

CHURCH, STATE AND NATION IN UKRAINE ¹

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Much of the current discussion concerning the future of independent Ukraine has centered on the issue of nation-building. Two models of the Ukrainian state, (1) national (the state of the 'Ukrainian people') and (2) multi-ethnic (the state of 'the people of Ukraine'), usually serve as starting points for scholarly discussions.²

It is quite obvious that the future of church-state relations in Ukraine will depend heavily on the choices made by the newly independent state in its nation-building strategy. It is equally true that the religious policy of the government and the response to it on the part of organized religion will influence the process of nation-building. In the area of church-state relations, current Ukrainian governments face the dilemma of either forging an alliance with the traditional (national) churches, or allowing "all flowers to bloom," with consequent equal treatment of all denominations, including those closely linked to neighboring states (especially Russia and Poland).

¹ Previously unpublished. Translated from Ukrainian original by Myroslav Yurkevich.

² For a discussion of nation-building in post-1991 Ukraine, see Alexander J. Motyl, *Dilemmas of Independence: Ukraine after Totalitarianism* (New York, 1993); Dominique Arel, "Ukraine: The Temptation of the Nationalizing State," in *Politics, Culture and Civil Society in Russia and the New States of Eurasia*, ed. Vladimir Tismaneanu (Armonk, N.Y., 1995), pp. 157-88; Andrew Wilson, *Ukrainian Nationalism in the 1990s: A Minority Faith* (Cambridge, 1997); Frank E. Sysyn, "Ukrainian Nationalism: A Minority Faith?" *Harriman Review* 10, no. 2 (Summer 1997): 12-20.

On problems of church-state relations, see my "Nezalezhna Ukraina: derzhavna tserkva chy hromadianska relihiia?" *Pamiatky Ukrainy*, nos. 2-3 (1992): 3-6.

For contemporary analysts of church-state relations, the concepts of freedom of conscience (religious belief) and the separation of church and state are closely associated. Historically, both concepts are identified primarily with the United States, where the first–freedom of belief–is firmly based on the second–separation of church and state. But the so-called ‘liberal’ model, which provides for the maximum feasible separation of church and state, has been fully implemented only in the land of its origin, the USA. In Western Europe, models often far removed from the American one have proved successful, i.e., the principle of freedom of conscience is protected concurrently with the functioning of state churches or various degrees of state ‘interference’ in church affairs.

Contemporary Ukraine has yet to make a clear choice between the American and the European models of guaranteeing freedom of conscience. Purely geographic considerations would suggest that Ukraine follow the examples of its European neighbors. But from the historical viewpoint, Ukrainian society, like that of North America, is a product of colonization and an ‘advancing frontier’ more closely resembling the American model than the European.

In Ukraine, the discussion of which road to take–whether to ‘Ukrainize’ the traditional churches (Orthodox and Greek Catholic) and make them into state bodies, or to abandon all hope in their nation-building potential and throw open the doors to Protestantism and its attendant spirit of capitalism–was begun more than a century ago by Mykhailo Drahomanov.³ That discussion is by no means over, but its subject has already entered current political debate.

The present article concerns the formation of religious policy in Ukraine between 1991 and 1996 and examines the ways in which it was influenced by the nation-building agenda of the newly independent state. The traditions inherited by independent Ukraine in the area of church-state relations will also be considered. The

³ On the place of Protestantism in Mykhailo Drahomanov’s political plans, see especially Ivan Lysiak-Rudnytsky, ‘Drahomanov iak politychnyi teoretyk,’ *Istorychni ese* (Kyiv, 1994), 1:308-9; English version in Ivan L. Rudnytsky, ‘Drahomanov as a political Theorist,’ *Essays in Modern Ukrainian History* (Edmonton, 1987), pp.212-14.

following discussion will be restricted to twentieth-century traditions, which comprise two dominant influences—that of the brief period of Ukrainian statehood in the years 1917-20 and that of the Soviet period.

Religious policies of Ukrainian governments, 1917-20

The period of Ukrainian political sovereignty during the years of the revolution and civil war left a legacy of religious policies of four political formations: (1) the Central Rada, (2) the Hetmanate, (3) the Directory, and (4) the Western Ukrainian People's Republic. The leading figures of the Central Rada, who were mainly of a socialist orientation, proceeded from the principle of the separation of church and state, but left very little by way of a legacy in that sphere.⁴ As for the religious policy of the Western Ukrainian People's Republic, it was not declared in practice, although the Greek Catholic Church actually functioned as a state church, and distinct confessional features marked the Ukrainian-Polish war. The government of the republic guaranteed all its citizens equal rights regardless of religious belief, nationality, etc., but such guarantees were standard fare in the declarations of all the new states of Eastern Europe.⁵

An analysis of the religious policies of the Hetmanate and the Directory holds considerably more interest for the analyst of church-state relations. Beginning virtually with the first weeks of its existence, the administration of Hetman Pavlo Skoropadsky conducted an active religious policy. The 'Laws on the Provisional State Order of Ukraine,' dated 29 April 1918, proclaimed freedom of religious belief, but also asserted that "the Orthodox Christian faith is the leading faith in the Ukrainian State." The basic legislative provisions of the Hetmanate's religious policy clearly

4 On the policy of the Central Rada in church-state relations, see Ivan Vlasov's *kyi, Narys istorii Ukrain'skoi Pravoslavnoi Tserkvy* (New York and Bound Brook, 1961), vol. 1, bk. 2, pp. 20-24, and Bohdan R. Bociurkiw, 'The Politics of Religion in the Ukraine: The Orthodox Church and the Ukrainian Revolution, 1917-1919,' *Kenan Institute for Advanced Russian Studies: Occasional Paper # 202*, pp. 10-13. The latest study of the topic, based on extensive archival research, is by Vasyl' Ul'ianov's *kyi, Tserkva v Ukrain'skii derzhavi, 1917-1920 (Doba Tsentral'noi Rady)* (Kyiv, 1997).

5 See the text of the declaration of the Ukrainian National Council of 1 November 1918 in *Politolohiia. Rinets' XIX-persha polovyna XX qt.: Khrestomatiia*, ed. Ostap Semkiv (Lviv, 1996), p. 768.

replicated the fundamental principles of the religious policy of the Provisional Government of Russia (1917), proclaiming the Orthodox Church *de facto* a state church.⁶

⁶ See the somewhat different versions of the Hetman government's law "On the Faith" in *Politolohiia* (Lviv, 1996), p. 766 and *Martyrolohiia ukrainskykh tserkov*, vol. 1, *Ukrainsika pravoslavna tserkva: dokumenty, materiialy, khrystyianskyi samvydav Ukrainy* (Toronto and Baltimore, 1987), p. 40.

