

AUTONOMY AS A FORM OF STATE SOVEREIGNTY OF THE UKRAINIAN COSSACK STATE (LATE XVII-XVIII CENTURIES)

Stengach Nadiia

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Annotation. The study of Ukrainian statehood's history is important for understanding the continuity of state formation in Ukraine and supporting the nation-state revival. It is crucial to examine Cossack statehood in the mid-17th century, specifically its foreign policy and international situation. The purpose of this article is to study the main directions of activity of the hetman administration of the Ukrainian Cossack state in the XVII-XVIII centuries, focusing on protecting the sovereignty of the Ukrainian government in domestic and foreign policy.

The article's methodological basis is rooted in general scientific principles and methods of cognition. These principles aim to provide an objective and comprehensive understanding of facts, events, and phenomena. The research follows the principles of historicism and objectivism, which prioritize factual material and avoid bias. General and specific historical methods of scientific research were employed in investigating the topic. These methods included: analysis and synthesis when examining sources and literature, periodization for organizing the research, problem-historical approach for presenting historical material, and comparative-historical analysis for comparing similar indicators and facts within the same historical context.

Result: The elite's perception of itself as a subject of socio-political life led to the creation of contractual orientations and the demand for mutual obligations to be recognized. This was evident in the requirements of the monarch's oath to fulfill the contract. The Ukrainian political elite justified their intentions and actions towards protectorates based on the principle of contract, showing their willingness to fulfill contractual obligations on an equal footing.

Conclusions: The legal subjectivity of the Ukrainian political elite has been reduced to post-sovereign autonomism due to increasing foreign policy imperial pressure. The typological characteristics of this are the following: 1) recognition of the supreme power of the protector-monarch; 2) refusal to regulate social relations by the laws of the protector's country; 3) categorical denial of the right of the political elite of the monarch-protector's country to perform any managerial functions within the political system of the Hetmanship.

Key words: Zaporizhzhya Army, political elite, Cossack foreman, legal culture, political subject, autonomy, sovereignty.

1. Introduction.

In the mid-17th century, Europe entered a new era of social and political development, characterized by the creation of national states and the establishment of bourgeois relations. Ukraine was no exception to these pan-European processes. The text describes the active liberation struggle aimed at creating an independent Ukrainian state and introducing new socio-economic relations based on small Cossack ownership of land. The formation of the Ukrainian state occurred in challenging domestic and foreign political conditions.

After fighting for their political independence, the Ukrainian political elite had two options to protect themselves from external aggression and maintain their dominant position in society: mobilize society

to overcome potential enemies and prevent attacks, or find a patron to ensure a united defense against stronger attackers. Given that the newly formed socio-political entity lacked the necessary resources to ensure its own security, it had no choice but to seek a protector-defender. This political and cultural orientation was a natural response that aligned with contemporary ideas about interstate relations and means of safeguarding one's interests.

2. Analysis of scientific publications.

The works of V. Smolii and V. Stepankov study the formation of the political program of the national elite of Cossack Ukraine in the second half of the 17th century, which aimed to create an independent state. The authors emphasize the Cossack elders' absolute commitment to fiercely defending state sovereignty. O. Strukevych, V. Horobets, V. Lypinskyi, and P. Sas studied the evolution of the transition of views of the Cossack elders from independence to autonomy. The research also used data from the studies of Ukrainian scientists: D. Doroshenko, O. Ogloblin, L. Okynshevych, and Z. Kogut, who highlighted certain problems of the legal status of the Cossack state at the time and the peculiarities of its political elite. The article is based on the Hetman Universals and other legislative acts published in the Acts related to the history of Yuzhnoy i Zapadnoi Rossii, which were collected and published by the Archeographic Commission in St. Petersburg in the 19th century. Additionally, the Universals of Bohdan Khmelnytskyi, published in Kyiv in 1998, were also used as a source.

3. The aim of the work.

The purpose of this article is to examine the changing perspectives of the national elite of the Cossack state from sovereignty to autonomy, and to clarify the influence of both international and domestic factors on this process.

During the period in which the Ukrainian Cossack state was formed, functioned, and eventually declined, the political elite's focus on political separateness was reflected in various political and legal views demonstrating different levels of state subjectivity. To define these views, we will use established concepts in historical science, such as autonomy and sovereignty.

