the National Security and Defense Council of Ukraine, we consider it appropriate to consider the issue of using the Law of Ukraine “On Ensuring the Functioning of the Ukrainian Language as a State Language” at the meetings of the National Security and Defense Council. This will enable the effective influence of the implementation of language policy, monitor compliance with the provisions on the development of the Ukrainian language, and take measures to strengthen it. Since this is a coordinating body on issues of national security and defense under the President of Ukraine, attention to those outlined by the Head of State will contribute to a proper reaction on the part of central and local executive authorities.

3. On March 12, 2003, parliamentary hearings “On the Functioning of the Ukrainian Language in Ukraine” took place (abovementioned). They were the first with such an agenda and became an important and relevant event in the life of Ukrainian society. Unfortunately, the recommendations approved by the parliamentary hearings and approved by the Verkhovna Rada of Ukraine were mostly ignored by the central and local authorities. Even the Verkhovna Rada of Ukraine, foreseeing “annual parliamentary hearings dedicated to the development and functioning of the Ukrainian language”, has never held them during the last sixteen years.

There was, of course, no need for an annual one. It is sufficient to hold such hearings once per cadence of parliamentary convocation, but precisely for the purpose of effective implementation of the provisions of the law on language, identification of gaps and shortcomings, and outlining ways to overcome them.

Parliamentary hearings cause public resonance and they are characterized by the breadth and depth of expressed opinions and proposals, which is facilitated by the involvement of a significant number of participants from all regions of Ukraine.

4. In accordance with Para. 2 Art. 50 of the Law on Language, the legislator provides for the presence of a central body of executive power in the field of state language policy. According to the Decree of the President of Ukraine “On the optimization of the system of central executive bodies” dated December 9, 2010

No. 1085, such a body can be a ministry, state inspection, a central body of executive power with special status, another body (“Decree of the President of Ukraine” 2010).

Proposals regarding the formation of a central body of executive power in the field of language policy have been expressed before, in particular in the resolution of the Verkhovna Rada of Ukraine “On Recommendations of Parliamentary Hearings” “On the functioning of the Ukrainian language in Ukraine” dated May 22, 2003 No. 886-IV” (“Resolution of the Verkhovna Rada”, 2003). Despite this, the issue of formation and provision of the state language policy among its other 46 areas of activity has been under the responsibility of the Ministry of Culture of Ukraine for years, (“Resolution of the Cabinet of Ministers”, 2014). It is quite obvious that the mentioned ministry (department in the number of several persons) is not able to solve the issue of language policy adequately to the language situation in Ukraine.

The President of Ukraine by Decree No. 146 dated February 20, 2008 “On some issues of the development of state language policy” has already instructed the Cabinet of Ministers of Ukraine to work out the procedure for creating an authorized body of executive power on language policy issues. Determining its main task to participate in the formation and implementation of the state language policy; generalization of the practice of applying the legislation on languages, development of proposals for its improvement; coordination of actions by the central bodies of the executive power to ensure the implementation of the state language policy (“Decree of the President of Ukraine” 2008).

It is not known whether the prescribed order was “worked out”, but the corresponding authorized body was never created.

Another (and completely valid and necessary in our opinion) desire of the parliamentarians to create a central body of executive power on language policy issues should be implemented. Otherwise, there can be no question of ensuring the functioning and development of the Ukrainian language as a state language, creating and ensuring an effective language policy in Ukraine.

It is appropriate to emphasize one more aspect. The well-known publicist Losev I., reflecting on the adoption of the new law, claims that “Ukraine will survive without the Russian language, but without Ukrainian, it simply will not exist. At the same time, slogans are worthless if deputies or ministers do not answer a simple question: “How much money are you ready to spend on Ukrainianization?”. And without money, this process will not continue. Russia spends considerable funds on the further russification of Ukraine (Losiev, 2019).

5. The Committee of the Verkhovna Rada on Culture and Spirituality pays due diligence to the functioning and development of the Ukrainian state language and language policy in general. The Committee of the Parliament of the eighth

convocation focused its efforts on the preparation and discussion of the bill in the Ukrainian state language. According to the results of our analysis, the committees of the previous convocation also studied similar issues, as well as considered the collected information of local self-government bodies, public formations, and forums, individual citizens on the decision of language questions, suggestions, and remarks on laws, resolutions of the Verkhovna Rada of Ukraine. However, reports about such activity of the Committee in the mass media (written or electronic) were not published.

It is argued that active media coverage of the mass information activities of this Committee in the analyzed direction was helpful for local authorities, local self-government, public organizations and formations, and citizens interested in the becoming of the state language and its further development.

6. The Cabinet of Ministers of Ukraine plays an essential part in the implementation of the language policy, which, according to the requirements of Art. 116 of the Constitution of Ukraine, takes measures to ensure human rights and freedoms (in particular, language), and local executive bodies – local state administrations, which, according to Art. 119 of The Constitution of Ukraine – ensures the observance of the rights and freedoms of citizens (as well as language) on the respective territory.

In our opinion, the issue of the state of implementation of language policy, provision, and development of the Ukrainian language would be the subject of consideration by the Cabinet of Ministers of Ukraine, first of all, during the period of aggravation of the language situation and the upheaval of the Ukrainian society. It seems reasonable that the Government, together with the Committee of the Verkhovna Rada of Ukraine on Culture and Spirituality, should study the status of implementation of the provisions of Law No. 2704-VIII in one of the regions, listen to the results of the study at the session, develop recommendations on its improvement or approve such experience and recommend it for implementation.

Attention of the Cabinet of Ministers of Ukraine and the Committee on Culture and Spirituality of Local State Administrations and Local Self-Government bodies in this direction.

7. Ukraine has accumulated some experience in implementing language policy and ensuring the functioning of the Ukrainian state language. For example, the National University of Kyiv-Mohyla Academy, within the frames of science days, has been annually organizing scientific conferences devoted to the questions of language interaction and the language situation in Ukraine for several years. They considered the problems of implementing the provisions of the European Charter for Regional Languages or Minority Languages in Ukraine, ensuring the implementation of the Ukrainian state language in the Ukrainian state and society, publishing literature in the Ukrainian language, etc.

For 15 years, the National Academy of Internal Affairs has annually held a traditional conference on the development and functioning of the state language – “Ukrainian language in jurisprudence: Status, Problems and Prospects” on the occasion of the Day of Ukrainian Literature and Language. Opening the conference last year, Rector of the Academy, Doctor of Law, Professor Cherniei V. noted: “Taking into account the fact that this is the XIV All-Ukrainian scientific and practical conference on the problems of development and functioning of the state language and taking into account the wide geography of participants, it is possible to conclude that the need for the specialized edition of the Ukrainian language of jurisprudence remains urgent for all regions of the state” (Cherniei, 2018).

We would like to add that in the work of this conference the representatives of more than twenty scientific institutions and the HEIs of Ukraine took part (except for scientific and pedagogical workers of the Academy).

Important events on language policy were held in Uzhgorod (international scientific and pedagogical seminars), as well as in the Ukrainian Institute of National Memory (roundtable discussions).

The above-mentioned forms of implementation of language policy, as well as symposia, and conferences of scientists, politicians, and community groups, allow the state authorities, scientific institutions, and HEIs, which are their organizers, to determine the necessity, expediency, and perspective of the guidelines developed by them for the implementation of constitutional and legislative provisions on the improvement of language policy and maintenance of functioning of the Ukrainian language, to receive their approval or well-founded comments, proposals, the positions of the scientific, political and public environment in further activities to be considered as much as possible, which will contribute to the improvement of the language situation and the unity of Ukrainian society.

8. Effective forms of dissemination and development in the society of the Ukrainian state language are the Petro Yatsyk International Contest in the Ukrainian Language, the All-Ukrainian Dictation of National Unity, and the International Mother Language Day (February 21).

In particular, on the basis of the Regulations on the International Competition in the Ukrainian Language, the annual Petro Yatsyk International Contest in Ukrainian Language, launched in 2000, approved by the order of the Ministry of Education and Science of Ukraine of March 13, 2008 №168. It is attended by pupils of general educational establishments, professional and technical schools, cadets of higher military educational institutions, students of higher education institutions (“Order of the Ministry of Education” 2008). And although in recent years over 20 thousand people participate in the competition

(at the first stage), which is high indicator, in our opinion, but its possibilities are much higher.

The All-Ukrainian Dictation of National Unity has been held almost twenty years in a row on the Day of Ukrainian Literature and Language on November 9. The broadcast takes place on the First Channel (Pershyi Kanal) of Ukrainian radio (Ukrainske Radio). For the first time, the All-Ukrainian Dictation took place in May 2000 on the occasion of the reburial of Taras Shevchenko and the Day of Memory of Saints Cyril and Methodius, Equal-to-the-Apostles. Then about a thousand works were received at the address of Ukrainian radio. In 2016 more than 21 thousand works were received, among which several dozens from other countries of the world (“Day of Ukrainian Literature and Language”).

The central location of the dictation writing is the Mykhailo Maksymovich Auditorium in the red building of the Kyiv National Taras Shevchenko University. However, the dictation is written everywhere: in school classrooms, student lecture halls, offices, libraries, at home. In 2015, dictation was written by 689 students and teachers of Borys Grinchenko Kyiv Metropolitan University. (“The All-Ukrainian Dictation”).

In general, the The All-Ukrainian Dictation of National Unity is not a test of knowledge of native language. Everyone who participates in its writing, is experiencing the sense of unity of the whole community, realizing that hundreds of thousands of fellow citizens simultaneously letter by letter introduce a sentence of radiodictation, which directly contributes to the consolidation of the Ukrainian nation.

The Conclusions. It is proposed to consider the implementation of the Law of Ukraine “On Ensuring the Functioning of the Ukrainian Language as a State Language” at the NSDC sessions, since the issue of the state language belongs to the sphere of national security.

It is justified that the parliamentary hearings “On the Functioning of the Ukrainian Language in Ukraine” which are also an effective form of implementation of language policy, should be conducted once on the cadence of the parliamentary convocation, but it is in order to effectively implement the provisions of the law on language, to define gaps and shortcomings, to outline ways of overcoming them.

It has been proved that the Ministry of Culture and Information Policy of Ukraine is not able to solve the issue of language policy adequately to the language situation in Ukraine in view of the considerable number of its activities. Therefore, it is expedient to create a specially authorized body of executive power on issues of state language policy.

The role of the Committee of the Verkhovna Rada of Ukraine on Culture and Spirituality in the implementation of Language Policy was defined. It is argued

that the active coverage of this Committee in the mass media by the analyzed direction would be useful for local authorities, local self-government, public organizations and formations, citizens interested in the establishment of the state language and its further development.

The role of the Cabinet of Ministers of Ukraine in monitoring the implementation of language legislation is outlined. In particular, the Government, together with the Verkhovna Rada Committee on Culture and Spirituality, are invited to implement the provisions of Law No. 2704-VIII in one of the regions, to listen to the results of the study at the sessions, to develop recommendations on its improvement or to approve such experience and recommend it for implementation.

The experience of realization and maintenance of the functioning of the Ukrainian state language, namely such forms as conferences, roundtable discussions, symposia, congresses, discussions, etc, has also been studied. The high effectiveness of such measures is justified in view of the possibility of well-founded remarks, and proposals, to take into account the further activity of the positions of scientific, political, civil, and public environment, and will help to improve the language situations.

It has been proved that the Petro Yatsyk International Contest in Ukrainian Language, the All-Ukrainian Dictation of National Unity and the International Mother Language Day are effective forms of dissemination and development in the society of the Ukrainian state language.

In conclusion, we shall note that, at one time, a well-known Ukrainian writer Ivan Franko wrote: “The Constitution is only a soil, better or worse cultivated, which alone, without hard work and struggle, will not give bread” Applying this formula of Ivan Franko to the language law of 2019, it can be argued that it will not provide the expected results on the functioning of the Ukrainian language as a state language and its further development without genuine work and efforts of all bodies of state power and every citizen of Ukraine.