With regard to the Orthodox Church, the two governments of the Hetmanate that succeeded each other in 1918 followed a rather consistent policy based on the principle that a sovereign state required an independent church. This idea was first enunciated at the All-Ukrainian Orthodox Sobor in January 1918, following the proclamation of the Fourth Universal of the Central Rada. The minister for religious affairs in the first government of the Hetmanate, Vasyl Zinkivsky, worked resolutely with the leadership and delegates of the All-Ukrainian Orthodox Sobor to proclaim the autocephaly of the Ukrainian Orthodox Church. It was expected that the first step toward the achievement of that goal would be the establishment of a Ukrainian Orthodox Church made up of the Ukrainian eparchies of the Russian Orthodox Church, headed by the Metropolitan of Kyiv, and the winning of autonomous status for that church within the framework of the Moscow Patriarchate. Zinkivsky managed to attain that intermediate goal. Under government pressure, the members of the sober appealed to the Patriarch of Moscow to grant autonomy, which Moscow did, amending the conditions of the grant to its own advantage.⁷

⁷ On the religious policy of the Hetman government, see Vlasovs'kyi, *Narys*, vol. 4, bk. 2, pp. 43-59. For a new interpretation of Zinkivsky's activities, based on previously unpublished documents, see the article by Vasyl' Ul'ianovs'kyi and Bohdan Andrusyshyn, "Tserkva v ukrains'kii het'mans'kid derzhavi: poperedni notatky ta dokumenty," *Ost-ndi hetiman: iuvileinyi zLirnyk pam"iati Pavla Skoropadsikoho, 1873-1945* (Kyiv, 1993), pp. 285-397.

The minister for religious affairs in the second Hetman government, Oleksander Lototsky, was now in a position to pose the question of autocephaly for the Ukrainian Orthodox Church in absolutely unequivocal terms to those attending the sobor. His argument was based precisely on the idea that a sovereign state required an independent church. Most participants in the sobor were nevertheless hostile to Lototsky's attitude. The Hetman's agreement to Ukraine's federal union with Russia, the withdrawal of the Germans, the anti-Hetman coup and the termination of the council's activity ended the efforts of the Ukrainian government to reach an understanding with the church leadership on the question of autocephaly.⁸

Law of the Directory—the government of the Ukrainian People's Republic that replaced the Hetman's rule—proclaimed the autocephaly of the Ukrainian Orthodox Church on 1 January 1919. The possibility of a government proclamation of autocephaly was first discussed under the Hetmanate and was to have been implemented in the event that the pro-Russian episcopate of the church refused to cooperate with the government on the matter. The impossibility of a compromise with Metropolitan Antonli (Khrapovitsky) of Kyiv and his followers became completely apparent with the Directory's takeover of power. This impasse was also apparently responsible for the government's choice of a synodal form of administration for the new church. It was based on the Erastian model of church-state relations, introduced into the Russian Empire by Peter I, in which the church played the role of a virtual department of state. Under the new law, a Ukrainian Church Synod financed by the state and meeting in the presence of a government representative was to become the governing body of the church.⁹

8 Oleksander Lototsky's activity as minister of religious affairs in the Hetman government is described in his memoirs, *Storinky mynuloho*, 4 vols. (Warsaw, 1932-39, repr. 1966). In addition to Vlasov's account, Bohdan R. Bociurkiw provides a survey of the Hetman government's religious policy ("The Politics of Religion in the Ukraine," pp. 20-32). The most recent work on Oleksander Lototsky's life and work is Andre Partykevich, "My Prayer Went Unanswered: Oleksander Lototsky and Ukrainian Autocephaly, 1917-1939" Ph.D. thesis, University of Illinois at Chicago, 1994.

9 See the Directory's law on the autocephaly of the Orthodox Church in Ukraine in *Martyrolohiia ukrains'kykh tserkov*, 1: 50.

The proclamation of the Act of Union of the Ukrainian People's Republic and the Western Ukrainian People's Republic confronted Ukrainian leaders with the fact of the coexistence within one state of the two traditional Ukrainian churches, Orthodox and Greek Catholic. As a practical measure, the Directory reacted by establishing a Ukrainian diplomatic mission at the Vatican.¹⁰ On the theoretical plane, the possibility was considered of electing the Greek Catholic Metropolitan of Lviv, Andrei Sheptytsky, to the Kyiv metropolitanate, followed by acceptance of the Union by the Orthodox and the Pope's subsequent proclamation of a Ukrainian patriarchate. One of the reputed authors of that idea, the prominent writer and statesman Volodymyr Vynnychenko, saw it as a means of separating Ukraine from both Poland and Russia in denominational terms.¹¹

Wartime conditions did not permit the Directory fully to implement the autocephaly proclaimed by law, to say nothing of Vynnychenko's more controversial ideas. It was only in exile that the Supreme Otaman of the Directory (head of state of the Ukrainian People's Republic), Symon Petliura, expressed the idea of establishing a Ukrainian Orthodox patriarchate.¹²

To summarize the policies adopted by the Ukrainian governments of 1918-19 in preliminary fashion, it should be noted that the only fully successful one was the compromise plan of the Hetman administration to create an autonomous Orthodox church in Ukraine. It was in those years that the problems of Ukrainian Orthodox autocephaly and of relations between the Orthodox and Greek Catholic churches were first brought forward as matters of state policy. As will be seen below, some

10 On relations between Ukraine and the Vatican during the revolution, see Ivan Khoma, "AUKrains' ke posol'stvo pry Apostol's'komu Prestoli, 1919-1921," *Bohosloviia* 45 (1981): 3-65.

11 See the memoirs of Lonhyn Tsehel's'kyi, *Vid legend do pravdy: Spomyny pro podii v Ukraini z'iazani z Pershym Lystopada 1918 r.* (New York and Philadelphia, 1960), pp. 192-95.

12 See excerpts of Petliura's letter, dated 19 December 1921, to Ivan Ohienko, minister for religious affairs in the government of the Ukrainian People's Republic (later Metropolitan Ilarion of the Ukrainian Greek Orthodox Church of Canada) in *Symon Petliura: Stati, lysty, dokumenty* (New York, 1956), pp. 400-403.

approaches to the solution of those problems were to exert considerable influence on the church policy of independent Ukraine after 1991.

The Soviet legacy

The influence of Soviet religious policy on the practice of church-state relations in independent Ukraine can scarcely be exaggerated. All the major actors in the reform of church-state relations in Ukraine after 1991 were products of the Soviet era, including the first president of Ukraine, Leonid Kravchuk himself, who, in his own ironic formulation, had played the role of the 'first atheist' of Ukraine in the 1980s.¹³

Soviet religious policy originated with the adoption of Lenin's well-known decree on the separation of church and state, as well as of school and church (January 1918). Its general features conform to the 'anti-church' model of church-state relations. In simplified terms, Soviet religious policy may be divided into two major periods. The first, encompassing the 1920s and 30s, was characterized by an overtly anti-religious posture on the part of the state, which fought the church with every means at its disposal. Most notably, those means included direct pressure and repression, sowing division in the ecclesiastical milieu, and setting one church against another. It was in this period, between 1921 and 1930, that the authorities permitted the existence of the Ukrainian Autocephalous Orthodox Church (UAOC) as a temporary measure in order to undermine the status of the Moscow Patriarchate.

The second period began in 1943, when the government permitted the appointment of a patriarch in Moscow. The enfeebled Russian Orthodox Church (ROC) was then transformed into a disciplined instrument of state, and official policy toward the church began to acquire a number of features characteristics of the Erastian model of church-state relations. Early in this period, between 1946 and 1949, the ROC was exploited by the state as an effective tool for the liquidation of the

¹³ For Leonid Kravchuk's comments on his attitude toward religion, see Valentyn Chemerys, *Prezydent* (Kyiv, 1994), p. 85.

