

Little known attempts of the Polish-Ukrainian political agreement at the beginning of World War II

Anzhey Vavrunyuk, Yuriy Makar

Summary

The authors set an objective based on discovered in the West documents to reflect attempts of the Polish government in exile together with the leaders of the State center of the Ukrainian People's Republic in exile to begin negotiations on shared goals during World War II and after it, which, unfortunately, stopped in in fall 1941.

Key words: Polish government in exile, State center of the Ukrainian People's Republic in exile, Polish-Ukrainian relations, Ukrainian issue, Prometheism, Ukrainian bourgeois nationalism.

Once again, it is necessary to clarify the relationship of the Ukrainian and Poles. Unfortunately, that was written for decades, or even centuries, mostly has nothing to do with reality. Researching the causes of this situation is quite a broad topic. In general, experts on both sides of the border know it. Historically, our relationship evolved scenario of a third party, respectively, against the interests of both our peoples.

Unfortunately, in the past, Polish and Ukrainian gone through great trials, not only because they were forced to experience relative to his aggression by neighbors, but above all a misunderstanding between them, largely influenced by external factors. Those misunderstandings eventually gave rise to mutual negative stereotypes that are superimposed, grew to the twentieth century reach its climax and cause heavy losses for both nations in fighting each other, which prevents still establish appropriate interpersonal relations, despite the fact that the interstate after Ukraine gained independence, and before the release of Poland under Soviet control, develop better.

Again, unfortunately, the third side, in this case Russian or Soviet (the same Russian) for a long time is great for a used Polish-Ukrainian (or Ukrainian-Polish) conflicts that inevitably arise between neighboring nations, as the experience of all countries implicitly falsifying reality. And since the Ukrainian with great damage to itself significantly delayed the formation of their own state, their actions aimed at obtaining it, not admired by their neighbors. As a result, the overthrow of the Ukrainian People's Republic after World War I and the entry of most of Ukrainian ethnic lands of the Soviet Union that led to the unconditional annihilation of the phenomenon that the Soviet ideological machine called them Ukrainian bourgeois nationalism, threatening him both the Ukrainian and all the neighboring nations that Ukrainian law effectively deprived of its statehood and cramp her to the position of equal among equals sister republics of the Soviet Union, in fact – colonial territory. It was connected to other Ukrainian ethnic lands were connected with it already during the Second World War and on its completion in Europe, the Soviet Union broke international agreements entered into by it when it was necessary to save the Bolshevik state established by force. Scarecrow Ukrainian nationalism is not enough, according to its instigators, forever bury the issue of Ukrainian independent from Russian state. As a result of it we have all efforts to denigrate the Ukrainian liberation movement, and accordingly the

state-effort as purely criminal, aimed ostensibly against the Soviet legal or pack the Russian authorities.

However, despite the efforts of the Soviet side to deepen Polish-Ukrainian confrontation that undoubtedly largely successful, especially among the structures of the Polish so-called people's government, representatives of the Polish government, not subject to Soviet influence, well aware who the real enemy is independent Polish State. They therefore supported the independence of the Ukrainian state, though not in the territory that belonged to the Second Polish Republic, which is also the Soviet Union tried to use to implement their expansionist plans. The foregoing statements expressly confirmed by contemporary Russian leaders a few years ago, whom willingly pledged neighboring regions of Western Ukraine to not only interfere with the Russian Federation to host the rest of its territory. This price loud statement about saving the western Ukrainian at the beginning of the Second World War and combining them into a single Ukrainian state, of course, under the scepter of the Kremlin.

Therefore, we set a task to find leaks attempts to establish cooperation between the Polish authorities and representatives of the Ukrainian liberation movement at the very beginning of the Second World War. It is clear that such efforts could only take place outside the territories inhabited by two peoples. Our study we built on material drawn from Polish sources, namely the Institute-Museum of General Sikorski in London, Jozef Pilsudski Institute in New York City and Archives New regulations in Warsaw. Selected materials do not use in the scientific sphere, in any case, in Ukraine.

According to documents uncovered attempts of political rapprochement between representatives of Polish and Ukrainian emigration in the West are rooted, as we have just noted, at the outset of World War II. The first signal of this dialogue can be considered the information transferred by the Polish Ministry of Foreign Affairs Embassy of Poland in Romania in the letter of 13 January 1940. It stated that in Bucharest on 10-11 January in that year there was a Polish-Ukrainian meeting in which the Ukrainian side was attended by prominent public figures from Bukovina and Bessarabia at different times Deputies of the Romanian Parliament, Vladimir Zalozetskiy, Ilko Havryliuk, Michalski (lawyer in Bucharest), Yuri Serbyniuk, among others, a native Sadgora (now a part of Chernivtsi) and representatives of the former UNR mission in Romania Basil Wallop, Herodotus Dmitry (Dmitry Ivashyna pseudonym) and Colonel Porhivskyy. According to the authors of information "during the political discussions were unexpectedly strong tendency to Ukrainian imposition of close cooperation in Romania (with the Polish side. – Ed.) are exactly the same in the international arena, but also the nomination of sensitive issues. There is advantage not only against Soviet Union but against German accents." It is important to say that in document, "approved a number of common fundamental political thesis." Of course, a meeting and its committee had a secret character (IIMSL, sygn.15a, ark.1, 2, 4).

In another document, the embassy of Rich Pospolyta in Bucharest concerning this meeting wrote: "The initiative of this conference gained favorable reviews both from the Ukrainian community, and local Petlyura group¹. As occurred with the discussions, it was a collective invitation (it apparently representatives of local and Ukrainian immigrants from Dnieper. – Ed.) Ukrainian perceived as connected gesture" (ibid, pp. 3).

Interesting for modern scholars is characteristic of some Ukrainian figures who took part in that meeting, given to them by the Embassy of the Rich Pospolyta. In particular, Vladimir Zalozetskiy and Yuri Serbyniuk, editor of the New Rada in Chernivtsi described as the most energetic figures Bukovina, and at the same time leaders – Ukrainian National Party, which was equivalent to Galician Ukrainian National Democratic Alliance. In addition, Vladimir Zalozetskiy, a former member of the Viennese parliament and several convocations Romanian, described as “the greatest authority among Bukovina Ukrainian, while Yuri Serbyniuk (was recognized by Polish diplomats. – Ed.) was a promoter of Bukovina Ukrainian” (ibid, pp. 4).

Letter of the Polish Embassy also contained positive reviews of other Ukrainian participants. In particular Ilko Gavrilyuk, deputy of former Russian Konstytuanty, described as a prominent authority in the Ukrainian environment Bessarabia. Three other members of the Ukrainian party was represented as a representant of Ukrainian emigration: Basil bashing, former Ukrainian military attache during the Directory, identified as head of the Ukrainian mission, Dmitry Herodotus – as a leader of Ukrainian agencies in the Balkans. About Porhivskoho colonel says that he was the creator of the Union of former military.

The Polish Embassy in Bucharest also provided information on issues raised by the said meeting. Among them – the “problem of the Polish and Ukrainian minority in Romania, as well as the press-cooperation, first within Romania, and, if possible, elsewhere emigration (obviously – Polish and Ukrainian. – Ed.)” Quoted document is important, in our view, mention that during the meeting of Ukrainian “stressed the need for purposeful cooperation under the banner of protecting the state of each party” (ibid, pp. 5-6). Among the most important conclusions of participants contained the statement that “the existence of an independent Ukraine is impossible without a strong Poland, in turn, without an independent Ukraine Poland constantly threatened the German-Soviet agreement (to the detriment of the latter. – Ed.)” The document also contains important, in our view, the record that deserves to its cite: “Trepke, bypassing the question of the Polish-Ukrainian border, said that cementing factor in Poland and Ukraine (obviously, the relationship between them. – Ed.) will not only their common interests, but also a sincere understanding that would guarantee the ethnic interests of the Polish population, living on Ukrainian territory and the whole (population size. – Ed.) Ukrainian, who will be on the territory of the Commonwealth” (ibid, pp. 7-9). Regarding the territorial borders of the future Ukraine representative of the Polish Embassy in Romania Lonchkovskyy said that “Poland is not a country big pressure to the east, but Ukraine should not, in fact, think about the excessive expansion of the West” (ibid, pp. 8-9). Polish diplomat added that “not Lviv, not Przemysl but only Kyiv and Donetsk pool is the center of Ukraine” (ibid, pp. 10).

It is easy to understand the initiative of the Polish Embassy was not realise as Romania November 23, 1940 joined the Hitler coalition and the Polish Embassy in Bucharest has ceased to operate from September of that year. Polish interests in Romania was represented by Jerzy Ćyedyroys as head of the Polish section at the Embassy of Chile (pos. 4)2.

With contemporary correspondence representatives of the Polish government in exile is clear that in fact Ukrainian question was not indifferent to them. Thus, an influential employee of Polish emigration Foreign Ministry Zdzislaw Miloshovstyy, a former officer of the famous Second Division, and war co-organizer of the Federal Central European club in

Palestine in a letter dated May 20, 1940 Adam Tarnowska, head of a department of the Foreign Ministry, anticipating developments in Romania, recommended send workers there who were able to perform so-called secret orders of prometheism³ is "pushing the oppressed peoples of Soviet Russia to fight against it (IJPNJ, sygn.701 / 9/2, ark. 59). In particular, he recommended to entrust this function to Jerzy Ґyedroytsy that was already there, and it helps advised to appoint a professional scout Peter Kurnytskoho. It is literally in the letter: "Jerzy Ґyedroyts as conspiratorial authorized to prometheism work on the territory of Romania. Peter Kurnytskyy will help especially as for Ukrainian affairs, but also in general because ... Kurnytskyy has contacts among the prometheism leading figures. I understand that Mr. Ґyedroyts its jurisdiction covers Hungary, where specifically authorized should not appoint. Ґyedroyts task is to create for themselves the right network. There are people for that" (IJPNJ, sygn.701 / 9/2, ark. 61).