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PARISIAN KULTURA IN RELATION TO UKRAINIAN EMIGRANT LITERATURE

Abstract. *The purpose of research* is to present the activities of the Polish émigré magazine *Kultura* in the popularization of Ukrainian literature and culture, primarily formed in exile. **The research methodology** is based on the comparative methodology and hermeneutic methodology, which allow to present and explain different approaches to culture and literature. But they also teach respect for the Other. **The Scientific Novelty** lies in the fact that, for the first time in Polish literary studies, a deep reflection was undertaken on the forms of implementation by the “*Kultura*” program of cooperation between Poles and Ukrainians (postulated by Jerzy Giedroyc, the editor of emigration monthly). **The Conclusions:** Undoubtedly Lobodowski fulfilled the most important role in the process of evaluation of Ukrainian identity in conjunction with simultaneous reassessment of Polish identity. He stared at the Ukrainian literature, especially poetry, almost exclusively through the prism of its artistic value. In all essays Lobodowski commanded ‘dignity’ of Ukrainian literature, he also drew attention to the attainment of its independence, to the liberation from the chains of national duty.

Keywords: “*Kultura*”, Polish-Ukrainian relations, Polish emigrant literature, Ukrainian emigrant literature, Polish identity, Ukrainian identity, reassessment of Polish identity, evaluation of Ukrainian identity

The Relevance of the Topic. At the end of the 20th century, undoubtedly the most difficult in the centuries – long history of common life and neighborly relations between Poles and Ukrainians, George Grabovych, a Ukrainian

professor at Harvard University, stated without hesitation that the Parisian monthly “within a few years became the main factor in the process not so much of renewal as of fundamental rethinking and reformulation of Polish-Ukrainian cultural, political and intellectual ties” (Grabovych, 2005, p. 42; Berdychowska, 2004). The ‘revaluation’ of Ukraine was included by the researcher in the process of reorientation of Polish relations with other neighboring nations, carried out by *Kultura*, although he rightly attributed the fundamental place to relations with Ukrainians. At the same time, he astutely noticed that this fundamental change in the relationship formula was and is possible only through “a revaluation of the Polish side and Polishness as such” (Grabovych, 2005, p. 43). It is difficult to find words of greater appreciation, probably not only from the perspective of a Ukrainian emigrant, for the half-century activity of the monthly magazine Jerzy Giedroyc. Historians of both nations return to this statement now and will return to it many times.

The Formulation of the Problem. Jerzy Giedroyc, editor of the monthly magazine, put emphasis on the need of normalization of Polish-Ukrainian relations. In his opinion, focusing on the moral and cultural issues gave the best results in the reformulating of Polish thinking about Ukraine and overcoming animosity between our nations. The problem lies in the lack of a comprehensive study of the activities of the Polish emigrant magazine *Kultura*.

The Purpose of the article is the theoretical justification of the role and significance of the *Kultura* magazine in the formation of Polish-Ukrainian relations.

The Presentation of the topic. It should be emphasized that in appreciating the effects of *Kultura*’s efforts, Grabovych does not unambiguously link the evaluation of Ukraine with the reassessment of Poland, but implicitly conditions them. It’s a sort of establishing a proper hierarchy in this process. He emphasizes that it took place in the first two decades of the existence of the Parisian monthly, but only after overcoming the “polonocentrism” of *Kultura* from the earliest three years of the magazine. He attributes the main role in the revaluation of Polishness to Witold Gombrowicz, who “consistently, programmatically and with incredibly explosive power destroyed, parodied, deconstructed the national myth, national form, ‘sacred’, collective hypocrisy, falling in love with illusion and false pose” (Grabovych, 2005, p. 45). According to the Ukrainian researcher, ‘the relay baton’ was taken over by Czeslaw Milosz. However, before both artists began the process of disillusionment and deconstruction of Polishness, Polish eyes on the culture of our neighbors from across the Buh River were directed by Joseph Lobodowski, who at the same time fought against the disrespectful and condescending attitude of Poles towards Ukrainians. His contribution to the acknowledgement of Ukrainian culture and making his compatriots aware of its importance is as huge

as it is underestimated (Hnatiuk, 1997/1998, pp. 54–56). Bogumila Berdychowska made a very valid point that “this part of the achievements of the *Kultura*’s milieu is probably the least known today” (Berdychowska, 2004, pp. 50).

In the introduction to the Golden Hramota published in Paris in 1954, a volume of poems entirely devoted to Polish-Ukrainian theme, Lobodowski recalled the critic’s words that his poetry “is one of the last remaining spans of the bridge suspended over the abyss between the two nations” (Lobodowski, 1954, p. 8). But much more important, much more durable and artistically perfect spans of this bridge are his Ukrainian essays. He wrote over a dozen of them, among which the superb essay “Against the Ghosts of the Past” undoubtedly has a pioneering and programmatic role. It was published in *Kultura* at the beginning of 1952 (Lobodowski, 1952). It should be seen as the fullest record of the effort to re-evaluate Ukrainianness, noticed by Grabovych, in conjunction with the simultaneous re-evaluation of Polishness.

Jerzy Giedroyc, in his letters to Ukrainian emigrants, emphasized that with this ‘fundamental’ programmatic essay he began “a systematic discussion of Polish-Ukrainian relations” in *Kultura* (Giedroyc, 2004, pp. 375, 549). Less than a half a year after Lobodowski’s essay, an article by Włodzimierz Baczkowski *Sprawa ukraińska (The Ukrainian Matter)* was published in a Parisian monthly with a declaration of the necessity of “cooperation in the subsoil, aiming at future historical decisions” (Baczkowski, 1952, pp. 84). What is interesting, but also puzzling, is that the symbolic ‘subsoil’ in this sentence carries a range of potential meanings. It significantly exceeds the issue of the borders of future independent states neighboring each other, disregarding the problem of ‘bills of injustice’, issued too generously by both sides. Since the process of revaluation does not take place on a visible, eye-catching, concrete plane, it goes on slowly and subcutaneously.

Giedroyc’s words from letters to Ukrainian emigrants do not mean that *Kultura* in its earlier issues did not deal with Ukrainian matters. Nor do they mean that Giedroyc began to show interest in Ukraine only since 1952. Finally, they do not mean that Lobodowski started publishing Ukrainians in the monthly with this essay. Both Lobodowski and Giedroyc were unequivocal in their sympathies during the inter-war period, speaking out against the almost universal Polish neglect of the needs and culture of a nation that propaganda called Ruthenians (Sojak-Masztalerz, 2004). They had numerous ‘connections’ with the Ukrainian world. Already at that time, Lobodowski, in the pages of the *Polish-Ukrainian Bulletin*, ruthlessly fought for full political, cultural and social rights of Ukrainian fellow citizens. He also edited, in cooperation with Henryk Jozewski, the voivode of Volhynia and an opponent of the Polonization policy, the magazine *Wolyn*’

open to all wishing authors (Szypowska, 2001, pp. 75-81; Siryk, 2002, pp. 18–21).

Both writers not only continued their inter-war activities, but also intensified them considerably during their exile wanderings. Giedroyc in his letter to Ivan Kedryn-Rudnytsky mentions that being the head of publishing houses and military magazines in the Propaganda and Culture Department of the 2nd Corps in 1944, he let the publication of a "Prayer Book" in Ukrainian for Greek Catholic soldiers (Giedroyc 2004: 797). Together with Herling-Grudziński, they edited the first issue of *Kultura* in Rome, where they created a Ukrainian section which became one of the editor's main designs. In his letter to Bohdan Osadczyk Giedroyc claimed that "the most effective method [of normalizing Polish-Ukrainian relations] is to look after both moral and cultural matters in the first place" (Giedroyc, 2004, pp. 367). Here his paths crossed with Lobodowski, in whom he found undoubtedly the best connoisseur and translator of Ukrainian literature. In London's *Wiadomosci*, the poet and essayist at the same time gave a major outlet to his temperament. He fought for the recognition of the Ukrainian nation, he argued that it was entitled to the same rights as other nations, and that Poles, guided by both emotional and rational considerations, should maintain the closest possible relations with it. He repeated these important theses in *Kultura* in the quoted essay "Against the Phantom of the Past" (Lobodowski, 1952), but basically in the Parisian monthly (since early 1950s until his death in the late 1980s). He was primarily concerned with the popularization of Ukrainian literature as its translator, historian, critic and interpreter.

However, before Giedroyc entrusted Lobodowski with the duties of guiding Polish readers around areas of Ukrainian culture, he gave the floor to the Ukrainians themselves. The editor wanted, first, for Ukrainian culture and literature to be discussed by its creators themselves. Thanks to this, he pursued two goals – he received the best experts on Ukrainian literature, and at the same time he broke down Polish-Ukrainian barriers, aversions, prejudices, which were very strong also in emigration. And, from the very moment of founding *Kultura*, he was looking for writers who would agree to publish the "Ukrainian Chronicle" in his monthly, which may slightly weaken the thesis about the initial Polish-centric attitude of the monthly. The editor's correspondence with distinguished essayist Jerzy Stempovsky, who encouraged writers (Yuri Klen (pseudonym Oswald Burkhardt), Leonid Mosendz and Jewhen MaLaniuk), acquaintances and other people very close to *Kultura*, clearly demonstrates this. He also managed to get Yuri Shevelov (Szerekh), an outstanding Ukrainian linguist in emigration, later the editor of the *Suczastnist* monthly. A few months after the publication of the first issue of the Parisian monthly, in the summer of 1948, Mosendz (under the pseudonym of Leonid Korzon) published an essay "Ukrainian Neoclassicists-

Parnassians” where he presented the profiles and poetry of five Kyiv classics: Mykola Zerow, Pavlo Fylypowycz, Mykhailo Draj-Chmary, Maksym Rylski and Yuriy Klen (Korzon, 1948). Of the five, the first three died in Stalinist labor camps, Rylskiy repented, Klen found himself in exile and died of exhaustion shortly after the war, thus prematurely sharing the fate of the first three. Much more important was Jewhen Malaniuk’s essay “Narod wedrowce” (Kardosz, 1949, pp. 18–26), published a year later also under a pseudonym (Julian Kardosz), which was intended to be a panorama of the cultural life of the Ukrainian emigration. One should also recall Yuri Sherekh’s excellent essay on the younger generation “The Fourth Kharkiv” (Szerekh, 1951, pp. 6–12). In those earliest years of presenting Ukrainian literature, essays and narratives were accompanied by publications of poems by poets, emigrants, but also authors doomed to non-existence in Soviet Ukraine. These were lyrics by Zerow and Fylypowycz, excerpts from Klen’s poem “Ukraine”, poems and excerpts from Malaniuk’s notebook.

The essential significance of Mosendz (Korzon) publication was perfectly captured by Grabovych, quoted at the beginning, who emphasized that reading the essay for the Polish reader “must have been surprisingly strong, at least calculated to change paradigms” (Grabovych, 2005, pp. 44). In the opinion of the researcher, Ukrainian literature for the first time “was presented in a way which, implicitly, was reserved exclusively for Polish (or other equally ‘worthy’) literature, that is, not only in the spirit of martyrdom, but in the spirit of ‘high’, aesthetically sublime literature [...] which was persecuted and destroyed by ruthless ‘Asian despotism’ (Grabovych, 2005, pp. 44). And in this we can see an important stage in the process of revaluation of Ukrainianness by *Kultura*, which, however, was done by a Ukrainian writer. But I would like to attribute Grabovych’ thesis with fundamental meaning, because it perfectly characterizes Lobodowski critical attitude as a reader and popularizer of the literature of our neighbors across Zakhidnyy Buh River. And it certainly does not result from his ‘submission’ to the opinions of Mosendz about the high artistic value of Ukrainian poetry of Mosendz, whose study he translated. Based on reading Lobodowski other essays, it can be said that he looked at Ukrainian literature, especially poetry, almost exclusively through the prism of its artistic values. He applied the same criteria as in the case of Polish and general literature. The consequence, perhaps negative, of such an attitude is a kind of ‘revision’ of the greatness of Taras Shevchenko, Ukraine’s most appreciated poet. Todos Osmaczko saw in the creator of the Haidamaks “the first poet of humanity” (Lobodowski, 1964, pp. 202), which for the Polish essayist proved “to what extremes blind, uncritical admiration can lead” (Lobodowski, 1964, pp. 202). Hamalija, appreciated the ‘historical role’ of Shevchenko in shaping and strengthening the Ukrainian identity, but he

emphasized that it overshadowed the "artistic values of his works" (Lobodowski, 1964, pp. 206) and concluded that "a work of art must not be measured only by its social usefulness" or national, because it is a passing value" (Lobodowski, 1964, pp. 205). In a similar form, he repeated his thesis in the essay for the 100th anniversary of the birth of Lesia Ukrainka, whom he appreciated for her significant contribution to liberating "the literature of her nation [...] from parochialism, folk ethnographicism and provincialism" (Lobodowski, 1971, pp. 120). On the other hand, he did not see her as an outstanding poet (rather a playwright), as he believed that "the intellectual and cultural influence in literature does not always coincide with the artistic level" (Lobodowski, 1971, pp. 120).