Ukrainian Greek Catholic Church (UGCC), which was thoroughly Ukrainian in spirit, in Galicia and Transcarpathia.¹⁴

¹⁴ For the detailed history of the Stalinist suppression of the Greek Catholic Church see Bohdan R. Bociurkiw, *The Ukrainian Greek Catholic Church and the Soviet State (1939-1950)* (Edmonton, and Toronto, 1996).

The religious policy of the Soviet leaders Nikita Khrushchev and Mikhail Gorbachev should be considered as belonging to this period. During the Khrushchev administration, religious policy consisted mainly of repression, while the Gorbachev years were notable in Ukraine for successful efforts to set one denomination against another. But in both cases the government attempted to treat the church above all as an instrument of its own policy.¹⁵

In general, the legacy of the Soviet period in church-state relations was one of legal and illegal state surveillance of religious life and active intervention of the state authorities in church affairs. In the USSR the gradual transformation of the church into a tool of the atheist regime fostered the development of more or less stable alliances between the ecclesiastical and Communist Party elites at both the local and republic levels. In Kyiv this took the form of an alliance between the communist authorities and the hierarchy of the Ukrainian exarchate of the Russian Orthodox Church (ROC), which joined forces in 1988-90 to combat the renaissance of the Greek Catholic and Autocephalous churches.

15 For the recent surveys of Soviet religious policy see John Anderson, *Religion, State and Politics in the Soviet Union and Successor States* (Cambridge, 1994); Nathaniel Davis, *A Long Walk to Church: A Contemporary History of Russian Orthodoxy* (Boulder, San Francisco, and Oxford, 1995); and Jane Ellis, *The Russian Orthodox Church: Triumphalism and Defensiveness* (Oxford, 1996).

In the latter half of the 1980s, during the administration of the first secretary of the Communist Party of Ukraine, Volodymyr Shcherbytsky, the Kyiv authorities, sought to prevent the legalization of the Greek Catholic Church at all costs. Heedless of Moscow's overtly liberal line, they colluded in the mass transfer of former Greek Catholic churches to the Moscow Patriarchate, and tolerated the autocephalist movement in Galicia as anti-Catholic even as they combated it in central and eastern Ukraine.¹⁶ The religious conflict that independent Ukraine inherited from the former Soviet Union was inflamed by the active participation of the state apparatus at the oblast and republic levels. After 1991 it was up to that same apparatus not to fan the flames of conflict but to eliminate it in the interests of independent Ukraine. At that historical juncture and within the personalities of those individuals, the Soviet experience had its contradictory encounter with the tradition of the religious policies of the Ukrainian governments of 1917-20. The virtually intact Soviet apparatus represented the old Soviet tradition. The renaissance of the independent tradition was led by the new head of the Council for Religious Affairs, the historian Arsen Zinchenko, and his associate, the Ukrainian Republican Party activist Artur Hubar. The religious policy of the Kravchuk administration (1991-94) was in no small measure the product of the encounter of those traditions.

The religious policy of the Kravchuk administration

In 1991 the Supreme Council of Ukraine adopted a law on religious associations that resembled the old Soviet legislation in proclaiming the complete separation of church and state. But it was much more democratic than the laws previously in force. In many respects, this law could be termed a declaration of intent on the part of the state, while the historical tradition inherited by society and daily mundane political circumstances impelled state functionaries toward active

¹⁶ According to Patriarch Filaret (Denysenko) of the Ukrainian Orthodox Church (Kyiv Patriarchate), official policy toward the UGCC and the UAOC in Galicia was based on the precedent of the revival of the Greek Catholic Church in Slovakia in 1968. Author's interview with Patriarch Filaret, 24 September 1997.

intervention in church affairs.¹⁷ By August 1991, when Ukraine declared its independence, the Ukrainian churches had become deeply involved in political conflict. Each of them had its political sponsors, who in turn enjoyed church support in election campaigns, and political activity, etc.

17 See the text of the law "On Freedom of Conscience and Religious Organizations," *Vidomosti Verkhovnoi Rady Ukrainsikoi RSR*, vyp. 25 (Kyiv, 1991). For English translations of the allUnion and Russian Federation laws on freedom of conscience, see Igor Troianovsky, *Religion in the Soviet Republics: A Guide to Christianity, Judaism, Islam, Buddhism and Other Religions* (San Francisco, 1991), pp. 19-37.

Probably the last serious decision made by Moscow in the area of church-state affairs in Ukraine was the legalization of the Ukrainian Greek Catholic Church. After that, the management of church-state relations and the settlement of denominational conflicts in the republic came increasingly under the authority of Kyiv. At the same time, Kyiv's power over church-state relations was rather illusory. The Kyiv leadership proved incapable of grasping the power that had slipped from Moscow's hands. The dissolution of power that had begun in Moscow was not halted at the level of Kyiv, but went on apace. That process was intensified by the division of power in Kyiv—the struggle between the Supreme Council, headed by Leonid Kravchuk, and the Central Committee of the Communist Party, led by Stanislav Hurenko—as well as the growing influence of regional elites and local councils elected in the spring of 1990.¹⁸

The failure of the August 1991 coup in Moscow thrust political initiative into the hands of the Supreme Council in Kyiv. The proclamation of Ukraine's independence and election of Leonid Kravchuk as a first president of Ukraine in December 1991, in turn established the presidential administration as the main generator of ideas in the realm of church-state relations. Like the Hetman government before it, the administration of President Kravchuk staked the achievement of autocephaly not on a rather inconsiderable pro-Ukrainian church organization (the Brotherhood of SS Cyril and Methodius in 1918 and the Ukrainian Autocephalous Orthodox Church [UAOC] in 1991), but on a powerful Orthodox church with a large following subordinated to the Moscow Patriarchate. In this respect, the Ukrainian administration found itself more or less at the terminus reached by the government of Hetman Skoropadsky in 1918: the Ukrainian Orthodox Church, the largest in Ukraine, was an autonomous body within the framework of the Moscow Patriarchate. True, the terms of autonomy were now considerably more generous: the UOC was granted liberty and independence of administration."

18 On the political situation in Ukraine in late 1990 and early 1991, see Volodymyr LyLvyin, *Politychna arena Ukrainy: diiovi osoby ta vykonavtsi* (Kyiv, 1994), pp. 218-68.

Even though the Kravchuk administration, unlike the Hetman government, did not proclaim Orthodoxy the 'leading faith,' all of its activity in the area of church-state relations was directed toward the establishment of a *de facto* state church of the Ukrainian Orthodox denomination.