Meanwhile, the Ministry of Information and Documentation of Poland prepared a document identified as "illumination current Ukrainian problems." It addressed to the Prime Minister and had the stamp of strict secrecy. What about was the document that should "keep under lock and key?" (liMSL, sygn.15a, ark. 17). The fact is that while Polish politicians in exile understood that an Independent Ukrainian organizations were convinced that the Germans did not intend to help them establish an independent Ukrainian state, but only sought to use them in their ambitious plans for imperial conquest of Europe, or even more. But, for obvious reasons, Polish politicians wanted to solve the Ukrainian question took place without their participation. That is why the letter draws attention to the fact that "French Ukrainian facilitate access to and contacts with the American press." Furthermore, the letter stated that "the Ukrainian nationalist camp refused, partly sincere and partly insincerely, on a common platform with Germany, is trying by all means (to ensure that its representatives were. – Ed.) Informants and men of confidence in French government circles, and even more English, and the English they have support from semi-formal assistance from the Canadian Dominion." According to the author of the document, in this situation, the most important task of Polish politics were not Ukrainian program and declared Ukrainian an Independent requirements and the need to "make the French and British all our official and unofficial political steps to implement all his ideas through us to the" Ukrainian Committee Prokopovich and Shulgyn and instead of the other Ukrainian groups" (liMSL, sygn.15a, ark. 19,20).

What is written in a letter explaining the principled position of the Polish side against the territory of a future independent Ukraine as it saw the government of the country in exile. The issue of borders between the two countries formed after the war, not their governments lasted for two days. Their fate decided the third party with the tacit connivance of the great powers of the West. The documents we processed, shows that the Polish government in exile, realizing the need of good contacts with the Ukrainian environment in Europe, even worked out a special budget to support Ukrainian exile government, including funds for the publication of the weekly Trident, which had come after termination of the release Paris Ukrainian words (liMSL, sygn. 36, ark. 31).

Some light on the problem raised sheds another aspect related activities of Vladimir Soloviy. According to the Polish discovered materials, Oct. 24, 1940, by the Polish Embassy in Lisbon asked "Ukrainian activist group with Petlurites" 1, in fact – Vladimir Soloviy. We know that he came from Eastern Lemkivshchyna, was candidate in 1930 to the Sejm from Syanik district.

At the beginning of the war he went to Paris and then to London. He has the powers of the prime minister in exile Alexander Shulgyna "to defend Ukrainian interests Western allies" (EU, vol.8, pp. 2946-2947).

In connection with his appeal Ambassador of Poland in Portugal Carol-Dubich Penter, in turn, appealed to their government to explain himself as a lead in this situation: "The British refused him (Soloviyevi. – Ed.) for a visa entry to Britain without London and was referred to the appropriate letter Home Office. Since I do not know the current political posture of Shulgyn, Smal-Stotskyj (Roman. – Ed) and other masters from the group 4, Mr. Minister please give me the order to send the user whether and to what extent assist to Soloviyevi. He was here at all without money, now I paid him 1000 escudo and did not know whether to fund its continued presence" (AAN, sygn.607, ark.365, 366).

Foreign Minister emigre government August Zalyevskyy answering ambassador to Portugal, asked to he "did not allow the arrival Soloviya here (in London. – Ed)," but that he did not know that "opposition departure comes from us" (AAN, sygn.607, ark. 891). Another letter signed by the Minister of Interior has emigre government Stanislaw Kot, the embassy in Brno, sheds light on his relationship to the State Center of the UNR in exile and their individual personalities. In particular, Ambassador Kot wrote that Soloviya visit to London as a representative of the UPR DC "irrelevant", while "belongs acquainted Ukrainian financial help, especially Prokopovich and Shulgin" (AAN, sygn. 607, ark.885).

We also have information that Polish diplomats in the West Ukrainian exiles supporting efforts to create armed forces in the West. It is said, in particular, in a letter to the Polish embassy in Stockholm to its Foreign Ministry, actually about negotiations with Alexander Shulgin for the establishment of captive Ukrainian Ukrainian Legion (liMSL, sygn.15, ark. 13).

Describing the story of attempts to debug the Polish-Ukrainian contacts at the initial stage of the war, should pay attention to another document worked at the Polish emigre interior, which was informed by the Minister of Foreign Affairs. The document is dated April 4, 1941 It says that one of the leaders Center of the UNR in exile Vyacheslav Prokopovich, which document named its president, wrote on January 29 that year Art. Kotov letter with a proposal to collaborate. The letter, in our opinion, if he then managed to translate in life, can really promote the establishment of interaction for the benefit of both parties. Accordingly, the document deserves to dwell on it. So, Prokopovich wrote that being "deeply convinced, despite the variability of war and unfavorable political situation, our common (ie, Ukrainian and Polish. – Ed.) Efforts should protect the vital interests of our peoples, a stable order and lasting peace in the east Europe." In his view, the decisive prerequisite for this would be a "fundamental adjustment between our peoples on the basis of ethnographic and agreement between the two countries in economic and military fields. A clear statement on your part would be very desirable. Sincere Understanding and its conditions, forms of cooperation are possible now and its scope could agree to further negotiations" (AAN, sygn. 608, ark. 680,681).

Then Vyacheslav Prokopovich, referring to the figures of the Polish government in exile, wrote that if they agreed to set him preconditions cooperation, he, for his part, would be ready for specific talks with any neutral country, or the seat of Polish government by

"provided that: 1) be approved by the necessary formalities; 2) will be present to me necessary collaborators; 3) I will be guaranteed adequate physical capabilities" (ibid).

According to Ukrainian statesman, with the consent of the Polish side of these issues could be agreed with representatives of the Polish government in exile at his place of residence. "Brotherhood of arms in 1920, together shed against Moscow blood experience of many years of cooperation – he wrote in his letter – give me hope that today we will overcome all difficulties, we find opportunities for recovery, with mutual benefit, concerted work to bring to a happy end years of hard struggle "for our freedom and yours" (ibid).

We have mentioned the Interior Ministry letter of Poland in exile to his Foreign Ministry, in response to the request of the Polish side Prokopovich is understandable in the light of the attack of Nazi Germany, and her and the Soviet Union, Poland, where the appeal UPR exile prime minister was seen with position defense in the future interests of the Polish State, which could in certain circumstances promote good neighborly relations between the two countries. Following Prokopovich, Kot wrote to his colleague Zaleski that the proposal of the Ukrainian representative "starting point would be an agreement that would be launched closer military and economic cooperation between Poland and Ukraine, and its basis would be a declaration of the Polish government, reflecting have a positive attitude Ukraine's independence and would mean the resolution of controversial issues on ethnographic principles." From the text of the letter is clear that the former Ukrainian prime minister and, by the way, the president of the UPR, as it is written in the letter, I would like to receive from the Polish government in exile help both material and political, to leave France, had already occupied by German troops, and gain tools for keeping quantitatively small group of employees and ultimately for future activity, since, apparently, realized that the support of the Nazis to play Ukrainian statehood in the future should not expect. As a result, one Polish minister recommended a different "use Prokopovich and his group to spread slogans of the Polish-Ukrainian cooperation" (AAN, sygn.608, ark. 682).

Analyzing conversation Polish government people should pay attention to what their attitude to Ukrainian problems connected and had to some extent opportunistic in nature, as in our opinion, two reasons. First, the 1940-1941's. Was a period when the Polish state authority, which operated in exile, had more than enough of their internal problems. Secondly, in this case it was possible only contacts with the political forces that gathered around the Center of the UNR in exile. As you can see in the documents, apparently the Polish side was ready to resume the dialogue interrupted his time Riga Peace Treaty of 1921.

Therefore, in a letter of Kot to Zaleski we read: "And Petlurites group, which acts under the direction Prokopovich with new initiative of Polish-Ukrainian cooperation could move us to value crystallizing cell wider action among Ukrainian, if needed. However, regardless of whether the current general political situation allow the Polish government to violate the Ukrainian issue, providing Prokopovich and his co-workers support and enable them to find appropriate activities. I think however, that Switzerland (which offered Prokopovich. – Ed), notwithstanding certain advantages because of communication difficulties, and therefore weak propaganda in Canada and the US, are the least suitable for groups staying there Prokopovich. Instead, the United States, which does not mention Prokopovich is more appropriate for the action Petlurites than Canada, whose authorities probably will not be

able to agree now on a wider Ukrainian share is fundamentally anti-Russian" (AAN, sygn.608, ark.683,684).

Then the letter was about how to influence the former prime minister of Ukraine, to persuade him to extend its activities in the territory of the United States because, as stated, they were by the State, which would be, play a pivotal role in "shaping the future map of the world." However, the letter stated that "as seen from the reports of the foreign missions of the Republic of Poland, increased interest in the Ukrainian shows the British authorities (Canada) and the federal government of the United States. From this perspective, the lack of adequate response from Poland could adversely affect the interests of the Republic of Poland in the solution of the Ukrainian question, due to the aftermath of the war" (AAN, sygn., Ark. 683).

April 30, 1941 Foreign Minister Polish emigre government was defined with the position on Vyacheslav Prokopovich. According to Polish diplomats continued presence in the UNR DTS France lost its meaning. Accordingly, as the documents, the Polish Foreign Ministry has offered Prokopovich move to London, promising at the same time that the Polish exile government will take the lead in organizing the move and ensure he and his staff home comforts and finance publishers. Moreover, Prokopovich informed that appropriate action for his move has already begun. Since that diplomatic correspondence shows that the Polish side, referring to the future development of relations with the Ukrainian, intended except the UK and its capital London enlist the support of the US and Canada. In this case, emigre government in London even consulted with his ambassador in Washington about which of these two states could serve the interests of most of Poland.