Such a perspective is revealed in all of Lobodowski's essays, which paid close attention to the literary culture of Ukrainian authors, because "in a country like Ukraine, where national life has been systematically and for years destroyed, where deliberate lowering of the intellectual and artistic level is the main point of the implemented program, the importance of literary baggage takes on completely different proportions" (Lobodowski, 1954, p. 39). For the Polish essayist, this testifies to the strength of resistance, to the effective opposition of Ukrainian writers to Russification first, then to Sovietization, but also to cultural degradation.

Mentioned above Malaniuk's essay "Nation wandering" was undoubtedly the most important text on Ukrainian emigration published in the first years of *Kultura's* existence. It is necessary to devote a little more attention to it, because Lobodowski would refer to his findings later. Malaniuk searches for the sources of the weakness of contemporary Ukrainian emigration and its literature in the essay. The poet begins without hesitation with the thesis that 'the Iron Curtain' hung over the Zbrucz line as early as 1921, dividing Europe and dividing Ukrainians. The seemingly trivial remark that the eastern Ukrainians were subjected to a brutal vivisection leads the author to the conclusion that almost physical changes have taken place in them. However, Malaniuk pays more attention to internal changes. Without questioning the level of intelligence of eastern Ukrainians, the poet captures and points out the fundamental differences in national consciousness between them and their compatriots from the western lands. For those from the East, "the relatively few certainties that make up the catechism of the so-called consciousness of every human being [...] is usually a series of theses that still need to be proven" (Kardosz, 1949, p. 19). After this critical diagnosis, Malaniuk puts forward an extremely interesting thesis that the Ukrainians are a 'cordocentric' nation (Kardosz, 1949, p. 21) and the Soviets, despite various successes in the field of 'forging' of the Ukrainian soul, failed to destroy the 'Ukrainian heart' (Kardosz, 1949, p. 21). In 1948, this very heart became the greatest treasure for emigration, two waves of which slowly began to

merge. The first was created by writers who left Ukraine after 1921, and the second by refugees from Ukrainian lands completely controlled by the Soviet Union. The largest part of them were prisoners and POWs left in the West. Malaniuk's assessment of the artistic and scientific achievements of the diaspora was extremely critical, the poet appreciated primarily the fine arts, with Oleksandr Archypenko from the first wave at the forefront. He did not notice interesting, important and new phenomena in literature and music. But Malaniuk did not stop at evaluation, he tried to indicate the causes of the crisis of Ukrainian émigré literature. In his opinion, the literature of "a nation without a state" (Kardosz, 1949, p. 24) was burdened with too much responsibility, which it was unable to bear. He also emphasized the effects of ruthless sovietization and cruel terror, which led to complete destruction in the eastern lands of the generations of the 1920s and 1930s. The defeat was completed by Nazi crimes, the murder of two outstanding poets: Olena Teliha and Oleh Olzycz.

The cooperation of the Parisian monthly with the first Ukrainian emigrants did not last long, Yuri Klen died first, Leonid Mosendz shared his fate shortly after the publication of the essay in *Kultura*, and Malaniuk left for America and stopped sending essays to Giedroyc. However, in the early years of *Kultura*, he was the most frequently published Ukrainian writer.

However, their place was taken by artists from the milieu of the young emigration, recruited to cooperation thanks to the help of Bohdan Osadczyk. He met the editor at the Congress of Cultural Freedom in West Berlin in 1950. In his memoirs, Osadczyk revealed the backstage of the first meeting with *Kultura* represented by Giedroyc and Józef Czapski. "The conversations with Giedroyc made a breakthrough impression on me. I felt that I had finally found what I was looking for and dreaming about: the path to dialogue and partnership" (Osadczyk, 2001, pp. 159). Giedroyc was primarily interested in contacting the representatives of emigration from Ukraine from across the Zbrucz River, i. e. the so-called 'Easterners' from the Ukrainian Revolutionary-Democratic Party led by the writer Ivan Bahriany. This did not meet with the expected response, because – as Osadczyk regretfully emphasizes – "few people in these circles realized the importance of establishing a dialogue with the Poles. To some extent, they were weighed down by the old Soviet propaganda about the anti-Ukrainian role of 'white Poles'" (Osadczyk 2001: 150). Nevertheless, with his help, Giedroyc managed to get Borys Lewyćke, Lubomyr Ortynski, Iwan Koszeliwiec, and Iwan Lysiak-Rudnyćki to work with him. Thanks to this, Ukrainian literature has found its place in the pages of *Kultura* for good. Levytkyj and Koszelivets were not only published in a Parisian monthly, they also published books at the Literary Institute headed by the editor. The first of them published "Terror and Revolution" in 1965,

a year later, "The Nationality Policy of the USSR in the Era of Khrushchev", while the second prepared the documents "Ukraine 1956-1968" published in 1969.

The undeniable importance of Ukrainian literature in the early days of *Kultura* is eloquently demonstrated by the number of publications which included texts by Ukrainian writers, as well as Polish essays on the subject. In the first decade, it exceeded eighty items. For comparison, Russian literature in the mid-sixties, after the rise of the dissident movement in the USSR and appearance of the 'third wave' of emigrants in the West – only sixteen, though it managed to take over the role of sovereign later. Later, these relations changed fundamentally, nevertheless, in the first decade of the Parisian monthly, Ukrainian literature, along with Polish, occupied the most space in its pages. Almost all the texts were translated by Lobodowski, with poetry predominating.

The double issue from the summer of 1950, presenting 20th-century Ukrainian poetry, included poems by émigré poets Yuri Klen, Yevhen Malaniuk, Bohdan Krawciw, Ivan Bahriany, Swiatoslaw Hordynski, and also by Pavlo Tyczyna, Mykola Zerow, Maksym Rylskyi, Pavlo Fylypowycz, Olena Teliha. The intention of the translator, who was familiar with this poetry since pre-war times, was to select the "main formal and ideological tendencies of the authors [...] over the last thirty years". The adopted chronological order of authors served this purpose, "according to the years in which they appeared in literature" (Lobodowski, 1950, p. 93). The intention of a full presentation of 20th-century Ukrainian poetry was not fully successful because, as the translator emphasized in the introduction, there were no poems by eminent authors such as Oleh Olżycz, Mykhailo Draj-Chmary, Yuriy Kosach, Leonid Mosendz, Mykola Bazhan. In later years, Parisian monthly also published poems by new emigrants, Swiatoslaw Karawanski, and Vasyl Stus, Hryhor Tiutiunyk, Yuri Szerbak, Vasyl Symonenko, who lived in Ukraine.

Kultura has not limited itself to publishing the works of established poets, it has also noticed young writers. This is evidenced by the names mentioned above. The most spectacular proof of this interest was the presentation of debut poets from the *New Poetry almanac*, later called the "New York Group". They were: Emma Andijewska, Zhenya Wasylkiwska, Bohdan Bojczuk, Bohdan Rubczak, Patrycja Kalyna, Yuri Tarnawky. Lobodowski presented them in *Kultura* as "a young forest in exile".

The essays of Ukrainian emigrants were presented in the Paris monthly by Ivan Koshelivets and Yuriy Lavrinenko. The first of them focused on Polish literature (Koszewanec, 1971, p. 64–74; Koszeliwac, 1984, pp. 136–142), while the second one in "Literature of Borderline Situations" undertook a polemical discussion with Milosz – "The Captive Mind" (Lawrynenko, 1959, pp. 5–17). He was supported in this polemic by Gustaw Herling-Grudzinski, a translator of the

text from Ukrainian, who had already had an ambivalent attitude towards Miłosz famous book. Apart from Lobodowski, who, in addition to translations, published nearly thirty essays, articles and reviews on Ukrainian topics in *Kultura*, few Polish writers were interested in this problem. A beautiful memoir after Malaniuk's death was written by Stempowski (Hostowiec, 1968, pp. 30–132), several important studies were published by Andrzej Vincenz (Vincenz, 1956, 137–143; Vincenz, 1958, pp. 148–151; Vincenz, 1959, pp. 142–147; Vincenz, 1965, pp. 106–122; Vincenz, 1977, 150–153; Vincenz, 1978, pp. 83–92), which were accompanied by regular discussions of Ukrainian books and periodicals. Walerian Rewucki was interested in Polish motifs in the works of Maksym Rylski (Rewucki, 1965, pp. 130–133), Zygmunt Markiewicz briefly reviewed Mykola Zerow's book "Nowe ukraińskie pysmenstwo" (Markiewicz, 1962, pp. 120–121) and the publication of Vladimir Djakow "Taras Shevchenko's Polish Friends" (Markiewicz, 1965, pp. 147–150). The 1970s were much more modest in terms of "Ukrainian" publications for *Kultura*, which, in addition to Lobodowski studies and translations, brought Benedykt Heydenkorn review of the two-volume anthology "Estafeta" edited by Bohdan Stebelski and Wiaczeslaw Dawydenko (Heydenkorn, 1976, pp. 144–146). They gathered the fruits of emigration, works of writers and artists.

Lobodowski translated not only poetry; while in exile, he translated into Polish Iwan Koszeliwec's book "Ukraine 1956–1968" (Paris, 1969), in which, apart from artistic literature (works by Ivan Dziuba, Ivan Dracz, Wasyl Symonenka, Oleksandr Dowżenka), there were documentary texts, descriptions of processes (Ivan Hela, Mychajly Horynia, Mychajly Masiutka, Opanas Zalywachi, Swiatoslaw Karawanski), letters from prisons and labor camps. In Koszeliwec's book, Lobodowski found the fullest "image of the nation, crushed and quartered so many times, which does not want to give up and still shows an amazing will to fight, with faith in an uneasy victory" (Lobodowski, 1969, pp. 14).

Panoramic essay by Lobodowski "Ukrainian émigré literature", published in one of the spring issues of *Kultura* in 1952 (Lobodowski, 1952) has a crucial meaning for understanding the place and significance of Ukrainian literature in *Kultura*. "Panoramic" does not exhaust the value (and importance) of this essay, it is also important that it contained issues to which the Polish essayist would return many times. He would systematically supplement his reflections on poetry, especially in the two-part essay "Scylle and Charybdy of Ukrainian poetry" (Lobodowski, 1954; Lobodowski, 1954). In it he also recalls the poets of the first emigration, concentrated in Czech, Prague, partly in Warsaw. Lobodowski would also regularly refer to the theme of emigration and the emigrant condition raised in the essay, especially in his reflections on Malaniuk's work. After 1921, the Polish poet looked at Ukrainian literature almost exclusively through the prism of

emigration. The physical emigration to the West was accompanied by the internal emigration of writers who remained in Soviet Ukraine. But at the same time, all the studies are dominated by the same thesis: "Ukrainian emigration literature is moving forward and, despite everything, it creates serious values" (Lobodowski, 1952, pp. 59). You may ask – why "in spite of everything"? The answer is provided by Yuri Klen, cited by Lobodowski: "We find ourselves in uncultured conditions [...], in cramped quarters, often without a corner of our own. [...] We are people without a name and state, without a specific citizenship. And yet we stubbornly stick to our itinerant trail and do not want to deviate from it... And in these difficult living conditions, at the mercy of foreign nations, we continue to create our culture" (Lobodowski, 1952, pp. 59).