The government found a devoted supporter and executor of its plans in the head of the UOC, Metropolitan Filaret (Denysenko), who had held the Kyiv metropolitanate since 1966 and was well known for his anti-Uniate and anti-autocephalous views. Compared with the fruitless efforts of the Hetmanate to win over Metropolitan Antonii (Khrapovitsky), this was an unqualified success for the Kravchuk administration. It was based on the previously noted alliance between the church hierarchy and the secular Communist Party elite during the Soviet period. Moscow managed, however, to exploit tensions within the church in Ukraine, particularly the Ukrainian episcopate's dissatisfaction with Filaret, in order to remove him from church leadership in the spring of 1992. In June of that year, with the support of the government, Filaret became one of the leaders of the Ukrainian Autocephalous Orthodox Church, which he had once persecuted, and which was now renamed the Ukrainian Orthodox Church of the Kyiv Patriarchate (UOC-KP). This new church enjoyed substantial support from the government during the administration of President Leonid Kravchuk.¹⁹ The establishment of a state church, which the Council for Religious Affairs was in fact bringing about, involved inter alia the defense of the UOC-KP not only against its Orthodox competitors, but against those of other denominations as well. Its main Orthodox rival was the Ukrainian Orthodox Church that remained under the jurisdiction of the Moscow Patriarchate (UOC-MP). Kyiv's policy toward another national church, the Greek Catholic, remained largely undefined during the Kravchuk administration. One of the signs of

19 See Bohdan R. Bociurkiw, "The Politics of Religion in Ukraine: The Orthodox and the Greek Catholics," in *The Politics of Religion in Russia and the New States of Eurasia*, ed. Michael Bourdeaux (Armonk, NY, and London, 1995), pp. 144-50. On developments within the Orthodox Church in Ukraine, see Frank Sysyn, "The Russian Sobor and the Rejection of Ukrainian Orthodox Autocephaly," *Ukrainian Weekly*, 26 July 1996; Serhii Plokhii, "Ukrainian Orthodox Autocephaly and Metropolitan Filaret," *Ukrainian Weekly*, 2 August 1992.

this was the lack of Ukrainian representation at the Vatican. Even the government of the Directory had proceeded to establish its mission at the Holy See in 1919.

Another symptom of indecision was the central government's complete passivity in the matter of winning recognition of a Greek Catholic patriarchate. Even though several prominent representatives of the Ukrainian diaspora made personal appeals to President Kravchuk, arguing that the establishment of a patriarchate would serve the purposes of state policy as concerned the need for an independent church in a sovereign state, the government remained entirely passive on the question. This passivity is particularly striking when compared with the government's active support for Orthodox autocephaly and the Orthodox Kyiv patriarchate. In a certain sense, the religious policy of President Kravchuk even favored Roman Catholics over Greek Catholics. In that respect it agreed with the Vatican's official line. Thus one national church, the Greek Catholic, was denied support, while another, the UOC-KP, was generously showered with it.²⁰

The roots of that policy might be explained in the close alliance between the authorities and the Orthodox hierarchy, especially Metropolitan Filaret; who (not without reason) regarded the Greek Catholics as his competitors. This is in keeping with the traditional suspicion with which Uniates had been treated in the Russian Empire and the Soviet Union, and also with the official policy of the creation of a state church that was to be exclusively Orthodox.

The semi-official attitude of the government that there was to be an independent church in a sovereign state also served to define the main lines of official policy toward Protestants and representatives of other non-traditional churches in Ukraine. On the one hand, the government attempted to make the administrative centers of those churches independent of Moscow, a goal that it more or less effectively achieved.²¹ On the other hand, it was open to pressure from the Orthodox

20 On the issue of the Greek Catholic patriarchate, see my article, "Between Moscow and Rome: Struggle for the Greek Catholic Patriarchate in Ukraine," *Journal of Church and State* 37 (Autumn 1995): 849-68.

21 On the status of the Protestant churches in Ukraine, see Vasyl Markus, "Politics and Religion in

hierarchs who were its allies and who demanded resolute measures against the flood of missionaries entering Ukraine from the West.

Ukraine: In Search of a New Pluralistic Dimension," in *The Politics of Religion in Russia and the New States of Eurasia*, pp. 169-77.

The Moscow Patriarchate demanded similar measures from the government of Russia. Because of international public protests against changes in Russian legislation, measures to limit the activity of foreign missionaries in Russia were blocked. In Ukraine, however, such legislative changes were made almost invisibly. There was virtually no protest against them, and the amendments were adopted by parliament following the attempt of members of the White Brotherhood to seize the St. Sophia Cathedral in the autumn of 1993, which was widely featured in the media.²² It was generally considered that the discriminatory changes in legislation were directed toward Russia, since most of the 'brothers' had come to Ukraine, and they did not lead to any noticeable restrictions on the activity of Western missionaries. As in the past, those missionaries could preach freely in Ukraine and buy time on radio and television, competing only with the officially supported UOC-KP in terms of hours of airtime.

The religious policy of the Kuchma administration

In July 1994, almost all the newspapers of Ukraine and some foreign publications carried a photograph showing the new Ukrainian president, Leonid Kuchma, taking the oath of office in parliament. During this procedure the president's hand rested on the Peresopnytsia gospel, a sixteenth-century Ukrainian manuscript codex.²³ Taking the oath on that ancient manuscript meant simultaneously swearing an oath before God (who in this instance might be considered Orthodox,

22 Amendments and addenda to Ukraine's law "On Freedom of Conscience and Religious Organizations" were introduced by resolution of the Supreme Council of Ukraine on 23 December 1993. On the activity of the White Brotherhood and the "living god" Marina Tsvigun, see Oleksandr Skoryna, "Zhyttia v borh i zhyttia na znyshchennia," *Ukrains'ka hazeta*, nos. 19, 20 (1993); Ylاديمir Skachko, "Boginia rodilas' v Donetske, a mozhet sest' v Kieve," *Zerkalo nedeli*, 11 March 1995. The brotherhood's attempts to seize the St. Sophia Cathedral and the arrest of its leaders were also reported in the foreign press, e.g., Malcolm Gray, "Kiev's Cult of Doom," *Maclean's*, 22 November 1993, pp. 32-33.

23 This popular photograph found its way onto the covers of several books in Ukraine, e.g., Volodymyr Lytvyn, *Politychna arena Ukrainy*.

given the provenance of the gospel) and Ukraine (since the manuscript is considered one of the most hallowed texts of Ukrainian culture).

By swearing his oath on the Peresopnytsia gospel, Leonid Kuchma was in effect continuing the tradition begun by his predecessor, Leonid Kravchuk, who had taken his oath on the same gospel following his election as president in 1991. But this was the only instance in which Kuchma imitated Kravchuk in the area of church-state relations. All subsequent actions contradicted rather than continued what his predecessor had done.

The new government's decision to support the Ukrainian Orthodox Church under the jurisdiction of the Moscow Patriarchate (UOC-MP) fully corresponded to the broader policy of the presidential administration on questions of nationality, culture and language. That policy was determined by the basic postulates of Leonid Kuchma's electoral program and the circumstances of his struggle for the presidency with the incumbent, Leonid Kravchuk. The organizers of the Kravchuk campaign, seeking to distract voter attention from economic problems and government inaction on economic reform, staked their fortunes on the national question. During the campaign, Kravchuk was represented as the sole guarantor of Ukrainian independence, which would be surrendered to Moscow in the event of Kuchma's coming to power.

Leonid Kuchma sought electoral support primarily among the culturally Russified electorate of southern and eastern Ukraine, often playing up to the pro-Russian attitudes of a portion of that electorate. Echoes of his campaign rhetoric were also apparent in the text of his inaugural address, in which Kuchma promised to fight for the granting of official status to the Russian language and employed Russian, especially Eurasian, political terminology to identify the strategic position and foreign-policy interests of Ukraine.²⁴

²⁴ For a survey of the electoral campaign, see Lytvyn, *Politychna arena Ukrainy*, pp. 450-76.