It is hard to say how to further develop the Polish-Ukrainian talks on possible cooperation development during and after the war. However, if we talk only about the relationship between the Polish exile government and the State Center of the UNR in exile and keep in mind the above contacts, the fact of the fall 1941 became aware of serious illness Vyacheslav Prokopovich and thus its reluctance to leave France. The following year, Prokopovich died, and DC UPR led by Alexander Shulgin, who, according to the Polish side, "had such a strong position in the Ukrainian emigre environment, like his former boss." So attempts on both sides did not wait for a sequel. However, you can afford to suggest that it was not the only, and most importantly – not the main reason for the termination of negotiations.

Beyond any doubt, the Polish state authority even in exile, not only retained its structure, but rather held steady contacts with the countries of the future coalition, which actually formed. Instead Ukrainian DTS nothing like this was due to the fact that the government of the Soviet Union, followed by subordinate the USSR did everything possible to convince the world that only government that operated on the territory of Soviet Ukraine, was the only legal representative of the Ukrainian people, not there some bourgeois-nationalist remnants. The lack of funds to support its operations, and after all, just the physical survival of its members, together with the efforts of the Soviet Union is extremely complicated work of Ukrainian exile institutions.

In the situation that then developed, establishing Ukrainian-Polish relations in exile has lost relevance in understanding the conduct of joint struggle against Nazi Germany or the Soviet

Union. In the way of a combination of the liberation struggle of both sides was also the problem of post-war inter-state separation. Because scientists only two countries in the last decade openly talking about the fact that both nations have seen their national part of the state on the territory of the ethnic borderland. Language – the current eastern region of Poland and Western Ukraine. This aspect is of course complicated adjustment of the Polish-Ukrainian (Ukrainian-Polish) relations.

We, the two scientists representing the Polish and Ukrainian sides, we would like to hope that the research excited us problems could contribute to mutual search for what unites our nations, especially given the current policy of the Russian Federation, which threatens not only the sovereignty of Ukraine but also a threat to all neighboring countries, including Poland.

Some explanations

1. Petlyura cell group, Petlurites, Petliurists – such words in the analyzed documents Polish side called The State Center Ukrainian People's Republic (UPR DC) in exile.
2. Jerzy Giedroyc – known and extremely popular Polish social-political figure who has performed with the interwar era supporter of the Polish-Ukrainian combination. I tried to do it and how in exile during the war and after the editing in Paris monthly "Culture" (EU, vol. 2, p. 475).
3. Prometheism – from mystical hero Prometheus, which is embodied in the figure of eternal aspirations of oppressed peoples of the Soviet Union, which developed into exile among the nations in the interwar period to liberation from under Moscow's domination. Ukrainian historians believed that the movement came largely at the initiative of exile UNR government in Warsaw and later in Paris. The movement spread to Poland. His main focus was the Oriental Institute in Warsaw (till 1933. – Szkoła Schodownicza), and a number of other scientific institutions (EC, V.6, pp. 2357-2358).
4. It means the State Center Ukrainian People's Republic in exile, the leaders of which were Vyacheslav Prokopovich and Alexander Shulgin.

References

1. Instytut i Muzeum im. Generała Sikorskiego w Londynie(IIMSL): Prezydium Rady Ministrów (PRM). – Sygnatura 15a.
2. Instytut Jozefa Piłsudskiego w Nowym Jorku – (IJPNJ): Rząd Polski na Emigracji (RPE). – Sygnatura 701/9/2.
3. Archiwum Akt Nowych (AAN) w Warszawie: Ministerstwo Spraw Zagranicznych (MSZ). – Sygnatura 607. – Arkuszy 365,366, 885, 891; Sygnatura 608. – Arkuszy 680, 681, 682, 683, 684.
4. J. Gredrojc i Rumunia. – www.bukareszt.msz.gov.pl/pl/wspolpraca_dwustronna/historia_i_dyplomacja/bukareszt_ro_a_314, data odczytu 16.04.2014.

5. Encyclopedia of Ukraine. The dictionary of -T.2. – Paris New York 1955-1957.

6. Encyclopedia of Ukraine. The dictionary part. -T.8. – Paris – New York, 1976.

Creation and adoption of the Constitution of the United States in 1787-1789: the formation of political and legal principles and ideals

Andrii Iarygin

Summary

The Article is devoted to the history and adoption of the U.S. Constitution in the late 18th century. The article discusses various projects of government, which formed the basis of the Constitution, is given the analysis of a number of its articles. The author also considers its significance for the history of the United States

Keywords: Constitution, President, Congress, Supreme Court, federalism

The Constitution of the United States, adopted in 1787, is the first written constitution in history (the author ignores the Constitution of Orlyk, concluded in 1710, which has not entered into force because it was written during the exile – approx. Ed.). It was adopted at a time when almost everywhere monarchical system prevailed. Fundamentals of bourgeois democracy existed only in a few European countries. This constitution was born almost two years before the French Revolution. For its time it certainly was a remarkable document because created a unified democratic republic.

US Constitution 1787 is one of the oldest of the existing bourgeois constitutions and one of the most stringent, in 200 years, she had made only 27 amendments, 10 of which were made once in 1791 – the so-called Bill of Rights. In contrast, there is a legal constitution, according to American theorists "living constitution". In other words, the constitution of 1787 has numerous additions in the form of judicial precedents, laws of Congress, acts of presidents.

Of the Constitution preceded by a long period of British colonization of North America. It started in the XVII century: the first settlement was the Jamestown (1607); 1620 New Plymouth was founded in 1628 – Massachusetts Bay Colony. Further development of new land mainly along the Atlantic coast was rapidly.

The special features include the British colonization that almost all American colonies were founded not by the government and trade companies or private individuals acting under charters granted by royal authority. These documents affirm the territorial boundaries of the colonies, and political power such principles as the right of the colonies to self-government and to choose the political forms that most contributed to its prosperity.

Almost all royal charter recognized for immigrants rights and privileges of British subjects. Thus, in 1606 the first of charters granted to the trade of Virginia, stressed that "the residents of the colony and their descendants to fully enjoy all the freedoms, privileges and the right to security of person, as if they lived and were born in the Kingdom of England or any our other holdings."

Gradually there were novelties of American law. In 1629 the General Assembly of the colony Bay of Massachusetts was granted the right to issue all kinds of "useful and prudent decrees, laws, statutes and ordinances, resolutions and regulations" provided they do not conflict with English law. In 1641 in Massachusetts was taken first codified act – "Body of Liberties". This document contains a wide range of rights and freedoms, which not only play traditional "British liberties" (equality before the court, the right to trial by jury, the adversarial principle in criminal proceedings, the right to appeal court decisions, etc.), but also introduced new rules are not known law that era. The new expanded set of laws in Massachusetts – "The Book of general laws and rights" – was adopted in 1648 and continue to serve as a model for similar "codification" of other colonies [1, p. 255].

However, it should be noted that the reception of English common law in the North American colonies to the middle of the XVIII century had its peculiarities. Unlike the courts of England, colonial courts, as noted by V.G. Kalensky were not so much justice as administrative authorities. Their functions other than justice included such important powers as tax collection, control of business, land management, supervision of orphanages, community service and leadership more [2, p. 115-116].

But at the same time increased and forms of colonial domination. In the second half XVII Charter granted to most of the colonies were repealed. The contradiction between the colonies and the mother country grew, and by mid-1774 reached a critical point.

In Philadelphia, September 5, 1774 was called the I Continental Congress to form a common position to fight for the rights of the colonies. Its members are united by the desire to resolve the conflict as soon as possible from the mother country, preferably by peaceful means and with partial preservation of colonial forms of government, but for broader guarantees of the rights of the colonists. This position is typical for the first phase of the American Revolution, and the impact on the decisions of Congress. In its Declaration of him stated that Americans should belong to all the benefits that British subjects [3, p. 38; 5, p. 120-121].

England accepted the reasonable requirements of colonies as rebellion and decided to suppress it by force. In turn, the II Continental Congress, meeting in Philadelphia to develop a common decision on combating the English policy, decide on the establishment of the army and the independence of the American colonies from the mother country. New state is born and begins a war for independence. Before the American Revolution had the task of elimination of colonial rule, the removal of remnants of feudal relations, the establishment of new principles and forms of political power. During the Revolutionary War, these tasks were not only successfully, but confirmed the main goal. On the political map of the world, a new independent country – the United States.

The first constitutional experience of the young republic was unsuccessful. 15 November 1777 II Continental Congress decided to confederate principle of the country. As the basic law of the American states have approved so-called Articles of Confederation. The mechanism of political confederation was imperfect. In fact, there was only representative body – unicameral Congress confederation in which each of the states had two to seven representatives and only one vote. Most states actually were independent in the conduct of foreign and domestic policy, which led to separatism and conflict between them. The failure

of the Articles of Confederation became apparent almost from the first day. However, something Congress could not change. To make additions or changes to the constitution could only be with the consent of all the states that under acute contradictions between them was an impossible task. Dissatisfaction with the current system grew. Congress was not able to provide adequate support for the army. States refused to allocate the necessary funds and have not kept the decision of Congress. Economic ties between the states were destroyed. A deep economic and political crisis compromise the very existence of the United States.

In these circumstances, the task of saving the state took over the Philadelphia Constitutional Convention. In May 1787 its 55 delegates representing 12 states (Rhode Island refused to participate in its work) started drafting a new constitution despite the requirement EXPRESS Congress only see the Articles of Confederation. Among them were prominent representatives of that era, George. Washington, Benjamin Franklin, John. Madison R. Mason, Alexander Hamilton, G. Morris, J. Dickinson, E. Randolph E. Rutledge and others. 44 delegates of the 55 were members of the Continental Congress II. Approximately half struggled against England as part of the continental army or police states. Eight signed the Declaration of Independence. Almost all occupied certain positions in government states. More than half had a legal education [4, p. 73-74].

The main argument in Philadelphia convention unfolded between supporters of the two constitutional models, which are called "Virginia Plan" and "New Jersey Plan" (named after states, representing delegates author of the project).