Referring to these words, as well as to the title of Malaniuk's essay, Lobodowski emphasizes that "no nation, apart from Poland, has experienced wandering on such a scale and in such dimensions in modern history" (Lobodowski, 1952, pp. 59). The poet notes the lack of centralization of the Ukrainian emigration, which formed in two waves after World War II. He is critical of the attitudes of much of the first wave, who showed no deep interest in artistic literature, concentrating rather on providing readers. The Polish poet decided that all valuable Ukrainian literature was in exile, but lacked the centralisation that could serve as a compass. He meant the lack of a literary magazine which, like the Polish *Wiadomosci* in London or *Kultura* in Paris, would gather all important writers. However, he is in no hurry to blame the creators, seeing the painful consequences for Ukrainians of the previous lack of state institutions. He also emphasises internal quarrels and political divisions in emigrant circles, as well as the difficulties of life in the DP camps. The Polish essayist lists the tragic losses of Ukrainian literature during the war and post-war period, and especially he cannot get over the deaths of two poets – Olena Teliha, whom he admired, and who he probably met in Poland, and Oleg Olzycz. However, the most important reason seems to be the lack of authority that Yuri Klen could have become, but this was prevented by his untimely death.

Lobodowski tries to reconstruct the history of the stratification of the Ukrainian emigration, he points out attempts to organise writers' problems and publishing issues. Such an effort was undertaken by the organization MUR – Mystetskyi Ukrainskij Ruch (Ukrainian art movement), established in 1945. For the literary life in exile, the most important thing was the establishment of a magazine in which writers could publish their works. The effect of the first attempts proved to be ephemeral, but the essayist picks up on such phenomena and initiatives that he thinks have a chance of filling a painful void. From a fairly wide range of literary and academic journals, he chooses above all the Philadelphia-based *Kyiv*, comparing it to the Polish inter-war *Skamander*, where

Swiatoslaw Hordynski (a poet, artist and translator of Lobodowski's poems) and Bogdan Krawczyw were active. The second magazine appreciated by the Polish essayist was the New York-based *Obriji* (Horizons), a magazine of young militant writers, which set itself the goal of following “the line of greatest resistance” (Lobodowski, 1952, pp. 51). He admired their energy and the desire to raise the level of Ukrainian émigré literature, but he also noticed the emphasized need to cross the borders of artistry.

At this point, their searches certainly coincided with the convictions of the Polish poet, who believed that leaving one's own region and entering the world can only be successful if one bravely joins the world-shaking currents of thought, takes up universal human problems in the broadest perspective, and finally – even if there are strong objections – a revision of ‘Ukrainism’, if one can say so, on a geographical and historical scale, definitely exceeding the magic circle of one's own fatherland (Lobodowski, 1952, pp. 59).

Lobodowski cites a fragment of an editorial written by Yuri Sherekh, with an absolutely basic question: what emigration has brought so far and what will it bring, if it manages to successfully return to the Dnieper, to a nation that is not interested in polemics and literary discussions. Aware of the duty of writers to the nation, Lobodowski, himself living poorly on the pavements of Madrid, reverses the question and accuses the nation of having done nothing to save its great writers, Klen and Mosendz, from starvation.

The following part of the essay is the first such comprehensive overview of contemporary Ukrainian poetry in Polish. It can and should be seen as a historical and literary supplement to the selection of poems presented in *Kultura* less than two years earlier. Lobodowski accused Ukrainian émigré poetry of excessive subordination to the tradition of “Kiev neoclassicism”, in the orbit of which even the poets of the younger generation (Yur Slavutych and Leonid Poltavsky) were placed. In the tyranny of classicism, he not only saw a real threat to the development of free verse, but also prophesied, being an experimenter himself, that poetry would almost wither away. In the opinion of the Polish essayist, only Wasył Barko and Ivan Bahriany did not submit to it among the emigre poets. However, Lobodowski notices the timid attempts to look for other traditions, the catastrophic patterns of Malaniuk were continued by Hordynsky and Oleksy Stefanycz. The essayist saw a common feature of all Ukrainian émigré poetry in “longing for the great epic form” (Lobodowski, 1952, pp. 55). Out of many attempts, he appreciated the poem “Ashes of Empires” (1947) by Yuri Klen. “The Volhynia Year” (1948) by Mosendz, written in ottava Rima, was also important. In Oksana Laturyńska, the Polish poet saw the heiress of Lessia Ukrainka, “the most masculine of Ukrainian writers of the time” (Lobodowski, 1952, pp. 55). Until her martyrdom at the hands of the Gestapo, this type of poetry was also

performed by Olena Teliha. Lobodovsky was not limited to established poets; he was a regular reader of Ukrainian magazines, thanks to which he caught the debut of the now highly regarded poetess and artist Emma Andrijevska. And he was the first to translate her poems into Polish. The essayist's premonitions were confirmed by the poems from the already mentioned New York almanac *New Poetry*.

Lobodowski wrote much less about Ukrainian émigré prose and drama. He did not hide his weaker orientation in this field. Thus, unlike in the case of poetry, in the essay he focused only on individual prose works. He referred to the previously reviewed "Garden of Gethsemane" (1950) by Bahriany as the most important work in prose of the Ukrainian emigration. He saw in this novel, which he juxtaposed with "Darkness at Noon" (1940) by Arthur Koestler, "a shocking document of a fighting man", but also found, despite "all the overgrowth and swelling of form and content [...] pages and chapters on a high narrative and psychological level" (Lobodowski, 1952, pp. 58). To Bahriany's work he added "Khmelnysky's Rubikon" (1943) created during the war by Yuri Kosach, nephew of Lessia Ukrainka. Lobodowski did not know the novel, but he noticed the struggle of Ukrainian prose writers "to get out of the circle of ethnographic, parochial and social genres, for the effort of nationwide synthesis, for universal issues" (Lobodowski, 1952, pp. 57).

Lobodowski returned to the importance of classicism in the aforementioned essay "Scylla and Charybdis of Ukrainian poetry". The author intended it to be a study showing the main currents of lyric poetry, also proving the individual understanding of the process of its development. Nevertheless, the essayist began his reflections with Mykola Zerow's declaration that classicism is the path of Ukraine. And he made a great explication of this thesis, emphasizing both the artistic and non-artistic significance of classicism for Zerow. The Polish author says that "the compact, economical form of the sonnet was for him the entire national and political program" (Lobodowski, 1954, pp. 33). And he explains it as expressively as convincingly. In his understanding, "classical order" is contrasted with 'steppe anarchy', organised architecture with the melting Bolshevik 'Malorussian land', "the traditions of ancient artistry with the collective utility of 'social order'". (Lobodowski, 1954, pp. 37). Thus, the essayist saw the 'self-defense' senses of classicism, a counterbalance to both the native negative tradition and the pressures of the Soviet concept of art and literature, which have little in common with art and literature. According to Lobodowski, this current of poetry meant not so much a submission to the influence of literary fashions, but much more broadly – a logical consequence of the development of "tendencies clearly marked throughout Ukrainian history" (Lobodowski, 1954, pp. 43). Unfortunately, the poet did not develop this extremely intriguing reflection. An

undoubted achievement of the essayist was the emphasis on the independence of Ukrainian poetry, its inclusion in the bloodstream of European culture.

The essay in question, which certainly deserves a study of its own, consists of excellent 'portrait sketches' of the most important Ukrainian poets, complete with their poems (usually sonnets) translated by the author of the essay. Lobodowski inscribes these portraits, so to speak, into the historical-literary process of the development of poetry. He begins with the Kyiv classics, from Zerow, to the poetry of Rylski, through the poems of Tyczyna (the most outstanding, "from a strictly artistic point of view" (Lobodowski, 1954, pp. 39) Ukrainian poet), through Malaniuk to the works of Mykhailo Orest, Zerow's younger brother, "the most consistent a continuator of Kyiv's 'neoclassicism' (Lobodowski, 1954, pp. 29). However, the essayist does not stop at drawing this line of development, in the poems of Wasyl Barka, the continuator of Bazan's poetry, he finds 'Ukrainian Baroque', which, as he argues, "not only does not contradict the poetry of the Kyiv 'neoclassicism', but also organically complements it" (Lobodowski, 1954, pp. 36). Thus, Lobodowski beautifully concludes the development of Ukrainian poetry in the first half of the twentieth century. One might ask, why this classicism, why the baroque? Why such 'ordering' efforts in a poet who was not a supporter of 'classification' in principle. Well, with this large essay, Lobodowski, in a way, joined the émigré dispute over the 'organic national style' (Lobodowski, 1954, pp. 45) of Ukrainian poetry, in which Yuri Szerekh and Vladimir Derzhavin took part, the former as a representative of 'national organics', and the latter as "Europeanists" (Lobodowski, 1954, pp. 33). Emphasizing the classicism and baroque character of the poems of Ukrainian poets, Lobodowski wanted to attract attention to their universalism. He not only proved its importance, but also postulated that "one should be able to find the right relationship between national and universal issues, cultivating those variants of the national style that suit each individual best, looking for connections with the traditions of Western European writing" (Lobodowski, 1954, pp. 43–44). Thus, he in fact indicated a compromise solution to the dispute, at the same time realizing that "condemning oneself to double emigration – forced from one's own homeland, voluntary from the country of exile, is equivalent to a death sentence" (Lobodowski, 1954, pp. 43–44).

Five years later, Lobodowski could welcome the poets from the "New York group" with satisfaction and joy. He noticed generational similarities between them, and young Polish poets gathered around the London magazine *Kontynenty*, but he also emphasized the rapprochement of Ukrainian thirty-year-olds with contemporary Western trends. Again, he advises keeping the right distance, sticking to the 'golden mean': respect for the best traditions of Ukrainian poetry should be accompanied by its 'universal study' (Lobodowski, 1960, pp. 54). In

this attitude, he saw a chance for young writers to protect themselves from the danger of being locked in a backwater, but also to break away from the subsoil. The essayist emphasized the ambitious promises of taking over the initiative in émigré literature and giving it a completely different character. "For the first time in the history of Ukrainian literature", young writers looked at poetry only as art, they wanted to "shed off the duty of serving the nation", which in the conditions of emigration, as the Polish translator emphasized, "meant a real revolution" (Lobodowski, 1960, pp. 50). Appreciating their achievements, he also pointed out shortcomings. Andijewska's "extraordinary poetic individuality" (Lobodowski, 1960, pp. 55), whom he promised a beautiful future, was slightly accused of excessive metaphors resulting from unbridled imagination. He appreciated the language culture of Wasylykivska but pointed out moments of 'cheesy' in her poems. Despite such critical remarks, he could happily write that "a young forest has grown up before our eyes in exile, giving the lie to all those who claim that emigration literature is doomed and will not survive beyond the lifetime of one or two generations" (Lobodowski, 1960, pp. 57).

After this essay, Lobodowski published several more studies, including a beautiful and important memoir "After Malaniuk's Death" (Lobodowski, 1968, pp. 116-126). But basically, reflections on the place of Ukrainian emigration literature in *Kultura*, and especially in Lobodowski's works, can be closed with this optimistic observation. The Polish poet began by proving that writing in the Ukrainian diaspora was developing in spite of everything. He constantly monitored this development and introduced it to the Polish reader, so that after a dozen or so years he could state that a new generation open to the world and to artistic achievements had been born. In practically all his essays, Lobodovsky defended the 'dignity' of Ukrainian literature, and in an essay on the "New York Group" he additionally drew attention to its achievement of independence, its liberation from the shackles of national duty and fidelity to art. At the end of his life, at the end of his last 'Ukrainian' essay, Lobodowski wrote: "Happy are those writers who can [...] realize that they have fully used their abilities and deserved immortality" (Lobodowski, 1987, pp. 81). With these words, he summed up the work of Ulas Samchuk. One can also implicitly hear in them a timid request to notice the meaning of his own work. He probably wouldn't be entirely happy with the highest essay grade. But they prove his right calling.

The Conclusion. Jerzy Giedroyc, editor of the monthly magazine, put emphasis on the need of normalization of Polish-Ukrainian relations. In his opinion, focusing on the moral and cultural issues gave the best results in the reformulating of Polish thinking about Ukraine and overcoming animosity between our nations. The author of most texts on Ukrainian literature was Joseph Lobodowski, Polish poet in exile, excellent translator of the Ukrainian language,

a great expert and admirer of Ukrainian culture. His contribution to the evaluating of the Ukrainian culture, to the raising of awareness of the importance of Ukrainian literature is as huge as underrated.

He created a stable foundation for Polish-Ukrainian mutual understanding, to unite the two peoples by ‘the rainbow of a new union’. And he contributes in no small way to this great work.