The church question came to Leonid Kuchma's attention during his first days in office. It is worth noting that the presidential decree on the liquidation of the Committee for Religious Affairs—the symbol of active state intervention in the affairs of religious associations—was signed on the same day (26 July 1994) as the decree appointing the head of the presidential administration. A ministry with an awkward designation—the ministry for nationalities, migration and cults, replaced the committee.²⁵ The date of the signing of the decree and the poorly conceived name of the new ministry (an observer, commenting on the word "cults," noted that at least "superstitions" had not been used instead) testify to the hastiness of the decision and the new administration's desire to dissociate itself from the policy introduced by its predecessor.²⁶

The direction of the president's new policy became apparent with the appointment of Vasyl Sereda, until then an advisor in the presidential administration and an opponent of the former leadership of the Committee on Religious Affairs. In the autumn of 1994 Sereda was appointed to the post of minister for nationalities, migration and cults, with responsibility for religious affairs. When the Kravchuk administration was in office, Sereda had come out against state support for the UOC-KP and in favor of ending the government's 'cold war' against the UOC-MP. Now, having become the country's leading official responsible for shaping church--state relations, Sereda was able to deprive the UOC-KP of official favor and provide tacit support for the UOC-MP.²⁷

25 *Radio Free Europe Listing*, 28 July 1994.

26 On the role of the "church question" in the presidential election, see Viktor Ielens'kyi, "Tserkva i derzhava: seredyna 1994 g.," *Ukraina i svit*, 20-26 July 1994), p. 11.

27 Information based on the author's interviews with Artur Hubar, a former official of the disbanded Council for Religious Affairs (September 1994). On the activity of the Council for Religious Affairs, see an article by its former deputy head, H. Kutsenko, in *Narodna hazeta*, no. 43 (November 1994)

The coming to power of Leonid Kuchma, the dissolution of the pro-Filaret Committee for Religious Affairs, and the administration's new course in the area of church-state relations greatly harmed relations between the state and the UOC-KP. This created a strained and explosive situation. What sparked the transformation of the 'cold war' into a 'hot' one was the dispute between the government and the church over the place of interment of the patriarch of the UOC-KP, Volodymyr (Romaniuk), on 18 July 1995. In fact, the incident was provoked by the ongoing rivalry between the UOC-KP and the UOCMP for control over the sacred sites of Kyiv, the most eminent of which were under state ownership.²⁸

The Moscow Patriarchate had rooted itself in the Kyivan Caves Monastery, while the Kyiv Patriarchate had taken uncertain hold of a portion of the less prestigious Vydubychi Monastery. But the main prize, the Cathedral of St. Sophia, remained under the complete control of the state. Rumors circulated in Kyiv about the government's readiness to assign the churches of St. Cyril, St. Andrew, and a number of other city churches to the UOC-MP. Given that situation, the UOC-KP decided to stake everything on an attempt to bury its patriarch on the grounds of St. Sophia, thereby gaining at least a foothold on the territory of the greatest shrine of East Slavic Christendom.²⁹

The government, which was of course under pressure from its new ally, the UOC-MP, opposed the interment of the patriarch at St. Sophia, the Caves Monastery, or Vydubychi. It granted permission instead for burial at the state Baikove Cemetery or on the grounds of the St. Volodymyr Cathedral. The question as to where the patriarch would be buried remained unresolved even up to the very the day of his

28 On the struggle between the Orthodox churches over the sacred sites of Kyiv, see my article, "Kyiv vs. Moscow: The Autocephalous Movement in Independent Ukraine," *Harriman Review* 9, nos. 1-2 (Spring 1996): 32-37.

29 Preparations for the transfer of the Church of St. Cyril to the UOC-MP, the taking away of the Church of St. Andrew from the UOC-KP, and the petition of that church for partial or full ownership of the St. Sophia complex, the Kyivan Caves Monastery, the Vydubychi Monastery, and the Church of the Savior at Berestove are all discussed in the appeal of the UOC-KP to the President and Premier of Ukraine. See the publication of the UOCKP, *Pravoslavnyi visnyk*, no. 10 (October 1995): 3-4.

funeral. It was in this situation that Metropolitan Filaret, yielding to the demands of the paramilitary Ukrainian National Assembly-Ukrainian National Self-Defense (UNA-UNSO) and nationalist deputies who had attended the funeral together with the former patron of the UOC-KP, ex-president Leonid Kravchuk, led the funeral procession to the St. Sophia Cathedral.

A police cordon was brought down en route, but a special-purpose police squad barricaded itself on the territory of St. Sophia, preventing the funeral procession from entering. Lengthy negotiations between the deputies and government representatives were unproductive. It was then decided to dig the patriarch's grave and bury him at the entrance to St. Sophia. The government reacted by ordering the militia to clear the area in front of the cathedral and not to permit the interment of the patriarch on St. Sophia Square. But by the time the police made their way onto the square and began beating and violently dispersing those present, singling out UNA-UNSO members, it was too late: the casket had already been lowered into a hastily dug grave.³⁰

The conflict on St. Sophia Square ended in tragedy and a resounding scandal that undermined the prestige of the government and the presidential administration. For the first time in Ukraine, which had attained independence bloodlessly and was justly proud of its tolerant practices, blood had been shed and brute force applied. Metropolitan Filaret and the UOC-KP could congratulate themselves. In a single day, Filaret had been transformed from a figure suspected of arranging the patriarch's murder into a symbol of the national-democratic camp, the sole individual who could unite the assorted national-democratic forces that were at odds with one another. Confrontation with the government lay ahead for Filaret, but he now had the support

30 Almost all the Kyiv press carried detailed descriptions of the events of "Black Tuesday." See especially the accounts of the pro-UOC-KP in *Molod' Ukrainy* and the pro-UOC-MP in *Nezavisimost'*: Liudmyla Shevchuk, "Prostit' nas vладыko," *Molod' Ukrainy*, 20 July 1995; Ol'ga Musafirova, "Bog prostit? Kak khoronili sviateishogo patriarkha Kievskogo i vsei Ukrainy-Rusi Vladimira (Romaniuka)," *Nezavisimost'*, 21 July 1995. Two full pages of *Nezavisimost'* were devoted to interviews with eyewitnesses.

of the national-democratic political forces, which was particularly important for winning the election as patriarch at the future sobor of the UOC-KP.³¹

31 On the opening of a criminal investigation into the mysterious death of Patriarch Volodymyr, see *Nezavisimost'*, 28 July 1995. For the reaction of national-democratic forces to the events of "Black Tuesday," see letters and information about the beating of participants in the funeral procession in *Molod' Ukrainy*, 21, 25 and 27 July 1995.

Despite the obvious efforts of the government to prevent the election of Filaret as patriarch of the UOC-KP, he was elected to that post at a church sobor in October 1995. Parliamentary deputies who supported Filaret openly accused representatives of the administration of supporting Filaret's competitors and of seeking to split the church during the sober. Having lost their confrontation with Filaret, the hierarchs of the largest western parishes of the UOC-KP, led by the metropolitan of Ivano-Frankivsk, Andrii (Horak), announced their departure from the church and their adherence to the revived Ukrainian Autocephalous Orthodox Church (UAOC), a weak rival of the UOC-KP. Some also discerned the hand of the state behind efforts to link the UAOC with the UOC-MP in an anti-Filaret front. Negotiations between the two churches began with the support of the government immediately after the desertion of the western Ukrainian hierarchs.³²

Filaret managed, however, to stay in power, achieve election as patriarch, prevent a complete exodus of western Ukrainian parishes from his church, and strengthen and deepen his alliances with national-democratic politicians. The investigation into the circumstances of Patriarch Volodymyr's death, which was potentially dangerous to Filaret, also concluded without result. In short order, the government found itself obliged to admit the pointlessness of the confrontation and its *de facto* defeat.