4. Review and discussion.

During the time that history has allotted for the formation, full functioning, and decline of the Ukrainian Cossack state, the political elite's focus on political separateness manifested itself in a number of political and legal views that reflected different levels of state subjectivity. To define them, we will use such well-established concepts in historical science as autonomy and sovereignty.

The long struggle of the Cossacks for their interests, during which more than one "Cossack war" took place, contributed to the formation of political and cultural orientations in the minds of the starshyna within the framework of class autonomy. Infused with these orientations, the Cossack starshyna under the leadership of Bohdan Khmelnytsky, as they perceived it, started another Cossack war and were mostly ready to stop it, showing a tendency to accept the first suggestions of the Bratslav voivode Adam Kysel to start negotiations [1, p. 117].

We can reconstruct the essence of class autonomy as a synthesis of political and cultural orientations from a letter of the Cossack colonel Y. Khmelenko dated May 20, 1648, from near Bila Tserkva to the Kyiv voivode Y. Tyshkevych and from the instructions of the Cossack council given to the Cossack embassy to Władysław IV in June 1648. In particular, the colonel emphasized that the Cossacks did not aim to 'seize the state of his royal grace', but only to live 'according to the ancient privileges granted by the Polish kings' [2, p. 168]. Such views undoubtedly prevailed in the minds of the starshyna of the time. Therefore, in the instructions to the ambassadors to the king from June 2, 1648, from Bila Tserkva, we find clauses concerning the provision of primarily favorable conditions for the performance of their social and professional functions within a single political body. Among their demands were an increase in the

number of registered Cossacks to 12,000, the right to independently elect starshyna, payment of salaries withheld for 5 years, the return of Orthodox churches seized by the Uniates, and the compilation of a register of offenses inflicted on the Cossacks by Polish statesmen, officials, and colonels. [2, p. 170]

At the beginning of his hetmanate, I. Bryukhovetskyi implemented a policy aimed at achieving this goal, and as part of this policy he allowed the Moscow voivodes to act as administrators on the left bank of Dnipro and to take care of Ukrainian affairs. In this case, we can discuss the political and cultural orientation of the hetman and his inner circle, but we cannot comment on the position of the Cossack officers who did not accept his class-based Cossack autonomy. Ivan Bryukhovetskyi, along with Moscow, faced what political scientists refer to as 'environmental resistance' [3, p. 81]

The desire to expand political subjectivity at the beginning of the National Revolution led a group of starshyna around Bohdan Khmelnytskyi to new political and cultural orientations. These orientations were recorded in March 1648 in Khmelnytskyi's letter to the Crown Hetman M. Pototskyi [4, pp. 133–135], in which he expressed the desire for political autonomy. The hetman, on behalf of the Cossack Council, demanded the restoration of old Cossack rights and freedoms, the removal of colonels and other "lyakh" officers from the regiments, with the aim of having people from within the Cossack nation in power, the withdrawal of the Polish army from the Transdnipier and Ukraine, and the abolition of the 'administration of the Polish-Lithuanian Commonwealth' [5, pp. 63–65].

After the victory at Korsun, Bohdan Khmelnytsky conveyed similar demands to the Polish government. These demands included the creation of a separate state with defined borders in Bila Tserkva and Uman, the restoration of 'ancient liberties', the abolition of the rights of voivodes and starostas in relation to cities, castles, and royal possessions, and the subordination of the Zaporozhian Army to 'only a king' [6, p. 37].

Thus, at the initial stage of the national revolution, political autonomy was oriented toward the introduction of Cossack self-government in the southeastern region of Ukraine, the abolition of Polish authorities, and the recognition of the king as the guarantor of the sovereignty of the politically separate Zaporozhian army.