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ORTHODOX ESCHATOLOGY: UNDERSTANDING END OF HISTORY BY EASTERN EUROPEAN THEOLOGICAL TRADITION

Abstract. The Purpose of the Study on eschatology is to open the unknown parts of the Eastern European theology regarding the Apocalypse. It brings up unique features of the Orthodox Christianity and its ability to produce the “end of history” philosophy. **The Research Methodology** includes historical analysis, theological analysis, comparative and bibliographical methods which allowed to analyze the Orthodox eschatology within a paradigm of a multi-approach to understanding several ancient manuscripts as well as modern-era theories of understanding the Apocalypse. **The Scientific Novelty** of the article is based on analyzing the Eastern European eschatology along the lines of written and oral traditions, using the juxtaposition of medieval manuscripts on the matter with contemporary eschatological theories. Special attention is paid to the Kyivan Rus theological tradition which included several unique eschatological theories which were a product of the Ukrainian medieval culture, philosophy and ethics. Article is a basis for putting Orthodox eschatology into an intellectual league of philosophical theories within the “end of history” approach. **The Conclusions.** Using an analytical approach where medieval Ukrainian eschatology is put into a wider context of the Eastern European theory of Apocalypse, based on classical Bible studies, we defined the key features of understanding the “end of history” within the Orthodox theological tradition. This is done

in descriptive terms, some of which are related to modern day developments, like Russia's war against Ukraine that started on February 24 or climate change.

Keywords: *theology, Kyivan Rus, patristics, Orthodoxy, Apocalypse, eschatology, Kyiv Lavra, end of history, philosophy of religion, ethics, theory of sin, Ukraine.*

Relevance of the topic. Humankind seeks knowledge of itself. This is why our species seeks its origin though it has not been able to empirically define the missing link to our beginning. Humankind is a rational creature seeking facts and not willing to believe it could have been created by a supernatural being. Our species knows and understands that it is a mortal creature and that it will not avoid death. Thus, humankind seeks its beginning and also seeks the knowledge of its end. Knowledge of the beginning will most likely not give humankind the vision it seeks of how it finishes. The rational mind understands that it cannot really know how it will end and so much of it is devoted to how humanity originated while also understanding that all things have a beginning and an end. Science has not completely answered the question and metaphysical explanations do not necessarily satisfy the rational mind. Yet, individual mortality is a reality and hence, all of humankind may suffer the same fate at some point in time. This is why humankind is fascinated with eschatology as well as scientific predictions of the end. Science cannot definitively provide the information sought about humankind's beginning and so it is often not trusted to furnish the information about the end. Rational humankind understands that whether or not it is science or theology, the end of itself is just a prediction, a myth or a mystery beyond its ability to predict. This paper primarily focuses on Christian Eschatology and more specifically on Orthodox Christian Eschatology up to and including Kyivan Rus. Only canonical Scriptures accepted in the Orthodox Christian Bible will be referred to and explored in the article. Eschatological material from Kyivan Rus that is not canonical will also be cited for their historical context.

Formulation of the problem. The Pew Research Center states that Christianity is still the largest religious group on Earth making up almost a third of humanity at thirty-one percent of the world population. Christian eschatology is too broad a topic as there are now some forty-five thousand different Christian denominations in existence. Each with its own interpretations, dogmas and varying levels of ritual and belief. Many of these denominations have turned Christian eschatology into a cottage industry. Popular entertainment has also taken varying interpretations of Christian eschatology and turned it into comic books, movies, songs, fictional novels and many other means of entertainment. This is because of humankind's fascination with its possible end. However, in order to best understand Christian eschatology, it is best to return to its origin which is the Orthodox Church.

Purpose of the article. Specifically, this paper will deal with Eastern Orthodox Church eschatology that began in Constantinople and now holds the second largest number of adherents by denomination at approximately two hundred and twenty million only overshadowed by the Catholic Church at approximately one billion three hundred and forty-five million.

The origin is best because the sources are closest to the beginning before the information was filtered and diluted just as has been the fate of Christianity itself. Thus, before one can look at Orthodox Christian eschatology, an understanding of Judaic Eschatology must be explored since Judaism is the root of Christianity.

Presentation of the topic. *1. Judaic Eschatology.* Judaism provides the narrative for the story of the Beginning while also having its own prophetic visions of the End. Judaism and Christianity share the same Scriptures concerning the Beginning while Islam's as the third major monotheistic religion is not as definitive. Thus, the continuation of Judaic eschatology (Old Testament) through to Christian eschatology (New Testament) is the focus. One cannot not be understood without a basic understanding of the other.

Gerhard Von Rad posited that "the apocalyptic understanding of revelation is more closely akin to wisdom than to prophecy." This was taken from Von Rad's studies of the Old Testament and fits well with the theme of this paper where humankind seeks its origin through science. Wisdom is a key theme of the Old Testament as are its virtues. The Judaic mind is focused heavily on this wisdom and must be given credence if we are to understand or properly interpret the prophetic apocalyptic writings of both the Old and New Testaments.

The Book of Daniel is the foremost of the apocalyptic texts in the Old Testament. Thousands of opinions, papers and teachings exist on the interpretation of all apocalyptic writings of the Bible. Wisdom is required to not misinterpret the Scriptures. Mantic wisdom (dreams and mysteries) pervades the Book of Daniel and must not be confused with proverbial wisdom (wisdom of everyday life and man). Already, we see a paradox in that how can one obtain mantic wisdom? Proverbial wisdom may be in short supply, but it is attainable.

Mantic wisdom seems to be granted by God, the possessor of both wisdom and might. Does God then only grant mantic wisdom to the proverbial wise? How does humankind then determine those who profess mantic wisdom versus those that actually have it? Since Daniel is accepted by both Judaism and Christianity, then his mantic wisdom is thought to be legitimate by these faiths. Daniel's prophecies are dream-visions which humankind is left to interpret for itself. This is where the problem lies, trust in other humans. So humankind has for thousands of years of history been trying to apply proverbial wisdom to Daniel's mantic wisdom.

We see additional mantic wisdom in the Old Testament in Ezekiel, Isaiah, Zechariah and Baruch. Humankind which is searching for empirical evidence for everything, now is faced with accepting the mantic wisdom of the ancients. Many themes from the Old Testament on eschatology carry over to the New Testament and perhaps that is where some of the proverbial truth can be sought or at least a set of recurring themes.

In Daniel, we see the introduction of the terminology “The Son of Man” (Daniel 7: 13–14) which Jesus in the Gospels refers to Himself in this manner on multiple occasions. We also see themes of the resurrection in Daniel (12: 1–3) which also carry through to Ezra along with a judgement of the End (Ezra 7:33 and 7:102–115). These are just brief references to central themes which have been expounded on by multiple scholars and theologians.

Baruch seems to consummate the eschatological theme of the Old Testament with a focus on how the judgement is favorable only to those who follow the Jewish Law (Baruch 4:1–2). Jesus seems to refute this in the New Testament.

Eschatological themes and concepts run throughout the New Testament which followed with Jesus preaching how He came with a new law and that the Pharisees were more focused on the minutiae of the law rather than salvation. Jesus came to teach the faithful how to reach salvation. He fulfills part of Judaic eschatology, refutes other portions and sacrifices Himself and is then resurrected as a living example of the how all sinners may also find their own salvation. Yet, He does not completely fulfill an end of history but promises a Second Coming when the true End will come. Jesus then gives to John the Theologian a vision of the True End which makes Revelations the consummate work of eschatology.

2. *Revelations also known as The Apocalypse.* Revelations is most likely the most controversial book within the Holy Bible within the Christian tradition. *The Orthodox Study Bible* published by the Academic Community of St. Athanasius Academy of Orthodox Theology perhaps states it best from the Orthodox perspective in its introduction to Revelations:

“While seen as canonical and inspired by God, the Revelation is the only New Testament book not publicly read in the services of the Orthodox Church. This is partly because the book was only gradually accepted as canonical in many parts of Christendom. In addition, in the second and third centuries Revelation was widely twisted and sensationally misinterpreted, and the erroneous teachings brought troublesome confusion to Christians—a trend that continues to this day”.

The Orthodox Church may have its problems, but it has always taken a very cautious stance when it comes to all the Scriptures. Erroneous interpretations of other Scriptures have led to heresy and division. Non-canonical books attributed to writers associated with the canonical Scriptures have been revealed and caused further disruption of the Orthodox Church’s teaching. Of course, all worthy issues

and controversies are investigated and answered. The problem is that often these new ideas and writings are often taken up by those with a personal agenda or do not have the proper theological training.

A cautious approach to Revelation from its interpretation to admission into the official Christian Canon to the fact that even after two-thousand years of existence, the Orthodox Church does not include any readings of this “last” book of the Bible in any of its service, reveals just how controversial it has been since the beginning. Yet, humankind seeks knowledge about its seemingly inevitable end and the Book of Revelation seems to supply it in some form.

Allegory is rampant within all the Scriptures and that is why many study them for years under proper tutelage to just begin to understand them. The Orthodox Church warns the laity and the untrained to leave the interpretation to those who are properly trained. However, the natural curiosity of humankind seeks that knowledge to understand its end.

Revelations is also referred to as The Apocalypse and it is probably the most widely studied, quoted, emulated, and widely interpreted book of the Bible. This paper only deals with the Orthodox Church history as the only and earliest Christian Church up to the Great Schism of A.D. 1054. Authorship of the Book of Revelation is accepted by the Eastern Church to be that of Apostle John (St. John the Theologian) written from exile on the Isle of Patmos in A.D. 81–96. The cave where St. John wrote the book on the island of Patmos is still in existence and a Greek Orthodox monastery (The Monastery of Saint John the Theologian) established in AD 1088 is still active there. St. John is the only Apostle not to have suffered a martyr’s death as said by Jesus Christ in the Gospel of John who is also recognized by the Orthodox Church as the author of said Gospel. Thus, the Orthodox Church’s expertise and history seems to be a “safer” one to follow due to its Apostolic succession and experience in establishing the Christian Canons.

The Orthodox Church has recognized the dangers presented by misinterpretations of the Book of Revelations which is why very few commentaries or interpretations have ever been accepted and admitted by the Eastern Church. The Latin West accepted the Book of Revelation at the council of Carthage in A.D. 397, but it was not accepted by the Christian East until the council of Trullo in A.D. 692. The first commentary officially accepted by the Eastern Orthodox Church is a commentary from the 6th century by Andrew of Caesarea.

3. *Apocalypse Commentary of Andrew of Caesara.* Andrew of Caesarea (Archbishop of Caesarea in Cappadocia) commentary on the Apocalypse (Book of Revelation) was preceded by one written by Oikumenios who was considered to be a Monophysite philosopher. Monophysitism is the belief that Jesus Christ is only of “one nature” whereas the official Orthodox belief is that Christ is both

“God” and “man”. The Fourth Ecumenical Council held in A.D. 451 condemned Monophysitism as heresy. Speculation is that Andrew’s commentary followed that of his predecessor because the former lacked proper religious knowledge and training. Also, Oikumenios may have been considered a heretic whose teachings and writings could not be accepted by the Eastern Church-at-large. Eventually, Andrew’s commentary would take precedence in the Christian East because of its references and basis on the Church Fathers (patristic). Dr. Eugenia Constantinou dates Andrew’s commentary to A.D. 611. This commentary has been the basis for Eastern Orthodox eschatological thought and belief for nearly fourteen centuries despite the fact that Andrew’s identity and his record of existence is obscure at best.

Pawel Dziadul states “Andrew’s commentary reveals the attitude to eschatology typical of the Eastern Christianity: paschal, pastoral, and liturgical elements prevail over the pessimistic, gloomy and apocalyptic ones” (Dziadul, 2014).

Andrew seemed to be motivated by historical events occurring in his time that were causing major disruption and threats against the dominance of Constantinople. This same attitude exists in the current War in Ukraine. A rise of the spirit versus sinking into the pit of despair and hopelessness. Eastern Orthodoxy from the Church Fathers through modern times always teaches that despair and hopelessness are sinful and come from the devil.