³²On the proceedings and results of the sobor of the UAOC-KP, see the Toronto newspaper *Ukraina i svit*, 25-31 October and 1-7 November 1995. Differing assessments of the sobor's proceedings are presented in articles by Liudmyla Shevchuk in *Molod' Ukrainy*, 24 and 26 October (her article "Sviate mistse pustym ne buvaie" and her interview with the newly elected Patriarch Filaret, "Hotovi na diialoh liubovi") and Vasili Anisimov in *Nezavisimost'*, 25 October 1995 ("No chto-to angely poiut takimi zlymi golosami," in the newspaper's "scandal" department).

The authorities made a show of ignoring Filaret's election as patriarch. He was greeted by the ambassador of the USA to Ukraine, but not by the president or by the head of the Supreme Council of Ukraine. On the refusal of the Head of the Supreme Council, Oleksandr Moroz, to send greetings to Filaret on his election as patriarch, see the interview with Moroz in *Holos Ukrainy*, 1 November 1995. Without naming names in the interview, Moroz condemned deputies of the national-democratic bloc who supported the UOC-KP and expressed the hope that the new deputies' association "For the Establishment of a Local Ukrainian Orthodox Church" would not support the creation of a state church (for which the national democrats were calling).

Toward the end of 1995 the ministry for nationalities, migration and cults was dissolved, and the State Committee for Religious Affairs became a separate entity. Anatolii Koval was appointed its head. Vasyl Sereda, whose activity was closely associated with the policy of the administration and the events of 18 July, was sacrificed for the sake of the normalization of relations between the state and the UOC-KP.³³

A further sign of change in government policy toward the UOC-KP was a visit to Patriarch Filaret in early 1996 by the head of the presidential administration, Dmytro Tabachnyk. Soon afterwards interviews with Filaret and articles signed by him began to appear in the government media, including the magazine *Viis'ko Ukrainy* (Army of Ukraine). The tone of Filaret's public appearances also changed from confrontational vis-a-vis the government to ironic, exuding the spirit of civil peace and religious tolerance.³⁴ The apogee of the politics of reconciliation became President Kuchma's patronage of a project to put the grave of Patriarch Volodymyr in order, to which Filaret responded by canceling plans for a mass commemoration on the anniversary of the death of the patriarch.

Thus for the first time in five years of Ukrainian independence the government renounced a policy of confrontation and entered into a dialogue with the two largest Ukrainian Orthodox churches.

Kuchma vs. Kravchuk: The events of "Black Tuesday"

33 The agenda of the State Committee of Ukraine for Religious Affairs was presented by its head, "natolii Koval, in an interview with the newspaper *Uriadovyi kur'ier*, 8 February 1996.

34 See Patriarch Filaret's article, "Hospody, kudy nam ity?," *Viis'ko Ukrainy*, nos. 3-4 (1996): 20.

The events of "Black Tuesday" – the beating by police units of participants in the funeral procession of Patriarch Volodymyr on 18 July 1995 demonstrated the level of engagement of the church in Ukrainian politics and the Ukrainian state in relations between the churches. With the election of Leonid Kuchma as president of Ukraine, the UOC-KP became, more than ever, a rallying point for national democrats who wanted a 'Ukrainian Ukraine' in linguistic, cultural, and political terms. The UOC-MP received the support of forces striving to maintain Russian dominance in Ukraine's spiritual life and of those who simply considered Ukrainian independence to be a transient phase. The death and burial of Patriarch Volodymyr served as an occasion for the UOC-KP and the national-democratic organizations active in Ukrainian political life to demonstrate their opposition to the new presidential policy in no uncertain terms. The government, which was then lending tacit support to the UOC-MP, pretended to pay no particular attention to the death of the patriarch, who had also been a long-time political prisoner, and later closely associated with politicians of a national-democratic orientation.

The attempt to treat the death of Patriarch Volodymyr, the leader of a church in conflict with the government, as a matter of secondary importance becomes particularly apparent when one compares it with official reaction to the death of another eminent figure – the 'patriarch of Ukrainian literature,' as he was called in the press, Oles Terentilovych Honchar. The funeral of Honchar, which took place on the day before that of Patriarch Volodymyr, was treated with the greatest attention by the government. The president, the head of the government, and the head of the Supreme Council, stood as an honor guard beside the casket of the deceased writer. The funeral of Patriarch Volodymyr, however, took place on the following day without the presence of leading figures of state. At the time of the confrontation between the funeral procession and the forces of law and order on St. Sophia Square, the president was in Belarus on an official visit. The head of government was the guest of a collective farm in the Kyiv region and was represented at the funeral by his deputy, and the head of the Supreme Council was visiting the editorial office of a Kyiv newspaper.

A number of reasons may be advanced for the different treatment of the two funerals by the government. One reason was that Oles Honchar was to some extent a universal figure respected in the broadest strata of society, beginning with national democrats and ending with communists. He was a symbol of Ukrainian independence, vintage 1991. Honchar's undeniable patriotism and sincere concern for the fate of Ukraine, united in his career with enforced conformism and membership in the Communist Party of Ukraine and its Central Committee, made him a hero and a symbol of the new Ukraine, which had emerged in rather organic fashion from the cocoon of the Ukrainian Soviet Socialist Republic.

However, the figure of Patriarch Volodymyr (Romaniuk) was extraordinarily controversial. A virtual saint in the eyes of the national-democratic camp, he was the incarnation of aggressive nationalism for eastern Ukrainian politicians. Born in western Ukraine, long imprisoned in Soviet forced-labor camps, a former emigrant to Canada, he was merely tolerated, but not permitted access to the new Ukrainian (former Soviet republican) elite. The national revolution, embodied in the life and work of Patriarch Volodymyr, had attained its goal of independence for Ukraine, but had lost the battle with the former Soviet *nomenklatura* for the right to determine the character and politics of the new country.³⁵

³⁵ The attitudes of various social groups and political circles to the deaths of Oles Honchar and Patriarch Volodymyr were reflected in the reactions of three newspapers- *Nezavisimos'*, which was close to the UOC-MP; *Molod' Ukrainy*, close to the UOCKP; and *Holos Ukrainy*, the newspaper of the Supreme Council. *Nezavisimos'* (19 July 1995) carried the news of the death of Honchar on its front page (Halyna Datsiuk's article, "Svet uma. Svet liubvi. Svet nadezhdy"), without mentioning the death of Patriarch Volodymyr. *Molod' Ukrainy* (18 July 1995) carried the news of the death of Patriarch Volodymyr at the top of its front page ("Pam'iati velykoho patriarkha") and that of the death of Honchar at the bottom ("Orlyna vysota Olesia Honchara").