In the "Virginia Plan" (his authorship was primarily Madison) emphasis was made on the creation of federal bodies that would have considerable powers. The federal government was to consist of three separated branches of government – legislative, executive and judicial. Representing the state in Parliament was made dependent on the population and the state contribution to the federal budget. The most radical proposal "Virginia Plan" was right empower the Federal Parliament to make laws on all matters, "in which individual states are incompetent or can destroy the harmony of the United States." The right of the federal parliament to abolish state laws if they conflict the US Constitution backed the said powers. In particular, the federal government offered to give veto on laws passed by state legislatures, where necessary to use military force against individual states. Executive federal government concentrated in the hands of the president, who also served as prime minister. The most important role was assigned and the Supreme Judicial System is based on the immutability of judges and aim to balance the executive and legislative power. As you can see, this plan was largely built on the ideas of British and French Enlightenment.

"New Jersey plan" proposed by W. Paterson, reflect the interests of small states. Paterson proposed to make some changes to the Articles of Confederation, including secure supremacy of federal law, without changing the essence of the document. Rights asked states to ensure securing equal representation from each state in the legislature. Thus, individual states would preserve greater autonomy. And put forward proposals for a constitutional monarchy on the British model, but they were quickly rejected.

The debate on the future shape and structure of the state had a stormy character. It came to direct insults and threats [5, p. 93-126]. However, the creators of the future constitution

have enough political wisdom and tact to combine the best aspects of both projects and create on their basis of a single document – “Connecticut compromise” that reconciling opponents. [6] He secured guarantees of the rights of small states, allowing us to go further, more calm discussion of the future form of government. On July 26 convention interrupted their meeting on the work of the Committee on the details of the project. It was proposed to prepare an initial draft of the constitution. By Aug. 6 draft was ready. It consisted of a preamble and 23 articles, which have absorbed the sentence “Virginia” and “New Jersey” plans, as well as some provisions of Articles of Confederation and state constitutions. The basis of this document was the following political and legal principles and ideals.

First, republicanism as a principle of constitutional government, which at the time was revolutionary phenomenon in the legal and political practice. He ensured the supremacy of the legislature elected and responsible government that has changed in due time.

The second principle is established by the Constitution is the introduction of dualistic federalism, which is based on a relatively strict division of competence of the Union and the states that formed it. Federalism guarantee submission of higher state solution Federation on issues of national importance and preservation of their right to solve problems of inner values. The limited nature of state sovereignty is manifested in the following: a) they are denied the right to secession, that is way out of; b) the principle of “common citizen”, that is a citizen of one state is considered a citizen of any other state and all; c) states limited legislative powers, is an exceptional area of federal jurisdiction, and the US Congress are stored as so-called powers that include enacting laws, “which are necessary and appropriate”; d) the rule of the federation in the economic and political spheres, for example, for the right of federal intervention in the affairs of states to support them “republican form of board ‘frequent use of federal forces to prevent’ internal unrest “in the states [7, p. IV].

The third position is a rule of the federal law, that is the position that “the Constitution and laws of the United States, issued on the basis of its concluded agreements recognized the supreme law of the country and the judges of each state shall be guided by them, even if the constitution or laws of any state contained provisions that contradict them” [7, p. VI.].

The fourth idea of the Constitution was the principle of separation of powers, which was largely borrowed from the British and the French Enlightenment, especially John. Locke and Montesquieu. The constitution of this principle is represented in the following points: 1) a clear distribution of powers to Congress, the president and the judiciary; 2) different ways of forming government (elected by the Congress president and general elections and the independence of the judiciary is ensured lifelong appointment of judges conducted by the president, but only with the consent of the upper house of Congress); 3) a system of “checks and balances”, ie procedures that allow one branch to control to some extent another; 4) recognition of the equality of all branches of power, because none of them can be regarded as the highest in relation to the other [7, p. II, art. III].

The Founders of Constitution sought to give it special stability. To this end, it was written: “Congress had not considered it necessary two-thirds of the members of both houses may propose amendments to this Constitution or – at the request of two-thirds of the Legislative Assembly of the state – can gather convention for proposing amendments; these

amendments in both cases will be enforceable ... after ratification by legislatures of three fourths of the states or by conventions in three fourths of the add whichever shape ratification will offer Congress ..." [7, p. V].

So, in such way was enshrined particularly complex, which was different from the ordinary legislative procedure, the procedure for the adoption of amendments to the constitution, and it was indemnified politically hasty textual changes. It took several years to develop and adopt the first ten amendments to the Constitution, providing a bourgeois-democratic rights of US citizens, such as freedom of speech, press, assembly, protection from arbitrary arrest and several others.

The US Constitution, which was approved by the Philadelphia convention September 17, 1787 and entered into force on March 4, 1789, the – the first constitution of the United States as a federal republic, which has full international personality. Of course, it was not perfect, because not talking about freedom and rights for women, blacks and indigenous people of America. But it is hard to imagine that the creators of this document thought at the end of the XVIII century ethical and legal categories century XXI. But most importantly, it was the world's first constitution, which provided a stable political system and the development of the republican state. At the end of the XVIII century it influenced the creation of the constitutional documents of France and Poland, and the next era – the preparation of constitutions significant number of world powers, including Russia.

Thus, the union of 13 states in state under a single federal republican state – an act of great historical importance. It was the first in history bourgeois Federation. For the XVIII century it was distinguished by a rare democracy, which is evident even in the fact that the states have been preserved quite extensive rights. "Founding Fathers" sought to ensure both the integrity and effectiveness of the state. The Federal Government in the Union states were voluntarily delegated most important domestic and foreign policy powers. However, they have kept a fairly broad powers under its jurisdiction.

The basis of the future of the US Constitution were the ideas and theories of European Enlightenment XVII-XVIII centuries. However, its strength is the skillful use of American political reality of the XVIII century and socio-economic and political reality prevailing in the young American state at the end of the XVIII century. The American colonies, which overthrew the colonial power did not follow the path of blind copying of British constitutional rules, but successfully retained the principle of vertical construction power.

Experience the War of Independence, an initiative of the masses reflected in counterbalance executive by the legislature in the face of legislative and judicial branches of government. Of course, at the end of the XVIII century it would be difficult to imagine a direct democratic nature of the practical application of the Constitution. It was not perfect, two-stage presidential elections, census restrictions on election of chief executive and Congress gave the conservative nature of the constitution and at first limited the political rights of the general working population. However, in the very constitution incorporated mechanisms improvement and expansion of democratic freedoms. Already in the middle of the XIX century political right to elect and be elected receives all white people, and after the Civil War – black. In XX century recognized the political rights of women and Indian minorities. Importance was also the adoption of the principle of judicial independence. The

Constitution establishes the Supreme Court the right to cancel any presidential decrees and laws of Congress if they conflict with the Constitution. This right enjoyed the Supreme Court in US history repeatedly.

However, it should be noted that the members of the constitutional convention have expressed interest primarily wealthy American society. But building a feature of American society is that most of the wealthy people in the very recent past led descended from indentured servants (serventiv), farmers hired servants. Their condition usually occurred during the development of the Americas, as democratic representation were not strangers to members of the Continental Congress. Their work has kept potential revolutionary America, which raised the banner of the war of independence against Britain. In many ways, this fact explains the flexible nature of the constitution and its ability to self-improvement.

References

1. Slezkin L.Yu At the root of American history. – M.: Nauka, 1980. -190 c.
2. The history of bourgeois constitutionalism XVII-XVIII centuries. – M., 1983.- 328 p. [2, P. 255].
3. Lafitsky V.I. US Constitutional system. M.: Institute of law and compared. Law, 2007. – 320 p. 3, pp 115-116.
4. History of the United States. T. I. / holes. Ed. NN Bolkhovitinov. – M.: Nauka, 1983 – 688 p. – S. 38.
5. S.A. Isaev James Madison. Political Biography. – SPb.: Nauka, 2006.- 551 p.
6. Connecticut compromise [Electron resource]. – Access mode: universalium.academic.<wbr>ru/96156/Connecticut_<wbr>Compromise)
7. The United States Constitution 1787 // the Constitution and laws of bourgeois states XVII-XIX centuries. – M., 1957.

Innovation trends in modern diplomacy: Concept of paradiplomacy as institutional direction and implementation of cross-border political and diplomatic cooperation of Ukraine

Vyacheslav Tsivatyy

Summary

At the article is analyzed the regions as independent players not only at national level but also in the international arena as a whole, because the modern international political processes in the world and the evolution of political and diplomatic formed in the context of three interrelated trends: globalization, regionalization and institutionalization. One of the most striking manifestations of regionalization has become a trend of increasing subnational áctors in international and diplomatic systems.

Transferring a large part of power to regions, sub-national or those arising from cross-border cooperation, currently defined as a special type of diplomacy – paradiplomacy. This focuses on the fact that the emergence and efficient work paradiplomacy evidence of active

development of the innovation direction of the diplomacy in the new environment polycentric world. Experience of development of the paradiplomacy of the European Union amounts to both theoretical and practical interest for the regions of Ukraine.

Keywords: diplomacy, foreign policy, paradiplomacy, institutionalization, regionalization, globalization, Ukraine, the European Union.

In 2016 Ukraine celebrates the 25th anniversary of its independence. August 24, 1991 was adopted the Declaration of Independence of Ukraine adopted by national referendum December 1, 1991. It says that now "... continues millennial tradition of state in Ukraine, which has the right to self-determination as provided for by the UN Charter and other international legal instruments." An absolute majority took the historic and significant political decision: 346 votes given "in favor" of independence, only one – "in opposition".

In the new geopolitical and socio-political situation unfolded state building process. Ukraine looked myself in the world and Europe, but Europe and the world shared it gained international political and institutional experience of state building. A huge role in the development of civil society, the Constitution of Ukraine declared the rights and freedoms it played Ukrainian diplomacy and diplomats. This innovative dialogue on the basis of the best traditions of world diplomacy and appeared a concept of paradiplomacy as innovation direction of the program "Eastern Partnership".