The dark times now facing humankind due to the War on Ukraine, mass shootings in the US, climate change and other disasters also are giving rise to speculation about the Anti-Christ and the apocalypse. This is dangerous territory even for the holiest of humans. Perhaps, a reading of Andrew’s Commentary for those who seek to understand is again in order nearly fourteen hundred and eleven years after its composition. Humanity seems to never learn from its past and rarely seems to consult history. If Andrew’s commentary is still the consummate work on the Revelation within the original church of Christ, then Christian believers who are seeking answers to these dark times might do well to study it. A more modern work based on Andrew’s Commentary on the Revelation may also be a worthwhile point of reference.

4. *The Apocalypse In the Teachings of Ancient Christianity by Archbishop Averky and Father Seraphim Rose*. This work is the only modern commentary since that of Andrew and has found some acceptance by the Eastern Orthodox Church. However, it is not accepted across all the various Autocephalous Orthodox Churches but primarily only within the Slavic Orthodox tradition. Furthermore, one must keep in mind that one of the modern foremost authorities on Andrew’s commentary, Dr. Constantinou states about Archbishops Averky’s and Father Seraphim’s work is “Without the complete commentary as a guide,

isolated passages from Andrew's commentary are translated and carelessly presented as Andrew's own opinion because Andrew often reported the opinions of others as alternative interpretations".

Brother Joh Damascene in writing his Preface to the above edition specifically mentions that Father Seraphim Rose truly believed that humanity was already living in apocalyptic times. Many highly regard the works and beliefs of Father Seraphim and his zeal, intellect and devotion to the Orthodox Church are unquestionable. Yet, Orthodox Christians are also taught to be especially cautious when listening to the works of men. The Divine Liturgy of the Orthodox Church in the Second Antiphon from Psalm 146 says "Put not your trust in princes, in sons of men in whom there is no salvation. When his breath departs, he returns to his earth; on that very day his plans perish". This is not to say that Archbishop Averky or Father Seraphim's intentions were to be ignored but that as the church teaches that "Man be the salt of the earth" and so modern Orthodox writers should also be taken with a "grain of salt".

Archbishop Averky was considered an expert on Patristic Thought who lived at times of great disruption in the 20th century from the rise of the Soviet state in his homelands through both World Wars and the Vietnam War in his new country. He is a renowned leader and teacher within modern Eastern Orthodoxy. Thus, we cannot completely discount his commentary as it is based thoroughly and completely on Andrew's commentary and Patristic Thought. Archbishop Averky also strongly states that he believed that humanity was living in apocalyptic times, and this must also be considered with some skepticism. Unfortunately, he did not complete the work and so Father Seraphim expounded on the original produced by the Archbishop.

Father Seraphim Rose is well respected within many Eastern Orthodox traditions in the United States and various branches of Slavic Orthodoxy. He is not without controversy, however. But who on this earth that questions modernism is not without controversy? Father Seraphim was also a highly dedicated monastic who based his studies and opinions on Patristic teaching.

Yet, Archbishop Averky writing in the mid-1970's clearly states in his Introduction that humanity is right at that time, humanity is truly living in apocalyptic times and that seeing the Book of Revelation as only allegorical is to be "spiritually blind". Most Eastern Orthodox experts and those who study patristics and theology would refute this statement especially now that fifty years have passed since they were written.

Several things need to be explained on why Archbishop Averky had this special interest for eschatology. In his early years, he was learning the spiritual sciences from Archbishop Serafim in Bulgaria who was trained in Orthodox eschatology. One of the authors of this article talked to followers of Serafim in

Moscow in 2004–2007, who knew his teachings from Rev. Vsevolod Shpiller, a popular Moscow priest and Serafim’s student. Those followers had their own, oral version of interpreting the Apocalypse writings, which wasn’t too significant in terms of quality of its theological vision, but nevertheless had an important idea: Apocalypse may be induced by certain actions. For instance, these followers believed that by pointing to these great sins of the modern civilization through a prayer may motivate God to send Jesus Christ on earth for the second time to conduct a final eschatological action. Such a prayer could be as simple as this: you mentally focus on a major sin that the civilization is committing and then repeat a verse from the Psalms like “Blessed be he that shall take and dash thy little children against the rock” (Psalms, 136:9). This, according to theology of Serafim’s followers, could bring Godly apocalyptic action against the sinful civilization into force. Analogous theology we may find within the line of St. Sergius Theological Institute in Paris, whose leader Fr. Sergiy Bulgakov would put a phrase “Come my Lord, come my Jesus” at the end of his writings, therefore requesting the Second Coming.

Besides this, Serafim’s theology of Apocalypse, which had a profound influence on Archbishop Averky, was based on a mathematics of grace. That meant, that when a power of grace in the worldly matters becomes too weak for the reason of too many sins committed through a course of living upon the Christian ethics – this creates grounds for eschatological expectations first and final apocalyptic events occurring and putting humanity into the stage of existential judgment by God and saints. We may see signs of this approach in a classical Orthodox prayer that a bishop says over a man who gets his priesthood consecration: “God’s holy grace which heals the weak and renews one’s emptiness with power...”. Mathematics of this theology is very simple: lack of grace should be renewed by spiritual life, prayers, Church activities and such.

Then, Archbishop Averky was also close to Metropolitan Lavr as both were leading the monastic life in St. Trinity Monastery in Jordanville, NY. Lavr learned a quite conservative version of the monastic theology from the monks of Pochayiv Lavra in western Ukraine and brought it with him to the U.S. for further preaching. This Pochayiv theological tradition is very unique and was accepted by the monastic community in Jordanville as a proper Orthodox teaching that would allow to reach the salvation. Moreover, Pochayiv Monastery has its own eschatological theology that still lives there and is quite popular with the believers. It’s quite precise and short, sometimes presented on two pages of a paper that monks just give away to folk walking on the streets of the Ukrainian cities. This theology is telling about the “digital concentration camp” which is the way the Anti-Christ will be building his nets of temptations during the latter-day period to make sure most people won’t survive the Apocalypse as Christians and will finally

be judged as sinners with all the following consequences, including suffering in hell.

Meanwhile, Father Seraphim in his “Translator’s Introduction” agrees that we live in apocalyptic times but then walks it back by stating “We should not be overly definite or overly narrow in our interpretations of these images and visions”. Further on he states, “With symbolic language it often happens that images have multiple meanings and levels of interpretation” (Taushev, Archbishop Averky and Rose, Father Seraphim, 1998). Father Seraphim ends his introduction with the wisest of words to all Christians “... and so we must read it with the fear of God, and with a humble distrust of our own wisdom”. Perhaps we should take it all with a grain of salt to avoid becoming a pillar of salt.

The year 2022 has brought a new reality to the world, especially in Ukraine and Europe. Those who are living the horrors can be expected to see the events before the eyes as the Apocalypse or at least its beginning. Humanity has survived worse in the past and may endure and survive even more brutal calamities in the future. Humankind, it seems, does not get to write its own end although it will certainly try. The War on Ukraine is taking place around the foundation of an ancient society established in Kyiv over fifteen hundred years ago. The rise and fall of Kyivan Rus also brought much speculation about the Apocalypse. A rich Orthodox tradition began in Kyiv and through it, the development of Orthodox eschatology in the Slavic world.

5. Orthodox Eschatology of Kyivan Rus: origins and Influences. Eschatology was once the most popular line of theology within the Christian spiritual tradition. During first five centuries of Church existence, dozens of theologians, some recognized as Church teachers and some not, produced a whole universe of texts describing what the Apocalypse could look like and why.

Any theory of eschatology usually involves these elements: theology of sin, description of hell, description of heaven, metaphysics of spiritual world and ethics of preventing the Apocalypse. So far there is only one recognized teacher of the generally accepted eschatology – and that is St. John the Theologian. But we have to admit, Christian theology has this principle of not letting any ideology monopolize a certain sector of Christian thought. This is why the Church remained open to new teachings on eschatology in the centuries coming immediately after the age of St. John.

Kyivan Rus, a medieval state of Slavs who resided on the shores of the Dniro river in what is now Ukraine, had its own version of eschatology and Apocalypse. This was a part of a classical Christian theology adapted to the needs of local population, that required theological arguments within their unique ethnic worldview and mentality, by clergy in Kyiv.

Local tribes in the Dnipro area managed to create a centralized government and a set of rule-producing institutions as early as 7th century AD, following two centuries of unrest after the collapse of the Roman empire which used to control these lands in 1-5th centuries. After the invasion of Mongolian tribes in the 13th century, Kyivan Rus ceased to exist, eventually becoming a part of the Mongolian empire and later to join the Lithuanian Principality with a high degree of autonomy.

Christianity remained a rather unpopular religion up until the 8th century. Alternatives to Christian religion were much more popular in previous ages – local versions of pantheism, inherited from pre-Christian times and involving an old tradition of having faith in nature as God, and a unique religion of Slavs that produced a Greek-style theology of polytheism that had its mystical, ethical and societal elements and teachings.

In the 8th century the situation for Christianity in Kyivan Rus started vastly improving. An occasional visit by one of the Roman Church bishops, preaching of traveling monks, spread of Christian jewelry had their impact on the local population that had to accept that Christianity is a much more developed religious system, than many of the alternatives. One of the Latin bishops of early Medieval age brought the sacred head of St. Clement, bishop of Rome of the 1st century, to Kyiv and it still remains an artefact of the Kyiv Lavra collection. Recently, Ukrainian archeologists discovered there was a Christian mission of the Celtic Church operating in Ukraine approximate at this stage of historical development.

Prince Volodymyr of Kyiv, a Scandinavian ruler who was seeking a religious ideology for organizing a more sustainable political regime in then-Ukraine, invited a bishop from Constantinople in 988 to establish a classical ecclesiastical rule for this part of Europe. The Byzantium Church chose a monk to lead Kyivan Rus spiritually and gave him the traditional Ukrainian name, Myhailo. After receiving consecration, Myhailo arrived in Kyiv where he was eventually elevated to the rank of metropolitan.

Metropolitan Myhailo's contribution to the Ukrainian Church was very substantial, but with a focus on administrative policy – building new parishes and monasteries, producing new monks and priests, serving the political needs of Prince Volodymyr. Myhailo didn't have much time left to create an authentic Ukrainian theology and decided to delegate this mission to a person he had trust in.

He sent a young Ukrainian man, whom he tonsured to a monastic status with a name Antony, to Athos, also known as Holy Mountain Monastery, in what is now Greece. Myhailo explained Antony his mission: learn as much theology in Athos monasteries as possible and then come back to Kyiv to produce a number of texts for the needs of early Ukrainian Church.

None of the Ukrainian sources mentions how many years Antony spent in Greece, but the most likely he went through a classical 12-year course in theology that was a usual thing for Christian academies of that region in Europe. Such a course required producing a dissertation to be granted a theological degree. Athos had its own library with many of the original Christian writings of early ages, including various apocryphal texts of 1-5 centuries that involved a heavy degree of mixing Biblical plots with Neoplatonism theories.

After spending several years learning, the Greek language, Antony was guided by his Athos professors that he should pay attention to eschatology, a line of Christian thought that once was the most popular one, but gradually lost its influence on the European intellectual culture. This would let Antony do an original contribution into the Christian theology and bring some order to the Athos library – many manuscripts remained either unread or not properly assessed and analyzed, while Athos professors had this goal of creating a set of modern texts with comments on the ten previous ages of the development of Christian thought.

While preparing his dissertation, Antony paid a lot of attention to writings of St. John Chrysostom, early archbishop of Constantinople who was a very original teacher of theology. Being a native of Hellenism-age Syria, St. John included many models of religious thought in his writings: Neoplatonism, Zoroastrianism, pre-Islamic monotheism, leftovers of Egyptian monotheism, Middle Eastern religious folklore. All of this was interpreted by St. John Chrysostom in a Christian context along the logical line of the philosophy of religion that said: all the nations on earth were expecting nativity of Jesus Christ with their natural religious instincts, preparing their theologies to be adapted to the needs of Christianity. Moreover, some of the manuscripts that St. John had were signed with his name since they were anonymous. Probably, he also had access to what was left from the ancient Alexandria Library in Egypt.