However, the leading part of the Ukrainian elite's orientation towards political separateness and subjectivity in the context of the National Revolution could not be limited to political autonomy alone. The Cossack leaders had to go further, as neither the magnates nor the Polish gentry were willing to recognize any manifestation of the Cossacks' political self-determination. Therefore, to maintain their political autonomy, they had to seek guarantees in ways that were not consistent with the framework of this autonomy, and thus continue their political and cultural evolution. This manifested itself first of all in B. Khmelnytsky's desire to strengthen the political separateness of Ukraine by inviting a Russian tsar or a Transylvanian prince to the free Polish throne. [7, p.109] This fact demonstrates that although the majority of starshyna had autonomy, their leader did not limit the military and political power he commanded to passive waiting for the election of the king. The independent search for a contender for the royal throne indicates that the hetman was aware of his own subjectivity in relation to the highest governmental institutions of the Commonwealth. [8, p.84-86]. Regarding the king's power, the hetman viewed it as voluntarily delegated by many subjects of the political life of the Republic, including himself and the socio-political force he represented. Therefore, the royal power was not seen as alienated or oppressive, but rather as a power that guaranteed autonomy rights. [9, p. 122-123]

In our opinion, these orientations indicate a shift from a mere political autonomy to the level of statehood and political self-determination. But it is important to note that these orientations were still characteristics of political self-determination within the framework of autonomy, as evidenced by B. Khmelnytsky's desire to influence the election of the king. [9, p. 56] This indicates that the Hetman had been incorporated into the political and cultural values of the Polish-Lithuanian Commonwealth and had readily participated in its regulatory and communication systems [11, p. 126]. Similar sentiment was also expressed in the words of B. Khmelnytsky to the tsar's ambassador H. Unkovsky. [12, p. 132] The hetman emphasized that Ukraine's liberation from Poland was not due to the participation of the starshyna in the mechanisms of forming the government of the Commonwealth. He stated, 'And God freed us from them — we did not elect or crown a king and did not kiss his cross. And they did not write to us about this and did not send us...' [13, p. 49].

The possibility of joining the Polish-Lithuanian Commonwealth as a politically autonomous entity, while also being a source of power for the central institutions of the common state, is mentioned in the aspirations of the Zaporozhian Army ambassador S. Muzhylovsky. During negotiations in Moscow on February 4, 1649, Muzhylovsky reported in a note to Tsar Alexei Mikhailovich that the new Polish king Jan Casimir had promised in a letter to the hetman 'to be a Russian king and therefore to take the saber to hold it tight' [13, p.68]. The letter of P. Doroshenko to the sub-chancellor of the Crown A. Olszewski dated March 15, 1670, shows the same attitude: the hetman pointed out that the Polish governmental institutions often mentioned in their documents only the Crown of Poland and the Principality of Lithuania, excluding Rus'. He asked whether it was fair to call the king "Prince of Rus'" without mentioning the Principality itself [12, p. 234].

The Treaty of Hadiach provided the most comprehensive and detailed definition of autonomy in political and legal terms at the time. This form of autonomy, which existed within the framework of an elected and limited monarchy, can be referred to as 'state-political autonomy' or, more precisely, autonomy of maximum political subjectivity. Ukraine's inclusion in the triune Rzeczpospolita as an equal entity to Poland and Lithuania, with the recognition of the king as the head of the executive, is already autonomy as close as possible to sovereignty (though in this particular case on an incomplete ethnic territory). [14, p. 79]

The essence of such autonomy aimed to recognize political and legal subjectivity as limited not by the power of the king and other institutions of the Republic, but by the natural need to coordinate the interests of their society with the interests of allied societies united by the need to realize common political objectives, a common goal. However, despite the matured sovereignty orientation among senior officers led by B. Khmelnytsky, the Treaty of Hadiach, which reflected state and political autonomy, was still considered a step back in the historical trend towards political separateness and full subjectivity of Ukraine. [13, p. 180]

The political and legal situation of the Hetmanate after losing its sovereignty is also commonly referred to as autonomous. However, this term is imprecise as Ukrainian society at that time had limited political subjectivity. It is important to note that autonomy can only precede sovereignty according to the logic of increasing political subjectivity. If it follows sovereignty, it can only indicate the decline of statehood, which is not the result of internal processes, but of foreign political pressure and interference. The sovereignty of the elite within the sphere of power is considered a functional requirement [14, pp. 112-113].

The political and legal status of the Ukrainian Hetmanate during the post-sovereign period is best described as 'post-sovereign autonomy', which is characterized by a level of political separateness and subjectivity higher than autonomy but lower than sovereignty.