During the long history of the regions often acted as independent players not only at national level but also internationally. However, in XX – early XXI century it paid special attention to their role in international affairs, foreign policy and diplomacy. The purpose of this study is to determine the place of the regions in the political-institutional, political and diplomatic systems of the modern world, the possibility of taking into account historical experience in the institutional development of modern states globalized space, in particular – Ukraine.

Usually globalization and regional integration significantly affect the change of territorial and political structure of the nation state and the development of a regional movement in the world. Both positive and negative effects of globalization impact on the regional level. Appropriate changes, EU enlargement and the desire for further deepening of integration caused heated debate about the future structure of the European Union and place it in the new states, including Ukraine, with its regional-institutional structure. That is why the question of what role is assigned to the regions in an updated and enlarged European Union, takes in order of importance is not the last.

Analyzing the regions as one of the players on the international political scene, is first of all define the essence of the concept of "region" and the geopolitical and geo-economic, geodiplomacy interests of countries with appropriate mechanisms for their implementation. If the object of study is the total of regions "region as an independent spatial-geographical, administrative, territorial, institutional, political, diplomatic, economic, social, historical, cultural, ethnic and demographic value", the object of study of international political study of regions is regional government policy and diplomacy, and political sphere of regional communities. Describing the nature and meaning of the term "region" should focus on its ambiguity and different interpretations in the scientific literature.

The subject of international political patterns of regions associated with the formation and development of political power in areas of mutual influence public policy and policy regions on the state, as well as patterns of functioning political sectors of the regional community [1, p. 77-82].

Modern international political developments and the evolution of political and diplomatic systems formed in the context of three interrelated trends: globalization, institutionalization and regionalization. One of the most striking manifestations of regionalization become the growth trend of sub áktoriv in international and diplomatic systems (the term "transkordonizatsiya" – V.T.S. – first author introduced into scientific circulation). Participation in the subnational áktoriv international relations – a phenomenon that in European diplomacy theory is defined as paradyplomatiya. For the first time the term "paradiplomasy" appears in the 80-ies. The author is considered a professor at New York University Ivo Duhachek. Some authors divide the palm on the authorship of the term between Panagiotis Soldatosom and Ivo Duhachekom. First, they used the term "mikrodiplomacy", but later it was replaced by the "paradiplomasy." Global paradiplomacy based on political and diplomatic contacts of different states, which are formed by subnational government contacts not only with trade, industry or cultural áktors foreign countries, but also with all the possible agents of foreign relations of national governments, áktors CBC and security (cross border paradiplomacy) [2; 3, p. 20-26].

In the early 90th XX century the scientific revolution introduced a typology of áktoriv as participants of paradiplomacy by the criterion level diplomatic relations, namely: cross-border (cross-border) regional paradiplomacy; transregional (macro-; mikrorehionalna) paradiplomacy; global paradiplomacy. This theoretical foundation of the concept paradiplomacy was perceived by most researchers theory of diplomacy that began using the concept in the study of international activity sub-national units / institutions (provinces, states, cantons, regions, lands, regions, districts, etc.). Based on scientific discourse late XX – early XXI century paradiplomacy can be defined as part of sub-national units in international relations by establishing formal and informal, permanent and temporary connections with foreign áktors to achieve the designated number of objectives through various strategies of action in the international arena and in political and diplomatic systems / system. Based on theoretical achievements, and the empirical evidence, at this stage paradiplomacy defined as part of sub-national units in international relations, foreign policy and diplomacy by establishing formal and informal, permanent and temporary contacts with foreign partners in order to achieve certain goals in foreign relations (for example, the issue of cross-border or cross-border cooperation security).

Among the economic factors affecting the activation regions during recent history, it is worth noting the further development and diversification of the economy, the decline of old industrial and agricultural regions, the emergence of new industries and as a result – new growth centers in the regions. A role played by psychological factors – in the development of processes such as European integration and globalization, many people had the feeling of insecurity, instability, which is easiest to get rid of a narrow circle of friends and loved ones, feeling of belonging to the native land and its destiny.

Global paradiplomacy based on political and diplomatic contacts of different states, which are formed by subnational government contacts not only with trade, industry or cultural

actors foreign countries, but also with all the possible agents of foreign relations of national governments.

Regionalization at present has the part of a special type of diplomacy – paradiplomacy. Regionalization refers to the prevailing factors of political and diplomatic systems and interstate cooperation in today's globalized world.

Today, public administration reform in Eastern Europe in the course of "Eastern Partnership" poses new challenges for our country. Previously regional cooperation between Ukraine, Poland, and Hungary carried out exclusively in the international format, now it has moved to another level, that has become both Ukraine's cooperation with individual countries of the European Union and the European Union as an independent international actors (International Institute/institution). In addition, cooperation at the regional level has become an integral part of implementation eastern policy of the European Union.

Paradiplomacy development in the EU was made possible by the revitalization of regional entities regardless of their structure. That regional governments and national minorities, which have their own governments, such as Catalonia, Lombardy, Rhone-Alps, is quite active participants pair diplomacy and influence the development and implementation of European and world politics.

Qualitative changes in relations between regions and governing structures of the EU, not least due to the development paradiplomacy, resulted in reducing the role of borders within the European Union and contributed to the successful implementation of a common regional policy.

Europe is currently the world's major platform on which most of the political leaders feel confident and remain relatively leading position in various fields. It justified what Europe should be linked to the geopolitical strategies of survival and of leadership in the XXI century for Washington, Moscow and most states covered polycentric concept of leadership in a globalized world space. Here, in Europe, taking into account, of course, many international commitments in other parts of the world, these states should concentrate their efforts on building a stable and common space policy, diplomacy, culture, economy and security without dividing lines [4].

The institutions of the European Union direct the efforts to deepen cooperation with Ukraine in various fields. There is a relationship of expansion and development of institutions and functions, there is stimulating value entry of new candidates to the EU under the general acceleration of European integration. New challenges and threats to the expansion of the modern world make world politics actors look for effective options for overall deepening of integration processes. The European Union is becoming increasingly complex system that requires new institutional and political and legal changes, but in the interests of member states, candidate countries and of the EU as a whole. Accordingly, the new system gets a new opposition of the other centers of influence, power centers.

Institutionalization and expansion of the European Union is a strategic concept, which purpose – to promote long-term peace and stability in Europe. The EU is interested in stability and harmony among its immediate neighbors, taking into account those who are in the waiting list to join the EU, which expands to the East. This expansion should help to

transcend the division that lasted for centuries in Europe at the level of civilization and religion was the cause of a large number of political and armed conflicts in the past. In the twenty-first century united Europe that come close to the borders of the former Soviet Union, is actually a multicultural community of neighboring states with different religious, ethnic and cultural characteristics. The historical dynamics of institutional processes of European construction logically ended at one stage formation of the original institutional model, center of influence in the modern world – the European Union [5, p. 4-12].

The list of questions that now have to find answers States polycentric world demonstrate the complexity of foreign policy issues, their relationship with the state strategy on the world stage, including cooperation with Russia, US, EU and other countries of the globalized world, including – Ukraine. Our country today is at the center of global geopolitical space, new geopolitical design that is built in Europe. For Ukraine it is important to experience as paradiplomacy sub regions of the EU and European regions, covering the territory of Ukraine and countries that are members of the European Union (“Bug”, “Carpathian region”, “Lower Danube” and others.).

Paradiplomacy development as part of the process of regionalization in Ukraine can promote cross-border cooperation system and implementation in practice of European integration aspirations of our country, practical presentation of certain pro-rate [6].

Thus, a large part of delegation of powers to the regions, sub-national or those arising from cross-border cooperation, currently defined as a special type of diplomacy – paradiplomacy. It should be noted that the tools paradiplomacy has significant differences from the classical tools of diplomacy. The emergence and effective work paradiplomacy evidence of active development of the new direction of diplomacy in the new conditions of institutionalization, globalization and regionalization. Basic approaches and mechanisms of áktors of paradiplomacy aimed at mobilizing regional resources, it is itself justify and promote initiatives to ensure the interests of the regions and their citizens in foreign relations. Experience of paradiplomacy European Union is both theoretical and practical interest for the regions of Ukraine. Formation of interregional relations of the European model, in the context of political transformation of Eastern European models, is in the course of “Eastern Partnership”.

References

1. T.O. Hrachevska Paradplomacy as part of the process of regionalization at present / T.O. // Hrachevska faces. – 2014. – № 12. – P. 77-82.
2. Plotnikova O.V. International relations of States regions: the characteristics and features / O.V. Plotnikova, O.Ju. Dubrovina. – M. : Norma, INFRA-M, 2016. – 192 p.
3. V.G. Tsivatyy Globalization and European Regional Policy: historical imperatives and present / V.G. Tsivatyy // Scientific Bulletin of the Diplomatic Academy of Ukraine. – K., 2012. – Issue 18 – p 20-26.
4. Pigman Geoffrey Allen. Contemporary Diplomacy / A.G. Pigman. – Washington, 2010. – 288 p.

5. V.G. Tsivatyy Ukraine European integration activities in the light of the implementation of the Eastern Partnership: institutional aspects and image / V.G.Tsivatyy, L.D. Chekalenko // Scientific Bulletin of the Diplomatic Academy of Ukraine. – Vol. 23 – Part II. – A series of “political science.” – K.: State Agrarian University, MFA of Ukraine, 2016. – P. 4-12.

6. Paradiplomacy in action. The foreign relations of subnational actors. – L., 1999. – 231p.

Features of geographical factors of Ukrainian and European geoculture

Inna Kostyrya

Summary

The article draws attention to the problem of geographical factors which creating a geoculture of Ukrainian society. Wondering about the level of Ukrainian geopolitical consciousness, the author compares different manifestations of the national political consciousness with similar situations in European countries. National political mentality described by comparison with a regional-regional identities in Britain, France and Germany. Based on the findings, the paper stresses the general need for applied approach to study the principles of the Ukrainian nation.