Therefore, Antony inherited from St. John Chrysostom's writings some of the elements for creating a text on how Christian eschatology should look like in the 11th century. Through Chrysostom, Antony absorbed a lot from other religious schools, mentioned above. After producing a dissertation on Christian eschatology, Antony gained a degree in theology and eventually came back to Kyiv where, not far away from the Dnipro River, he established a Greek-style monastery for men – Pechersk Lavra. According to the available Ukrainian sources, we don't see anyone mentioning that Antony had a priesthood rank, but it is probable that he did. It's highly unlikely that Athos didn't consecrate him into priesthood for producing a high-quality dissertation.

In Kyiv, Antony was joined by two local priests who wanted to live the monastic life – Nykin and Ilarion. While Nykin wasn't a monk at that time, Ilarion had been pursuing a life of spiritual solitude for many years already, inspired by

metropolitan Myhailo, a Greek bishop who came to rule the Kyiv diocese of Byzantium Church. Antony brought his dissertation on eschatology to Kyiv and wanted to spread it around for people to have some original Ukrainian theology and make their own ethical conclusions upon it.

However, after some considerations and living several years as a monastic leader in Kyiv, he decided he was too heavily influenced by Athos traditions, while Kyivan Rus needed more authentic theology produced by someone who understands the local realities much better than him. This is why Antony found a young Ukrainian man who looked promising in terms of his intellectual abilities and invited him to become a monk at Kyiv Lavra. Eventually this man was tonsured, received the monastic name of Theodosius and later was consecrated into priesthood.

Antony taught Theodosius Greek language and inspired him to become a theological writer. After Theodosius proved he was able of conducting sophisticated intellectual work and went through all kinds of monastic spiritual exercises, Antony asked him to take a look at his dissertation and write his own text or maybe several based on it. Antony obeyed his spiritual father and did the work.

This way three texts were prepared by him: “Journey of Theotokos through Hell”, “Journey of Apostle Paul through Hell” and “Glorification of Father Abraham”. Antony probably did the editing, allowing Theodosius to be creative in what he thought needed to be adapted to the Kyivan Rus culture. Later, St. Nestor the Historian added several episodes to the manuscripts, however focusing on secular features of the Kyivan Rus life. From his editing, we see evidence of how the economic ethics was explained to local business by the old Ukrainian Church. For instance, competition between the Kyiv entrepreneurs for getting access to clients was a grave sin, so if you had a client coming to you from another entrepreneur’s base and you sold him or her your goods, you committed a sin. We have German entrepreneurs doing commerce in Kyiv in 11th century mentioned in the later version of the manuscripts – and they were expected to obey the same business ethics.

These texts are mentioned by Ivan Franko, a professor of Lviv University, in his research on early Christian writing tradition of the Kyivan Rus (Franko, 1984). From the dissertation, produced on the matter by Jennie Zayachkowski for the University of Ottawa in 1988, we know that authorship of all three texts has been questioned many times (Zayachkowski, 1988).

Let’s go deeper into this. We have three basic facts – as early as the 14th century copies of these manuscripts travelled to the St. Sergius Lavra near the city of Moscow in then-Russia. In our earlier writings, we established that the Kyiv Lavra had its Christian mission there, helping St. Sergius to establish a monastery

in a much worse environment, since early medieval Russia was too heavy on local ethnic polytheism. Then, the manuscripts were spread around Eastern Europe and were very well accepted by the Churches of Bulgaria, Poland and Serbia, which provided spiritual guidance for all the Balkan region. Finally, these manuscripts get mentioned in 1604 as a part of the archives of St. Michael's Monastery in Kyiv. Their later fate remains uncertain.

In the 19th century, the Russian Church through a network of loyal intellectuals, who had access to magazines where they could publish their writings, did a lot to recognize these manuscripts as those which contradict classical Orthodox theology and are uncanonical. This was a general Russian line for downgrading the importance and impact of the Ukrainian intellectual culture, especially of the early ages, using administrative methods for this purpose. Besides, Russian Empire authorities wanted the Kyivan Rus to look like proto-Russia and not proto-Ukraine, which it was.

Now I'm going to assume based on research I've done in 2006-2022. For this research, I talked so several sources: grandson of Vasyl Lypkivsky, leader of Ukrainian Autocephalous Orthodox Church-1921 (UAOC-1921); Kyiv priests who shared with me monastic anecdotes of Kyiv Patriarchate monasteries of the 1990s; monks of Kyiv Lavra. Besides this, I collected as much evidence as I was able to about life of Kyiv Lavra in the 1920s and fate of monks who were forced to leave this monastery when it was closed in mid-1920s. Many of them moved to Georgia, where they were provided with an opportunity to live a monastic life under guidance of metropolitan Zenoviy Serafim (Mazhuga), a Ukrainian bishop of the Georgian Orthodox Church (Chesnokov, 2013).

Following is my fact-based historical reconstruction of what happened to the old Lavra manuscripts. After Russian Bolsheviks established a sustainable political and military rule over Kyiv in 1922, it became clear to local religious leaders that they shouldn't be expecting any mercy from the Vladimir Lenin's government.

Vasyl Lypkivsky, leader of the UAOC-1921 that was never officially recognized as a bishop and metropolitan for the unconventional way of his consecration at St. Sophia cathedral in Kyiv, had this idea that he should try to preserve as many icons, books, manuscripts from Kyiv diocese archives as he could. So, when he decided to send Ivan Teodorovych, UAOC-1921 archbishop, to America for a mission in 1924, he asked him to take some manuscripts from Kyiv Lavra with him. Otherwise, they might be destroyed by the Russian Bolshevik government in Kyiv. Those were late Lenin years when he introduced some sort of liberalism for policies in Ukraine and people were still able to travel abroad. Bolsheviks weren't able yet to introduce their own Border Guard Service

at a full scale yet, so crossing the Socialist Ukraine's border wasn't that hard back then.

This is how Teodorovych brought the Lavra manuscripts to America, where Jennie Zayachkowski got access to them at the University of Ottawa. Zayachkowski in her dissertation doesn't really mention how and when she saw the Lavra Manuscripts, making references to 19th century versions of these papers that were mentioned by Ivan Franko and Russian intellectuals. Somehow Oleksandr Biletsky, a Ukrainian literature theorist popular in the 1960s, also knew about the manuscripts and probably had access to them. Most likely, KGB assessed his profile and identified him as a intellectual loyal to the Communist Party and let him study the manuscripts that Ivan Franko had.

But let's pay attention to this: Zayachkowski was producing her dissertation in the late 1980s, when the USSR still existed, so she might be afraid to get the full story of the manuscripts out to avoid KGB agents in Canada or the U.S. stealing or destroying the Kyiv manuscripts or their earlier copies.

Another big question is why we don't see Metropolitan Ilarion (Ogienko), who was a leading Ukrainian bishop in Canada in 1950–70s and wrote a great deal on the history of the Ukrainian Church, producing any comments on the Kyiv Lavra manuscripts. Of course, we might assume he did those comments, but they weren't published yet, though this is unlikely. The reason might be this: manuscripts remained classified information in pre-Gorbachev era and Metropolitan Ilarion couldn't get access to them.

Now, the final question – why we believe the Kyiv Lavra manuscripts were prepared by St. Theodosius as a leading author. First: the early Lavra had a really minimal number of monks, where only St. Antony and St. Theodosius were educated to a degree that they were able to produce a highly original and intellectually sophisticated theological writings. Second: we know St. Theodosius was a vicar for Kyiv monasteries and in the manuscript, we see signs of complaints about the low morality level in some monasteries, especially those, where women were had their monastic life. Third: on ancient icons of St. Antony and St. Theodosius, we see them holding pieces of paper with their writing. According to the traditions of symbolism of the Orthodox art, this means they were authors of original theology.

Kyiv-style Theory of Eschatology. The following is the explanation of Kyiv eschatology based on three manuscripts mentioned above: “Journey of Theotokos through Hell”, “Journey of Apostle Paul through Hell” and “Glorification of Father Abraham”.

Kyiv theologians have always paid a lot of attention to Theotokos theology, and this became an important feature of the Ukrainian Orthodox culture. In 2006, I had a chance to see the original Vyshgorod icon of Holy Mother, produced

during the early age of Kyivan Rus, in an art gallery in Moscow. It represents a set of symbols which stand for substantiating the lines of metaphysical divisions that exist between earthly life, heaven and hell. Later, Kyiv-inspired theology of St. Spirit and St. Sophia did a successful attempt to explain these lines and even connect them to a philosophy of somewhat pantheistic, but still relevant Christian teaching on God's presence in the worldly matters.

Most likely, "Glorification of Father Abraham" is the earliest text in this three-partite set of manuscripts, however it was written when the author already had all the ideas in place that would later be described in "Journey of Theotokos through Hell" and "Journey of Apostle Paul through Hell". Let us explain the logic for why this text was created earlier than the others.

The author needed to provide theological grounds for why questioning God on the nature of hell is a perfectly Christian idea which doesn't contradict neither Old, nor New Testament. Father Abraham put these types of questions to God and we know this from the Bible (Guillet, 1960). Therefore, by using the theological genre of glorification, the writer in Kyiv obtains a legal and moral right to use the case of Abraham for producing his own set of theological ideas based on that case.

This method allowed the writer to produce both, "Journey of Theotokos through Hell" and "Journey of Apostle Paul through Hell". They're somewhat similar in their vision of Christian eschatology and we think it would be better to focus on "Journey of Theotokos through Hell", since this text has a higher priority due to a special status of the Holy Mother in Orthodox theology.

The plot of this manuscript is based on the original Kyiv theology of "disagreeing with God". It has some grounds in the Old Testament, but Kyiv monks adapted this theology to New Testament rules, principles and ideas. The logic of "disagreeing with God" is based on Holy Mother's right to question God's will for the purpose of saving the sinners, where those are men or women.

In the manuscript, the Theotokos asks God to show her hell and Archangel Michael conducts this mission. After seeing an enormous suffering that sinners have in hell and hearing their post-mortem prayers, Holy Mother takes up a role of an advocate for people who committed sins and asks God to grant mercy at least to some of these people. In a response, God explains there are no reasons to have mercy on these sinners, since they did a lot of horrible things during their earthly lives. When the Holy Mother insists on her request, God says there's at least one thing that may not be ever changed: eternal punishment of Jews who crucified Jesus Christ. Theotokos accepts this and prays for some easing to all the other sinners. After some consideration, God decides to grant the sinners the ability to see light in hell in a period from Easter to Pentecost. Before that decision, all the sinners in hell were cut off any opportunity to see the light.

Interesting, how Archangel Michael during this conversation provides his own theological arguments for why punishing the sinners eternally is not such a bad idea. While God uses the arguments along the classical line of “sin and punishment”, Michael’s rhetoric involves a different logic: having sinners punished motivates those still living to do good and live Christian life. Theotokos disagrees with both and finally gets her request partially satisfied. Archangel Michael, in his turn, doesn’t make any comments or theological arguments on final decision of God, while Holy Mother is happy with the decision.

As a manuscript produced in the 11th century, “Journey of Theotokos through Hell” had certain influence on later writings on eschatology. Most likely, Dante Aligheri, an Italian writer who lived in 13-14th centuries, saw this manuscript as it was spread around the Balkan region where Italy had a lot of connections for commercial and political purposes. This is how Kyiv theory of eschatology had an impact on how Dante wrote his “Divine Comedy”, a masterpiece of European literature (Ferguson, 1966). Meanwhile, the structure of Kyiv Medieval texts probably had influence on Thomas Aquinas and his writings. However, it’s necessary to admit that Kyiv received logic of buildings texts this way from St. John Chrysostom, who was influenced by Greek and Middle Eastern philosophy and whom St. Antony studied deeply on Athos.

To summarize Kyiv-style eschatology, it’s necessary to outline several things. Kyiv monks understood Apocalypse as a spiritual event happening on the personal level and not on the macro-historical level. It doesn’t mean this contradicts St. John Theologian, whom conventional theology interprets along the macro-historical lines. St. John was writing in a way to allow many further interpretations for what he wanted to say.

Then, another important idea is that sins never go unpunished. Two details matter on this: those who keep God’s attention to their lives, get their punishment in earthly life and can change their behavior, while those who commit so many sins that God stops paying attention to these people and punishing them, go directly to hell where they’re exposed to the most horrible types of suffering. To add to this, Ukrainian theology of later ages, which analyzed the phenomenon of Christian light, explained that this spiritual force – light – completely ignores the sinners if the heaviness of their sins cuts them off from God’s plan for salvation of humanity.