Holos Ukrainy (18 July 1995) carried the official announcement of the death of Honchar at the top of its third page, signed not only by the president and the ruling elite but also by Viacheslav Chornovil, a leader of the national-democratic bloc in parliament, while a brief announcement of the death of Patriarch Volodymyr signed by the Holy Synod and the Supreme Church Council of the UOC-KP appeared at the bottom. Subsequently the newspaper devoted considerable attention to Honchar and rather little, compared with other publications, to the events surrounding the funeral of Patriarch Volodymyr. On 19 July it ran an article about the funeral of Honchar under the title "Proshchavaite, bat'ku!" ("Farewell, Father!"), and published another notice marking the ninth day following the writer's demise.

The reasons for the events of black Tuesday" should, of course, be sought not only in the actions and attitudes of the government, but also in the goals and plans of the UOC-KP and the national-democratic forces allied with it. Deprived of the attention and support of the previous administration and split by internal strife between the late patriarch and his deputy, Metropolitan Filaret, the UOC-KP was in fact seeking a confrontation with the government. Open confrontation, as opposed to the undeclared 'cold' war, could (and, as subsequent events were to show, did) achieve several aims. First, it forced the government to reckon with the church and end the policy of favoritism toward the UOC-MP. Second, it consolidated the position of the church and the support of politicians (mainly parliamentary deputies) of a national-democratic orientation. Third, it erased from the memories of the faithful the long-drawn-out conflict between the late patriarch and his deputy, Metropolitan Filaret, which had culminated with the mysterious death of the patriarch.

The national-democratic forces, represented at the funeral by parliamentary deputies and members of the UNA-UNSO, had their own view of the situation and their own program of action. Many of the rationally oriented politicians undoubtedly considered the funeral of the patriarch an occasion to lend support to the national church in its conflict with the 'Muscovite priests' and believed that they were 'entitled' to serious concessions from the government—in this particular case, permission to bury the patriarch on the grounds of St. Sophia. In June 1995 the national-democratic forces in parliament had given the president unwavering support in his battle with the left, making possible a constitutional agreement between the president and parliament. It was now time for the president to pay his debt to his allies.

The radical UNA-UNSO had its own agenda. The presence of its paramilitary units at the funeral of the patriarch was on the one hand an expression of the well-established partnership between that organization and the UOC-KP. On the other hand, the important role of the UNA-UNSO in the conduct of the funeral raised its status among the other national-democratic groups. It must be noted that the UNA-UNSO was the only participant in the events of 'Black Tuesday' that managed

to achieve the goal it had set for itself. If the government and the national-democratic parliamentary opposition had fallen into a serious quarrel that undermined their authority to the delight of the left, the UNA-UNSO emerged from those events as a martyr organization and the unofficial leader of the national-democratic bloc. This was soon demonstrated by the formal presentation to the UNA-UNSO of the blue-and-yellow flag that had first been carried into the Supreme Council following the Moscow coup of August 1991. The flag, which until then had been in the possession of Rukh (the Ukrainian Popular Front), was presented to the members of the UNA-UNSO by Patriarch Filaret during a formal prayer service on St. Sophia Square on the ninth day following the death of the patriarch.

During the period of intense conflict between Leonid Kravchuk and the Kuchma administration that followed 'BlackTuesday,' both politicians made public their perceptions of the events of that tragic day and their views of the model of church-state relations required for the good of Ukraine. Leonid Kravchuk was the first to do so. He blamed the government for the tragedy that had taken place, asserting that the reason for the conflict was the refusal of the authorities to work together with the national church, which was an important factor in the rise of Ukrainian national consciousness and nation-building. Leonid Kuchma, on the other hand, identified the provocative actions of the nationalists and church officials who had tried to drive the government into an impasse as the factor primarily responsible for the tragedy. He noted that granting permission to enter the patriarch on the grounds of St. Sophia would have worsened the government's relations with the other churches and contravened the policy of official noninterference in church affairs.³⁶

Thus the principal burden of Kravchuk's statement was a defense of official intervention in church affairs for the purpose of state-building and support of the national cause. Kuchma, however, stressed the principle of the separation of church

³⁶ See Leonid Kuchma's commentary on the events of "Black Tuesday" in *Holos Ukrainy*, 27 July 1995.

and state. The two statements reflected opposing views of the problem and were more in the nature of political declarations than practical suggestions for resolving the complex questions of church-state relations. After all, it is public knowledge that in the last months of his presidency Leonid Kravchuk established good relations with Filaret's most powerful competitor, the UOC-MP. And the Kuchma administration, for its part, initiated virtually open warfare with the UOC-KP following the events of 'Black Tuesday' and its declarations of non-interference.

Clearly, it was this 'flexibility' in resolving practical questions of church state relations that allowed both political forces to achieve a compromise in the first half of 1996 in order to attain their common goal, the adoption of a new Ukrainian constitution.³⁷ The government discontinued its pressure on the UOC-KP, while the latter, in the person of Patriarch Filaret and his political allies, renounced its anti-government propaganda and withdrew the demand for the establishment of a state Orthodox Church (which the UOC-KP was to have become under a new patriotic government). Thus was the grave of Patriarch Volodymyr put in order as a result of the reconciliation of former enemies, the revival of old political alliances, and a change in the orientation of presidential policy on questions of culture, nationality and religion.

The constitutional compromise

³⁷ On developments in government circles during the funeral of Patriarch Volodymyr, see the explanations offered by Vice-Premier for Economic Affairs Roman Shpek (during the funeral of Oles' Honchar, the prime minister assigned Shpek to oversee the funeral of the patriarch on the grounds that the vice-premier was Orthodox): Oleksii Trotsenko, "Pro podii dovkola pokhoronu patriarkha Volodymyra (Romaniuka)," *Holos Ukrainy*, 22 July 1995. See also an article by Ivan Bezsmertnyi, "Kryvavyi vivtorok mozhe vprovadyty 'pryntsy domino' u velyku ukrains'ku polityku," *Chas*, 8 September 1995, apparently written at the behest of persons close to Prime Minister Ievhen Marchuk.

In its issue of 21 July 1995, *Nezavisimost'* reported that the former head of President Kravchuk's personal security service, Viktor Palyvoda, had been arrested in Hungary on the request of the Ukrainian authorities. According to the newspaper, Palyvoda had opened secret accounts abroad on Kravchuk's instructions, and a resounding political scandal was expected.

Developments in the spring of 1996 made it apparent that an accommodation had been reached between the two presidents: they appeared together at a soccer match, and subsequently V.[?] Matviienko, a crony of Leonid Kravchuk, was appointed acting presidential representative in Vinnytsia oblast.

The adoption of the constitution of Ukraine on 28 June 1996 signaled a political truce between the warring parliamentary factions and created the constitutional framework, long awaited by citizens of Ukraine and foreign observers alike, within which the nation of 52 million would develop.

Aside from establishing a constitutional framework—defining the powers of government, entrenching the principle of private property, establishing the foundations for future legislation, and so on—the constitution took a step toward the ‘nationalization’ of the Ukrainian state. It endowed Ukrainian national symbols and the Ukrainian language with official status while providing guarantees for the protection of the Russian language and other languages of Ukraine’s national minorities. In practice, the constitution set a course for the ‘re-Urbanization’ of Ukraine, i.e., the creation of a new nation on the basis of the political, cultural and linguistic traditions of the Ukrainian people.