Keywords: geoculture, political culture, mentality, nation, territorial identity.

Every civilization, country or empire had their time and place in time and space rays world history. It is hard to imagine the existence of Mesopotamia in the nineteenth century or the US at the beginning of a new era, as it would be impossible to move the Ancient Egypt from the shores of the Nile, not changing cultural and historical essence of ancient civilization on our planet. These features vastly time affiliation political history is geographical and temporal attractor development of any society, despite significant technological developments of modern civilization still leaves a visible mark on the fate of all countries and peoples.

Sphere of influence of geographical factor on the modern history of large societies can be both objective and subjective. Usually, the objective side include a set of natural resources and environmental conditions that contribute to social, political, economic and cultural situation in the area of civilized nations. Subjectively geographical factor is not so obvious: It includes a set of psychological factors in the mass consciousness of the people (mentality), which were formed under the constant influence of political, geographical, and physiographic conditions. Therefore, the subjective aspect of political geography is both state geoculture factor as an element of political culture in a certain area.

With the development of social sciences after the Enlightenment, the popular of idea of geographical dependence of political decisions increasingly leveled. This was due primarily to the fact that the theory of geographical determinism not only absolutised natural territorial factor, ignoring other factors of state, but concentrated their attention exclusively on the objective side of the geographic influences. With the advent of classical economic theory (A. Smith) geographic component remained on the periphery of social-scientific discourse, and its place is gradually taken different concepts of favorable economic conditions. In modern times, the reduction of the cycle of capitalist crisis the problem geoculture and geographical factors of its formation becomes more and more important.

Virtual economy XXI century quite clearly shows what a high value factor entered the collective consciousness of society in the context of the financial and industrial success of nations and peoples. Even the exchange rate in the international market is extremely sensitive to certain abstract ideas and assumptions in the minds of society that multiply with great speed through the media and international communication.

Thus, this aspect appears extremely important to examine the nature and structure geoculture geographical factors, including having considered its manifestations in the Ukrainian and European society.

If we interpret geoculture as part of the political culture, the content of the latter formed by the same laws and laws as the political culture in general. Specificity geoculture is its focus on the role of a valuable natural (geographic, environmental, natural resource) issues and is exposed to such forming factors:

- 1) all the factors inherent in the political culture in general;
- 2) environmental factors associated with awareness of the environmental situation in the region and the capabilities of civil society to influence environmental policy;
- 3) natural-resource factors ensuring that describe known problems of resource savings in the country, including public awareness about the realities of depletion of natural resources of the planet or country;
- 4) geographic factors fall into two structural groups: political and geographical or factors based on geopolitical mapping segment of state policy in the minds of the population and geographical defined geographical influence of natural environment on the formation of political mentality of nations.

The political geography of the country, socially conscious of geoculture elements, which are not confined to the physical territories and the natural environment of the state. As rightly noted by M. Dnistriansky: "The geographical position of the state includes two main components – the natural geographical and socio-geographical, which comprehensively characterize its position on the surrounding world, but have their own characteristics. If natural geographical position is marked relative static, the social and geographical – changing over time. In addition, the state has the ability to influence and even shape their social and geographical situation, particularly the political-geographical" [1, c. 8]. Geographical influence on the political culture of Ukrainian citizens are the subject of scientific knowledge and can help find answers to questions related to place in Ukrainian domestic politics.

After the Revolution of dignity Ukrainian society has undergone a fairly significant change. Increasingly visible attempts to become active citizens to influence the political and social life in the country. However, distrust of the government and judicial institutions, lack of experience and means of social struggle, and the connotation of the concepts of "state" and "power" in the political culture of the population reduces national civil activity to narrowly random measurements aimed at solving specific, not complex tasks.

Let's consider a specific example. Recently, the Ukrainian media has gained significant publicity situation of illegal extraction of amber in the territory of Rivne and Volyn regions.

After checking recorded with illegal aircraft could assess the points about the massive theft of natural resources of Ukraine [2]. The case of illegal mining of semiprecious stones is not new. Thus, in the middle of 2014 has carried out an attempt to combat malicious resource. Then, in violation of the law accused certain members of NGOs square, including "common cause" and "self-defense" that appropriated and controlled illegal business amber "plantations" Alexander Yanukovych. [3] Ukrainian social activity a year ago provided an opportunity to raise the issue on a specific case of violation of the law, but not eliminated it completely even at regional level. In 2014 succinic situation has not received appropriate assessment of the whole society that caused the failure to demonstrate a comprehensive public resistance. The subject of discussion was a specific problem, which, although it has been solved already returned a year later a new relapse.

For contrast, let's consider this situation in the EU, which in the case of illegal mining activities will be the reaction of European citizens? In 2007 the press had resonance history of environmental catastrophe in French Guiana (French enclave in South America). The news has been linked to illegal gold mining, which had a magnitude of uncontrolled early 2000s [4]. The main participants in illegal mining – the vast majority of Brazilians and residents of neighboring Suriname, who illegally crossed the border of the French land through the jungle. Interestingly, a broad information campaign Guiana situation was rapidly accepted not only in Paris but also among many EU citizens. A number of social movements, environmental organizations, formally appealed to the French government demanding several times to increase the number of border patrols in the region, as well as significantly strengthen the legal support of natural areas, including through the introduction of a strict liability for illegal mining. The relevant requirements have been met, since 2010 in Guyana illegal golden mine became noticeably rarer phenomenon.

Comparison of the two aforementioned situations makes it possible to see a characteristic difference from the Ukrainian geoculture European. The position of the active Ukrainian citizens are mostly directed against a specific manifestation of illegality. The lack of a systematic approach explains the distrust of government institutions by activists and essentially ineffectiveness of mechanisms of power-public communication. Even theoretically, if today there are real opportunities for civil control over compliance with the law and the authorities, geoculture Ukrainian citizenship would take several years to form "algorithm" overall, not applied to policy interventions of the state.

One of the exclusive features of the geographical factor of geoculture is generally implitsytnist (neyavnost) conceptual boundaries between the social and geographical space in modern politics. What at first glance seems to be the effect of geographic distance may actually be the result of a wide gap in terms of social space. The famous French sociologist Pierre Bourdieu in his time rightly noted that weighty difference between geographical and social space is as follows: "These two spaces never quite the same, but many differences that are usually considered the effect of geographical area, such as opposition center and peripherals, distance is really a social space, that is derived from inequality in the division of different types of capital in the geographical area" [5, p. 94]. Social area includes many components – both mental and physical-quantity, however, is their synthesis is a source of collective common sense of society that is central to the operator of the political consciousness of the masses.

Quite clearly, this feature appears in Ukrainian political culture. Today, many apologists and oppositionists of Western vector of development of Ukraine appealed to geographical and historical proximity of our country in accordance with the European Union and Russia. However, what seems to close in physical space is not the same narrow-minded in the social space. The current Ukrainian interclass distance is much broader than the European and the Russian public consciousness literally contrast to the Ukrainian in the last few years. Today our country is somehow isolated in the newly-specific domestic social space, Ukrainian politically not think the Russians, but not as common citizens of Europe.

Another aspect of the geographical factor of geoculture is community awareness of territorial identity and geopolitical features of the country and its regions. During the war and humanitarian crisis in the Donbass, this problem is very important.

English researcher Rees Jones relationship between the concepts of state, territory and citizenship suggests paying attention to the current situation in her native Britain. Scotland as part of the UK has always been a particular political entity. Its population, despite the lack of independence from Great Kingdom has always had an active political position, but that never crossed the line power outright separatism. In view of this fact, London actively supported the creation of new regional institutions and mechanisms of government. "Scotland is an interesting example of the relationship between territorial identities and work delegated government. At this level, the Scottish civil service showed an active role on the development of the regional government until 1997, with a much greater extent than its counterparts in Northern Ireland and Wales. The members of the civil service in Scotland tend to highlight the originality of Scotland and its role in maintaining this identity throughout the second half of the twentieth century. In this regard, the executive power transmission in Scotland through the creation of the Scottish Parliament only served to revive always inherent activity of the Scottish civil service" [6, p. 168].

Scotland is a prime example of the autonomous region, seeking implementation of its identity. Much of the politically active population during the time of devolution in the UK not just expressed its position on restoration of the Scottish parliamentary system, but it was the real driving force [7, c. 53]. The desire to transfer power to the regions was carried out deliberately and legally Scots, and their relation to the territorial integrity of the Kingdom witnessed a referendum in 2014, which confirmed the quality and efficiency of modern British ethnic and humanitarian policy.

Ukrainian situation in territorial and geographic aspect is extremely intuitive. Annexation of the Crimea and separatist movements would never have been made possible without the past failure of humanitarian and regional policy, as well as the low level of political culture of the population in these regions and in general in Ukraine. Geographic and historical factors resolution on the Dnieper Ukrainian discussed long before the national crisis and the turbulent events in Crimea have occurred at the dawn of national independence.

Residents of today's Donbass and the Crimea, which are inhabitants of other Ukrainian regions, such as Kharkiv, are carriers of specific, but passive-closed territorial identity. It is on these geo-cultural mental attributes as a rule, and built a political campaign in these regions. The politician appealed to voters not as Ukrainian, namely how to Kharkiv, residents of Donbass, Crimea and others. This attitude has stated that the villages and increasingly

deeper states of mental disintegration Unification of Ukraine. Many inhabitants of the regions of the country are committed to decentralization, but no active public participation in achieving broad legal concessions from the central government. This situation suggests that even with the deployment of decentralization of public activity and performance of new local governments will be equivalent to today. Scottish parliamentary success is the result of high political culture of the population, as well as advanced geo-cultural planning United Kingdom.