Analyzing the concept of post-sovereign autonomy, we observe its uniqueness as a surge of political and cultural orientations towards sovereignty, mainly provoked by foreign intervention. It was a result of starshyna's desire for a monopoly on their social leading position, combined with the preservation of their own political and legal space with limited political subjectivity.

Instances of this can be easily found, such as in the petition of a general foreman against I. Samoilovich: 'He refers to the cities of the Sovereign of Little Russia as his own and orders military personnel to serve him faithfully, rather than the monarchs.' [15, p. 212] When the townspeople of Chernihiv decided to display a 'flattened eagle' in the town hall as a sign that the city of Chernihiv was the Tsar's own homeland, Hryhoriy addressed Viyt and the inhabitants as follows: "You peasants will not live in peace if you want to surrender to Moscow," he said, and ordered that the eagle not be placed. [16, pp. 39-40]. This statement shows an attempt to extend the power of the hetman to all subjects and objects of the political life of Ukraine-Hetmanate without exception.

The weakening of national identity and political subjectivity was caused by various factors, including the demoralization of the Ruin period, the subdued and controlled state of Ukrainian citizenship during the reign of Mazepa, the Peter the Great pogrom, and the rotation of starshyna in governments based on the criterion of full loyalty to Moscow's policy. These factors reduced the Ukrainian elite's struggle for political separateness and subjectivity to the level of autonomy. However, political autonomy was not a typical orientation even in the late 20s and first half of the 60s of the eighteenth century. Even during that

historical period, the Ukrainian elite insisted on recognizing the sovereignty of only one Russian monarch over them. They preserved their own political and legal identity, code of laws, and sought to restore the tradition of electing a hetman by the people. They also aimed to introduce a sejm and reform the judicial system, including a tribunal [17, p. 198].

Thus, the Ukrainian hetmanate elite, like any other ruling group, wanted full political control and independence. This desire was first expressed in their goal of achieving class autonomy. For them, class autonomy meant creating conditions that would allow the Cossacks to freely perform their duties as a social class and military force within the political structure of the Rzeczpospolita. In time, however, the class system was replaced by political and cultural orientations toward political autonomy. They envisioned the separation of the territory controlled by the Cossacks into a separate political body, where all decisions, not only those of the class, but also those of the general public, would be made by Ukrainian political actors, recognizing the sovereignty of the Protector Monarch. [18, p. 437].

The next stage in the development of orientations to political subjectivity was the orientation to state and political autonomy. According to them, the Ukrainian political elite saw itself as a subject of political life both within a separate political body and within the structures of regulation and communication mechanisms common to unified political systems. In this case, the political subjectivity of the Ukrainian hetmanate was assumed to be limited not so much by the sovereignty of the monarch as by the natural need to coordinate the interests of its society with those of allied societies united by the need to realize common political goals and objectives.

5. Conclusions.

Having achieved full political subjectivity and separateness – sovereignty – the elite of the Ukrainian Cossack state was forced, under the pressure of foreign policy circumstances, to give in and limit itself to a set of orientations within the framework of post-sovereign autonomy. Unlike political autonomy in relation to the Polish-Lithuanian Commonwealth, post-sovereign autonomy in relation to the Moscow Kingdom and then the Russian Empire was characterized by the refusal to extend to the Ukrainian hetmanate the political and legal norms that regulated life in the land of the protector monarch. A characteristic feature of the post-sovereign autonomy was the manifestation of sovereignty orientation provoked by intervention, which, in our opinion, shows the constant readiness of the elite to regain the lost highest political status under favorable conditions.

The above-mentioned manifestations of political and cultural orientations to the realization of political subjectivity and separateness are difficult to classify chronologically. Representatives of the higher elite with different socio-political experiences, perceptions and knowledge developed orientations of different levels. Therefore, the order of their alternation proposed by us indicates the order of their mastery by the vast majority of the senior officer elite, but not exclusively by all of its representatives. Some of them could always be and were carriers of different political and cultural orientations compared to the general population.

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Nadiia Stengach,

PhD in History,

*Associate professor of Theory and History of State and Law Department
of Khmelnytsky University of Management and Law*

Named after Leonid Yuzkov, Khmelnytsky, Ukraine

E-mail: nadiya.stengach@gmail.com

ORCID: 0000-0001-7011-4263