The leaders of the Central Rada, who created the Ukrainian state of 1917-18, already experienced problems in identifying the population of Ukraine with the Ukrainian people, which they eventually came to identify as ethnic Ukrainians. The problem remained and even intensified somewhat with the renewal of Ukrainian independence after 1991, when debates concerning symbols of statehood and the official status of the Russian language posed a threat to the integrity of Ukraine’s territory. The borders of the Ukrainian SSR largely coincided with the boundaries of ethnic Ukrainian settlement at the beginning of the century. But powerful waves of Russian immigrants to that territory, as well as Moscow’s policies on nationality and culture, contributed to a situation wherein, at the proclamation of Ukrainian independence in 1991, approximately twenty percent of Ukraine’s population was made up of Russians, while most Ukrainians in the east and south of the country were linguistically and culturally Russified.³⁸

³⁸ For discussions of political symbolism and the status of the Ukrainian and Russian languages in Ukraine, see Bohdan Krawchenko, “National Memory in Ukraine: The Role of the Blue and Yellow Flag,” *Journal of Ukrainian Studies* 27 (Summer 1990): 1-21, and Dominique Arel, “Language Politics in Independent Ukraine: Towards One or Two State Languages?,” *Nationalities Papers* 23, no. 3 (September 1995): 597-622. On the history of the boundaries of Ukraine, see Vasylyl’ Boiechko,

Okeana Hanzha and Borys Zakharchuk, *Kordony Ukrainy: istorychna perspektyva ta suchasnyi s ten* (Kyiv, 1994). Questions pertaining to Ukraine's territorial integrity are discussed in the following articles: Serhii Plokyh, "Historical Debates and Territorial Claims: Cossack Mythology in the Russian-Ukrainian Border Dispute," in *The Legacy of History in Russia and the New States of Eurasia*, The International Politics of Eurasia, vol. 1, ed. S. Frederick Starr (Armonk, NY and London, 1994), pp. 147-70; Dominique Arel and Valeri Khmelko, "The Russian Factor and Territorial Polarization in Ukraine," *Harriman Review* 9, nos. 1-2 (Spring 1996): 81-91.

Oles Honchar became the one "infallible" hero of Volodymyr Lytvyn's book, *Politychna arena Ukrainy*. For attempts by Ukrainian writers to develop a cult of Oles Honchar, see Ivan Koshelivets', "Mozhna odverto?" *Suchasnist'*, no. 10 (1997): 112-21.

In the complex matter of defining the new nation, the constitution sought to overcome the dichotomy that had held in thrall the Ukrainian political leaders of the first decades of the century: the Ukrainian people considered as the Ukrainian ethnos and the people of Ukraine understood as the entire population of the country. The preamble to the constitution defines the Ukrainian people as all the citizens of Ukraine, regardless of ethnic origin (the 'people of Ukraine' of the leaders of the Central Rada), while the term 'Ukrainian nation' as used in the preamble is clearly meant to designate Ukrainians as an ethnic group (the 'Ukrainian people' of the leaders of the Central Rada). Despite this obvious confusion in terminology, which resulted from the compromises and the feverish haste with which the basic law was adopted in parliament, the preamble to the constitution clearly testifies to an attempt to overcome the outworn terminology and conceptual conflict in order to create a Ukrainian political nation (the constitution calls it the 'Ukrainian people') on the basis of the political and cultural traditions of the Ukrainian ethnos (the 'Ukrainian nation' of the preamble), incorporating the potential of 'citizens of Ukraine of all nationalities.'³⁹

³⁹ See the text of the constitution of Ukraine in *Holos Ukrainy*, 13 July 1996. According to press reports, representatives of national-democratic forces came out actively in parliament against the definition of the Ukrainian people as consisting of the citizens of Ukraine of all nationalities. The constitutional draft presented earlier by the communist faction in the Supreme Council used the formula "people of Ukraine," understood as the totality of citizens of all ethnic origins resident on the territory of Ukraine (see "Proekt Konstytutsii (Osnovnoho Zakonu) Ukrainy koi Radians'koi Sotsialistychnoi Respubliky," " *Holos Ukrainy*, 25 July 1995). The first universal of the Central Rada appealed to the "Ukrainian people in Ukraine and outside Ukraine," the second to "citizens of the Ukrainian land," the third to "the Ukrainian people and all the peoples of Ukraine," and, finally, the fourth, which proclaimed Ukrainian independence, to "the people of Ukraine." (See the texts of the universals in *Politolohiia* (Lviv, 1996), pp. 755-63.)

In essence, of the three possible models of nation-building—exclusive nationalism, inclusive nationalism, and the creation of a multi-ethnic political nation—Ukrainian lawmakers had chosen the second.⁴⁰ In the spirit of ‘inclusive’ nationalism, the authors of the Constitution granted equality before the law to citizens of all ethnic origins and religious creeds. Article 35 of the constitution guarantees all citizens of Ukraine the “freedom to profess any religion or to profess none” and makes provision for non-military service as an alternative to service in the armed forces. Religious freedom may be restricted only “in the interest of preserving social order, the health and morality of the population, or the defense of the rights and freedoms of others.”

Church and state, according to article 35, are separate from one another, as is the school from the church. “No religion may be designated as obligatory by the state,” according to the article. Other articles, notably article 24, guarantee foreigners legally present in Ukraine the same rights as those enjoyed by citizens of Ukraine.⁴¹ The principles of religious legislation embodied in the constitution of Ukraine conform to the most stringent norms of international law in this sphere and are intended to break with the atheist tradition of crass state interference in the affairs of religious associations, as well as with the post-Soviet practice of supporting one denomination at the expense of another.

40 For the discussion of the politics of inclusive nationalism in Ukraine, see Alexander J. Motyl, *Dilemmas of Independence*, pp. 70-75, 79-80.

⁴¹ See *Holos Ukrainy*, 13 July 1996. The communist draft of the Constitution of the Ukrainian SSR did not include a number of guarantees of separation of church and state provided in the constitution of Ukraine, but guaranteed freedom of atheist activity (*Holos Ukrainy*, 25 July 1995). (Similar to this was the article on freedom of religion in the draft constitution submitted for general discussion by the Supreme Council of Ukraine in July 1992).

The actions of the Ukrainian authorities, most notably those of President Leonid Kuchma, during the debate on the constitution of Ukraine and following its adoption by parliament, testified to the government's desire to adhere to the principles of church-state relations enunciated in the constitution and discontinue the practice of active intervention in interdenominational conflicts to take the side of any of the churches. On the one hand, the grave of Patriarch Volodymyr (Romaniuk) of the UOC-KP on St. Sophia Square in Kyiv was put in order under the patronage of the president. On the other hand, almost immediately after the adoption of the constitution, the president visited his native village in the Chernihiv region, where he took part in the consecration of a new Orthodox church by the clergy of the UOC-MP. The president's actions with respect to the two competing Orthodox churches, the Ukrainian Orthodox Church of the Kyiv Patriarchate (UOC-KP) and the Ukrainian Orthodox Church of the Moscow Patriarchate (UOC-MP), were thus intended to make apparent the authorities' desire to avoid prejudice in their treatment of religious associations in conflict with one another. In practice, this was finally accomplished following two years of President Leonid Kuchma's religious policy, years that had been neither easy nor free of problems in the area of church-state relations.