If you wonder about what could be the quality criteria of successful humanitarian policy in the regions now lost, then obviously the answer would be the possibility of the central Ukrainian authorities own a referendum on the independence of Crimea and Donbas without fear for his negative result. That is possible, which was implemented in 2014 in the UK, where 40 years ago the issue of separatism was on the military level. Areas of political culture, geoculture and interregional ideological, cultural tolerance ignored for too long. Humanities considered secondary, especially one that has only a cosmetic effect on the political climate in the country.

Often political and national discord Ukraine linked with so-called diversity Ukrainian nation – a clear division of Ukrainian presence in the western and eastern. This opinion was expressed including Samuel Huntington in his famous work "The Clash of Civilizations." Unite West and Orthodox East seem to him by two different geoculture which hardly actually get used in the title of one of sovereignty. [8] But whether Ukraine is so peculiar to this problem? Really successful in the States there is no such historical and geographical contrasts?

Let's consider the European experience again. Germany is a country that is familiar with the ideological and political resolution of their own land. After the war, the German nation has long had to pay for the mistakes of history and still exist in '45 as two parallel state. This fact has left his prints on canvas geo-cultural Germans. As noted researcher geographical facts geoculture Kevin Cox: "Highly illustrative process is an event that took place after the reunification of West and East Germany more than a decade ago after nearly 45 years of cultural differences between the two areas. It is the hostile relations between Wessis or western Germans and Osis, former residents of East German "[9, c. 151]. In simplified form, ie simple everyday language German residents, Wessis believe that Osis spends because for too long living in his little world, they are naive and narrow-minded; they lack confidence, they always apologize; they are not used to hard work, because in the old GDR [German Democratic Republic] they always ended materials for long-term production and it made their day very simple; they are no better and as managers or entrepreneurs, because they have no experience of the market economy; and they do not appreciate the benefits that brought about a union, they always complain. Osis, for their part, believe that Wessis is often unbearably arrogant and unreasonable; relentless competition that has made it difficult for dialogue; that a lot of them are crooks who got rich on the sale or trash, or the terrible confidence of East Germans, or buying assets Oriental much lower price of their real value; and in addition they are squeezed for the best jobs in the east. At first, all this only made the Osis feel depressed and helpless, but now some of them are really offended. Wessihass (hate Westerners) has become fashionable [9, p. 152].

In addition to the West-East confrontation geography of territorial identities in Germany and complemented in another geographical area, including opposition among the inhabitants of the northern (lowland) and southern (mountain) lands. Usually people in the southern lands has more nationalist and conservative, while their compatriots in the north are more liberal and progressive. However, the diversity of the German nation has not prevented her after heavy defeats and cultural crisis of the twentieth century enter the first economic position in the world [10, c. 134]. One of the keys to this success was the presence of powerful regional political elite, which is constantly developing and represented the interests of all German states in the Bundestag, the government and other authorities. The presence of national disintegration factors – a natural process of the existence of any nation, the only question is how much these factors affect the unity of the national elite, which is the creator of state history.

Manipulation of Ukrainian problem of East and West shows only that during 25 years of independence has not been established qualitative forms of political representation of interests of each territorial identity Ukrainian nation. Of course, you can appeal to the geographical position of Ukraine, which plays an important role interference from outside interests. However, during the second half of the twentieth century. Germany was not less active international political arena game that did not prevent it to grow rapidly at first as two separate states, and later as a unified Federal Republic of Germany.

So, speaking of plurality of political identities in the leading countries of Europe and Ukraine, you can get lost in the wilds of theoretical national question. Sometimes it seems that no definition of the term "Ukrainian nation" we will remain fusion of East and West with efforts to stay united. However, the nation – not something that requires a clear conceptualization, since it is rather some form of collective feeling of belonging than categorical concepts. As pointed Cox: "We share the geography of our countrymen. It is the home. Everyone has a homeland, or they believe in what it should, but "they" have a homeland other than "our". This area predictability. It is a place where everything is familiar. Outside of homeland insecurity is something you need to know or learn, if we ever want to feel comfortable in there daily life. Predictability in this case creates no concept and effect. We are going through and feel their country "place" of their stay so that we can not feel in other countries "[9, p. 171]. Political culture does not require additional conceptualization of the term "Ukrainian nation", it needs to create the conditions under which Ukrainian could feel the involvement of a single state, a single system everyday understanding of things and events and a single territorial culture. The nation should be understood as a phenomenon that is completely determined by the manifestations of the "national".

References

1. Dnistriansky M.S. The political geography of Ukraine / M.S. Dnistriansky. – Lviv: the Ivan Franko Lviv National University, 2014. – 348 p.
2. Lutsk guards the plane recorded illegal mining amber [electronic resource] // Agency "ZIK". –
Access: zik.ua/news/2016/03/14/lutski_prykordonnyky_z_litaka_zafiksuvaly_nez_akonnyy_vydobutok_burshtynu_680802

3. Chabrets A. Maydanivtsi removed the hands of illegal mining of amber [electronic resource] / A. Chabrets // National Anti-Corruption Portal "Antikor." Access: antikor.com.ua/articles/10173-majdanivtsi_pibrali_do_ruk_nelegalnij_vidobutok_burshtinu
4. Bellos A. Illegal, polluting and dangerous: the gold rush in French Guiana [Web resource] / Alex Bellos // "The Guardian" – Mode of access: www.theguardian.com/environment/2007/dec/17/pollution.mining
5. P. Bourdieu Sociology of Politics / Pierre Bourdieu [trans. with fr. N.A.Shmatko]. – M.: Socio-Logos, 1993. – 336 p.
6. Jones R. People. State. Territories: The Political Geographies of British State Transformation / R. Jones. – Oxford: Blackwell publishing, 2007. – 216 p.
7. Dodds K. Geopolitical Traditions A Century of Geopolitical Thought / Klaus Dodds. – London: Routledge, 2000. – 392 p.
8. Huntington S. The Clash of Civilizations. / Samuel Huntington [trans. from English. Yuri Novikov]. – M.: AST, 2003. – 603 c.
9. Cox K. Political Geography: Territory, State, and Society / Kevin Cox. – Oxford: Blackwell Publishers, 2002. – 382 p.
10. Blacksell M. Political Geography / Mark Blacksell. – London: Routledge, 2006. – 244 p.

The problem of the protection and preservation of cultural values in Germany: new initiatives

Viktoriya Soloshenko

Summary

Preparations for the adoption of the new Law on Protection of Cultural Values, its discussion and debate seriously puzzled the German Government, and also caused acute criticism from the representatives of the world of art. An important and quite complex issue in this regard is that of preventing illegal movement of cultural objects that belong to the cultural heritage of the state.

Keywords: Germany, law, cultural values, collections, museums, the Ministry of Culture and the media, illegal movement

The problem of the protection and preservation of cultural property shall at the beginning of the XXI century new measurements. This is directly related to the number of high-profile robberies, the return of works of art search which lasted more than half a century. Illegal trade in cultural property is the third in the world in international organized criminal trafficking after drugs and arms trafficking. Illegal export of cultural property causing considerable damage to the cultural identity and integrity of the country of origin. Thus, according to US experts, as of 2012 the volume of cultural values around 8 billion dollars the object of illegal transactions [1]. Note that this trend is gaining momentum.

The issue improve the protection of cultural property in Germany with a view to preventing their export abroad and thus protect the German cultural heritage. German law allows, following the rules of international law, effectively enough working with partners on the return of stolen or illegally exported cultural property.

It is noteworthy that the development of a legal framework that ensures the protection of cultural property in Germany began immediately after the First World War – under the influence of its disastrous consequences for the historical, cultural, artistic and scientific heritage. In 1919 due to the economic difficulties Germany strongly identify undertook the sale of German cultural values abroad, why had skillfully avoided. First export was accepted rules of art, then cultural property registered as national securities have been listed in the directory, they extended the ban on export. This principle was enshrined in the adopted 1955 German law on the protection of cultural property export, which operates to this day. We emphasize that Germany has pledged to take action against illegal trade in cultural property in accordance with international law.

Regulations on the Protection of Cultural Property Member States implemented on the basis of EU law (Directive 93/7) in Germany from 1998 (Law on restitution of cultural property). With the addition of Germany to the UNESCO Convention (2007), this law has been extended since then he has concerning 127 States Parties to the UNESCO Convention [2].

Germany is among the countries that may seek to increase the return of cultural property. The European Union and other international organizations designed to create catalogs of national treasures and adopt rules of import-export and return of cultural property illegally exported.

The key event of world importance in the return and restitution of cultural property lost around the world, was the Washington International Conference on Holocaust assets period (December 1998), organized by the US State Department. During the conference, special attention was paid to the issue of looted art. At the Washington over 40 countries and Jewish organizations attended conference. The conference was made 11 important provisions, such as to the necessity of identifying looted and confiscated during the Nazi rule of art, searches of their pre-war owners or heirs. International agreement also stipulated that the museum states that have signed the document should check their funds on their origin and to determine whether they contain cultural objects that were illegally alienated during the reign of the National Socialists [3].

Similar regulations were enshrined in the Berlin Declaration of 14 December 1999 and approved by the federal government, federal states and municipal organizations. The document demanded and encouraged German collectors to step up and continue the search Nazis confiscated works of art, especially Jewish property.

From the fact that now fully strengthen the protection of cultural property and effectively fight illegal trafficking, the federal government intends to combine and summarize previously adopted laws in the field of cultural values in the new document. The reform of the German law on the protection of cultural heritage from export was initiated in 2015 authorized by the Government of Germany for Culture and Media at the Federal Chancellery

Monica Hryutters and is aimed at strengthening the control of cross-border trade in art objects, regulating the export of objects considered national cultural heritage [4].

Thus, the new bill proposes to establish more stringent compared to previous legislation, rules of export and import of works of art and provide a much more nuanced when you make a contract of sale. The new document will provide the right import of cultural property to Germany only if a license. Discussion of such measures at the highest level have caused mixed reactions in the country.