Kyiv eschatology is quite a radical one and later ages, especially in the 20th century, produced much easier versions of understanding the Apocalypse. The reason for why Kyiv monks were so radical are these.

First, it was a challenge for these monks who were spiritually prepared by St. Antony of Lavra to see how other monks from different monasteries in Kyiv committed sins. While St. Antony himself went through a special training on

Athos on how to not be disturbed by other people's sins, St. Theodosius and others didn't have such a type of spiritual exercises. As a young man who took the monastic vows and never got married, it was a great temptation for St. Theodosius to learn that some nuns in Kyiv probably had sexual affairs – and this might have an impact on his thinking back then. However, we think this is rather a minor impact that was softened by St. Antony's editing.

Second, Kyiv Lavra monks had a feeling of being spiritually and intellectually superior to all the people around. After many of Ukrainians ignored the Christian teachings in early Kyivan Rus age, the monks became snobbish and behaved in a way to show the great degree of intellectual advantage over lay people. St. Antony clearly saw this was a problem and this is what he did. While editing St. Theodosius's text, he emphasized two arguments made by Theotokos: don't think, if you're living a Christian life and even doing the theology studies, that you're not responsible for saving people around; don't focus on making sinners look stupid, help them instead. Then, to prevent intellectual snobbism among the Kyiv monks, St. Antony offered them to write their theology, while focusing on the audience of theologians like themselves. This was a hard decision for St. Antony, since metropolitan Myhailo tasked him with producing popular theology for laity, but probably if that argument wouldn't have been made, Lavra monks would produce many more writings which would have an aggressive style about judging people's sins.

Eschatology was an extremely important line for the Ukrainian medieval theology as it provided a good intellectual opportunity to create highly original texts that would have an impact on Kyivan Rus historical development. By being radical, it contributed to the purification of Ukrainian Christianity and its ability to survive the intellectual challenges of further eras. By being an existential attempt to face the life and death question, this theology gave Kyiv reasons to become an important center of Christian culture and, later, create a whole tradition of high-quality religious literature. Finally, Kyivan Rus eschatology gave grounds to this special type of Ukrainian mentality where virtues of going through suffering and pain for saving other people's lives are critically important ethical values.

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THE PROBLEM OF THE DEPENDENCE OF GLOBAL WARMING ON THE INCREASE IN CO₂ AS A SCIENTIFIC DEBATE

Abstract. *The Purpose of the Study* is theoretical substantiation of the problem of global warming and climate change. **The Research Methodology.** Methods of analysis, modelling, description and generalization of data were used to study the problem of the dependence of global warming and climate change on the increase in CO₂. **The Scientific Novelty** of the study consists in identifying the contradictions of scientific conclusions regarding the direct dependence of global warming and climate change on the level of CO₂, outlining new directions of experimental work on the specified problem. **The Conclusion.** For an objective study of the climate problem and the role of CO₂ in global warming, additional unbiased studies are needed, which are based on scientific facts and involve the use of the most modern measurement tools.

Keywords: global climate problem, climate, ideal gases, CO₂, energy consumption, transport energy.

The Relevance of the Topic. When I read on a German “education server” that “the worldwide emission of CO₂ has increased by a factor of 200 in the period XY” or I read in a source that the proportion of CO₂ in normal air is 0.038 % is almost zero, but there is still a hint as to how dangerous this “almost nothing” would be for our climate, one comes up with the idea of considering whether the

presentation of objective truth is not just tendentious will. So, I did some research, and the results are amazing and simple.

The Formulation of the Problem. According to the postulate that is widely held and repeated like a mantra, CO₂ is supposed to contribute to global warming and therefore to climate change; so far the well-known claim.

If one rummages through these so-called “sources” one quickly comes across that CO₂ would supposedly be able to “absorb radiation, therefore store or store heat and therefore it would hinder the dissipation of heat and – derived from this – would warm the earth would.

The Purpose of the Article is to substantiate the contradictions of scientific conclusions regarding the dependence of global warming and climate change on the increase in CO₂ and to determine new directions of experimental work on the specified problem.

The Presentation of the Topic. Now is the gas CO₂ supposed to do this? Just like oxygen, nitrogen and (almost) all other known gases, CO₂ belongs to the group of so-called “ideal gases”, which makes the calculation much easier. For our purpose of consideration, it is only important to note that in principle it behaves in the same way as all other gases in the air we breathe.

From a chemical point of view, CO₂ - unlike CFCs - is extremely inert (“inert”); so much so that it is used as a “shielding gas” in welding. Our plants need CO₂ as a basis for life to be able to split off oxygen again and in mineral water and beer it is wonderfully refreshing. Seen in this way, CO₂ is a friend, not an enemy.

This gas cannot “warm up the climate” on its own at all; that is complete nonsense and, as I said, it does not react with other substances either.

The following is correct and irrefutable – because it has been physically proven: any substance, regardless of whether it is liquid, solid or gaseous, can naturally absorb or store heat due to its mass, which can be heated. To quantify the ability of a substance to do this, the so-called “heat capacity *c*” was introduced. This unit of measurement is comparable to the specification of the volume of a coffee pot: if the volume of the pot is 1 liter, then a maximum of 1 litre of coffee will fit into the pot. However, this does not mean that this litre is always in the jug; it just means that a maximum of 1 litre fits in.

The mass-related heat capacity *c_p* has the unit Joule / (kg * K), whereby for our consideration the (kg * K) should not play a role at first. The important thing is: “Joule” is a measure of the energy or heat, which is what we are talking about here. If you irradiate a gas or heat it in some other way, it will store heat (i.e., joules) according to its physically defined heat capacity. Incidentally, the gas does not care whether the thermal radiation comes “from above from space” or “from below from Earth”.

A comparison of its heat capacity and its share in the total volume of the other gases in the atmospheric air or in the breathing air is decisive for the assessment of CO2 in this context, and the following applies:

As you can easily check using the literature values, for example, normal breathing air has a mass-related heat capacity of approx. 1,000 J / (kg * K), while CO2 with approx. 800 J / (kg * K) is by approx. 20% below the value of the air you breathe and can therefore store less heat than normal air.

You have to read through this sentence in peace and let yourself sink in .. and then ask yourself how it can come that CO2 is demonized because of its ability to store heat, while normal breathing air can store even more heat.

If one - in addition – also regards the fact that the volume fraction of CO2 in the air is specified as 0.038%, i.e. in the per mile range, a reasonable person should not be alarmed by the statement that “the CO2 share in the last 10 years but would have increased from 0.0275% to 0.038% “... which, by the way, would not have increased the overall ability of the air to store heat, but would have – marginally – even reduced it.

Questions about measurement technology: As a mechanical engineer specializing in measurement technology, I ask myself, of course, who measured these values when, how often and with which method, given information in the per mile range of this increase from 0.0275% to a fabulous 0.038%. How reliable are these values? Every measurement is afflicted by a measurement error and, especially when determining very small, measured variables, careful attention must be paid to ensure that the measurement error of the measuring apparatus does not reach the expected magnitude of the measured variable. In this case one would have to demand that the measurement error does not exceed the size of 0.0001% if one publishes such figures and that is difficult to achieve.

Argumentation with the “absorption of frequency spectra”. For a little more on the subject of well-read contemporaries, I would like to address this special topic, because in the whole discussion that can be found, especially within the anti-CO2 faction, the following argumentation repeatedly occurs:

The following picture shows the absorption of IR light, above water vapor and below CO2:

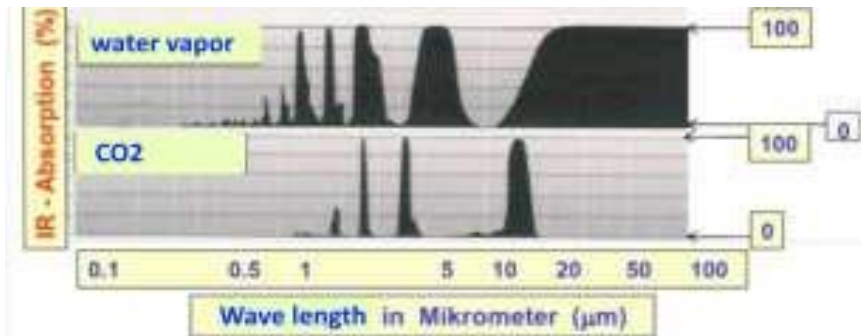


Figure 1. The absorption of IR light; water vapor and CO2

The thesis is always that the CO2 absorbs 100% certain parts (frequency spectra) of the IR light and holds onto this energy or does not release it into space.

This statement is initially CORRECT in itself; however, it requires classification or interpretation. We are here in the area of energy transfer or heat transfer through the mechanism of radiation. At this point, well-known gentlemen from contemporary history such as Max Planck and colleagues come into play, but in order to remain understandable, I leave them out here.

Only: such a “quantifying” statement is of course completely worthless if one does not say what amount of CO2 and what dose of IR radiation were involved in this experiment. “100%” ... but of what?

Again, facts from physics. It is correct that the radiation as a mechanism of energy transfer is primarily to be considered here. Radiation – easily imaginable even for the absolute layman – has something to do with wavelengths and frequencies and in fact it is the case that different molecules absorb different wavelengths or frequencies when absorbing energy = heat (they are the reciprocal of each other if you still have the time into play) or can only absorb energy in certain frequency ranges.

Now comes the crucial point: all gases in the air do it that way! This is completely normal: every gas has its specific frequencies in which it can absorb more or less well.

... which, by the way, means that its energy consumption is practically zero at all other frequencies and, as the picture shows, the CO2 does not have very many peaks, namely only 3.

Since all gases (must) behave in this way, I cannot deduce any danger to the earth from this alone, from CO2, even if I wanted to.

Classification of the absorption. To put it clearly: Radiation is a mechanism to transport energy = heat. That alone says nothing about how much heat was transported and therefore does not give any direct information about the associated warming up. Nobody denies that a CO₂ molecule, like any other gas molecule in the air, receives radiation and is consequently warmed up by the absorbed fraction.

But it is also clear that a molecule can only store a certain amount of energy due to the physical property of heat capacity (see above, there it is again!), provided the temperature does not increase.

Criticism / discussion. Nobody denies that a gas molecule can heat up and store heat when irradiated. Every gas does that. Our topic here is to find a starting point for an exceptional position that should be assessed negatively, and we do not find it, at least not this way.

However: if you can absorb heat, you can / must also release it again, but that was going too far here. And as far as “the temperature” is concerned: what temperature are we talking about? When and where measured? Annual averages are not to be used for physical calculations!

Summarizing physical evaluation. As a result, it appears that the heat capacity of a substance or gas alone is decisive for how much heat can be stored in the substance under defined temperature conditions. Substances of the same heat capacity behave in the same way in this regard. As already shown, CO₂ has a heat capacity of the same order of magnitude as the rest of the air combined. All gases in the air are subject to the same radiation and absorb heat or give it off again in higher, cold air layers. An exceptional position for CO₂ is not discernible.

The Conclusions. This CO₂ bashing was introduced sometime from somewhere into the world and as in science and, of course, in politics, one copies the other (this is called “quoting” if it is done according to the rules), and how so often without even thinking. Lately it has gone so far that politics, which are often completely uneducated in these issues, can think of nothing better than to think out loud about a CO₂ tax and to make the famous stupid “German Michel” (the man on the street) know once more that he will have to pay more money to the “omniscient state” as a result.

No sensible person is against a good environmental policy, not even industry and I am certainly not against energy savings with the automatically associated reduction in CO₂ emissions. But I am strictly against misleading people and targeting false opponents, because all measures aimed at incorrect information are an expense for the cat. In the case of fluorocarbons (CFCs), for example, the situation is completely different: there, chemical- physical effects can be demonstrated which have a damaging effect on ozone holes. Such effects are not known with CO₂.

Yes, we are currently experiencing global warming and yes, we should basically use our resources as sparingly as possible. Completely haphazard measures such as a CO2 tax testify to ignorance and helplessness rather than to measures with climate policy effectiveness.

However, we should be careful not to cut down the green lungs of the earth significantly, which give us the beautiful oxygen, which, by the way, has not yet decreased.

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