In addition, it should not forget that trade in stolen cultural property is one of the most important sources of income that use terrorist organizations. The cultural heritage of many countries, such as Syria, Iraq, Mali, Mexico, through numerous robbery, destruction, and theft is under great threat. Illegal excavations numerous finds damage, destroy targets archaeological complexes and thus the value and identity of objects that show the life of past civilizations. [1]

In turn, the representative of the European Union in Brussels auctioneer Henrik Hanshteyn insisted on more regulation is strengthened antiquities trade, since virtually only this area is dependent on the illegal excavation and illicit export. Remain ardent and long discussions about the new law, which is to protect cultural property. The Germans even called it "a guillotine" for the sale of cultural property, cold "alienation." In turn, art dealers have a fear that the bodies of culture in the future will count as national cultural values and thereby prevent the owners sell them abroad.

The purpose of reforming the law, which is valid from 1955, the rules for the export of German cultural heritage is to make a series of definitive import and export rules and clearly defined responsibilities. An important role in this regard will play the human factor – Diligence and integrity in the acquisition of cultural property. However, under a new law in 2016 to belong to the national securities of which:

- 1) are essential to the cultural heritage of Germany;
- 2) is particularly significant works of art and stored for a long time in Germany;
- 3) are of particular interest to the public is the location in the territory of Germany [4].

An example would be the "Madonna of the shadow" of Hans Holbein that the financial support patron of 100 million euro was able to stay in Germany, although the owners were going to sell it abroad. This valuable and famous altarpiece was painted in Holbein order Basel former mayor Jakob Meyer. The researchers suggest that launched in 1526 the painting was finished after the artist's return from London to Basel in 1528 [5].

All art in German museums should be called "collective protection against removal." Monica Hryutters seeks to regulate the import and export of cultural objects using new rules and effectively prevent the movement of national heritage. Thus, compared to the first version of the bill was made certain concessions. Until now, art dealers and collectors could send their works without the authorization procedure and therefore without state control in other parts of the European Economic Area. Only if the object is to be sent outside the EU, and if he had a certain age and a certain cultural and historical significance, he had to get permission from the Ministry of Culture in a particular federal state.

First Minister would set the cultural values of the same rules as the export to Switzerland or the United States. They contained such restrictive data: 50 years and 150 000 thousand Euro. Now ask permission for the export of cultural property should the owner only if the value to him, which 70 years and it costs 300 000 thousand Euro. For sculptures, photographs, archaeological sites have different relationships. Such transparency has caused a sharp resistance and sharp criticism at the same time became a real sore point around which there were such fierce debate when discussing the package of amendments to the bill. [4] Strict control and approval process much easier country to get any information, especially about important work and intend to owners for their sale. It should also be emphasized that the object of which was to catalog the cultural heritage, can no longer sell abroad.

Therefore, collectors, gallery owners, artists see in not yet signed the bill a serious encroachment on the freedom of the art market itself. One of the prominent German artists Georg Baselitz modernity has decided to withdraw their works from all German museums to which they were exposed for a long time. A large number of them have lost the Museum of Dresden, Munich and Chemnitz.

In our view, this decision of artist seems rather without arguments because his work does not have the status of national cultural heritage. It should be stressed that the new draft law does not consider contemporary art as particularly valuable cultural heritage. The only exception is the only work of contemporary artist Gunter Yukkera. Thus the new law on the protection of cultural property should enter into force in 2016. The law in the new edition aims to protect from being sold abroad collections of public museums, including exhibits from private ownership that are in museums temporarily. The document set out on pages 156, consists of 10 sections and 91 paragraphs.

Since announcing the first edition of the draft law in July 2015 the gap in approaches between the Minister of Culture and representatives of a large part of the art world has increased significantly. Do not stay aside and most renowned German collector Reinhold Wörth, calling cultural policy Hryutters petty and short-sighted. With this statement can not agree because the Ministry of Culture and the media greatly intensified search for stolen Nazi art. It should be noted that the results of surveys conducted by the German Institute for Museology (Institut für Museumsforschung), there is an assumption that in Germany in 2300 almost museum collections can be found objects of cultural heritage, illegally taken by Nazis. Monica Hryutters calls this situation "unacceptable" [6].

It is important to emphasize that finding in 2012 privately owned Cornelius Hurlita in Munich was the "discovery of the century" and a renewed ignited debate about the origin of cultural goods, which lasts from the end of 2013. The impressive collection includes nearly 1,300 paintings by artists of classical modernism. Among them are works by Pablo Picasso, Marc Chagall, Pierre Auguste Renoir, Henri Matisse, Emil Nolde. According to experts, the total cost of the "discovery of the century" over 1 billion [3]. Close cooperation with foreign experts is an indication that Germany worked on finding a century not behind closed doors. This was a new impetus and yet another chance to achieve significant results in this difficult case. So far, return only five works from the collection Hurlita as stolen cultural property. Totalitarianism forced the Germans to understand how important the freedom of art. Seems indispensable to formulate clear criteria for national cultural values. Culture – effective part

of our self-confidence and it is the most powerful engine of integration, building bridges is culture, and language of art is universal. With the conviction Minister M. Hryutters, the list of cultural sites need better care than in the past decade. Works of art, books, antiques, regardless of the intentions of buying or selling can be declared as a national precious heritage. The state will pay attention to the exceptional exhibits.

German archaeologists, historians, art historians believe that the bill should clearly require a clear evidence base regarding the guarantee of origin of cultural property and identification of objects. These include origin, place and date of excavation finds or cultural values and verified data on their previous owners. Allowed to trade only tested and declared cultural objects. In case of violation of art dealers these requirements overlay fine and will be permanently withdrawal of the license to do business.

However, except for positive change, the law in 2016 may lead to some difficulties and misunderstandings. German scientists have expressed concern that the reference date of the new law in 2016 could have negative consequences for the country. Received by that date illegally cultural values can be considered legitimate and legally imported. Collectors have offered to provide alternatives to buy antiques, but these are the items that can legitimate way to be granted to private persons for temporary use.

We emphasize that Germany is among those countries that try to immediately return the cultural values that were in the country illegally. With the adoption of the new Law on Protection of Cultural Property under German law meets EU standards and will strengthen Germany's position in the global art market. The introduction of the new law will significantly move forward in addressing this complex problem.

References

1. Illegaler Kulturhandel bedroht das Kulturerbe der Menschheit. Beachten Sie die nationalen Ausfuhrbestimmungen für Kulturgüter. Auswärtiges Amt. S. 1-6.
2. The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict. – M., Yurizdat, 1957. – 44 p.
3. V. Soloshenko Research on the origin of lost cultural values (the experience of Germany) / Soloshenko V. // Proceedings of the Faculty of History Zaporizhzhya National University. – Zaporozhye: News, 2015, no. 44, Volume 2. – C.119-123.
4. Gesetz 1955“Gesetz zum Schutz deutschen Kulturgutes gegen Abwanderung in der Fassung der Bekanntmachung vom 8. Juli 1999 (BGBl. I S. 1754), das zuletzt durch Artikel 2 des Gesetzes vom 18. Mai 2007 (BGBl. I S. 757) geändert worden ist“ 2016-02-04 Regierungsentwurf eines Gesetzes zur Neuregelung des Kulturgutschutzrechts Stand: 04.11.2015.
5. Rose Maria Gropp Holbein Madonna Deutschlands teuerstes Kunstwerk
/ Rose Maria Gropp // Frankfurter Allgemeine Zeitung www.faz.net/aktuell/feuilleton/kunst/holbein-madonna-deutschlands-teuerstes-kunstwerk-12823.html
14.07.2011

6. Germany activates the search stolen Nazi art

www.dw.com/ru/германия-активизирует-поиск-награбленного-нацистами-искусства/a-18160224.

The role of national broadcasters of Australia in consolidation of the Australian community

Olga Zernetska

Summary

The Australian national public broadcasters ABC and SBS have been detected; their charters have been observed. Their role in consolidating the Australian multicultural society have been regarded. Special attention to such central concept as "multiculturalism" have been paid. The main objectives of ABC and SBS programming have been analyzed. Special attention to the unique functions and characteristics of SBS have been provided. The activities of SBS Radio, SBS Television and SBS Online have been appreciated.

Key Words: Australian national public broadcasters, ABC, SBS, the policy of multiculturalism, consolidation of society.

Australia is a unique continent and both countries on this continent. 60 thousand years ago, before the advent of Europeans to him, it is already settled natives who had their original culture, linguistic diversity, his poetic vision of the world in which they lived and live for thousands of years. Currently, Australia is the most multicultural country in the world, enriched as Aboriginal heritage and artistic manifestations immigrants from almost all over the world.

Australia today is successful country, which ranks second place in the UN Human Development for 2015. She achieved great success: former British Empire overseas prison for convicts and rebels, Australia now ranks 12th among the largest economies in the world and is attractive to citizens of Australia, and for those who intend to move there. This is, in particular, that, unlike other countries, it is continuously improving its socio-economic and cultural development. It has laws and actually creates conditions that make it easier to do business, not only large but also medium and small. It has created innovative light system, health care (for example, in Australia, despite the difficult climatic conditions, life expectancy averages 84 years, and men – 80). Australia's population – 23 million people. Of these, 28% identify themselves as those who were born abroad. Aborigines make up only 2.5% of the total population of Australia. The main language as specified on the website of the Australian government is "English + 300 other languages" [1]. Even so has seen the Australian Government on multicultural country.

It is worth noting that Australia was not always so. Its colonial past such dark spots as racism and discrimination against indigenous people, ousting him from their ancient land, settlers and rape aborigines related problem mestizos who tried Society "white" and which were already alien to natives, i.e. people are forced to live between two worlds that were hostile to them. There are other racist manifestations (such as the notorious policy called "yellow threat" ("yellow peril"), which in the early twentieth century. Was intended to prevent the emigration of the population of Asia) – all this in the history of Australia as a nation. However, the experience of living in the harsh conditions of the Australian climate where

most people survive impossible, spawned the famous Australian spirit of sociability (mate ship), which for decades and centuries turned into a spirit of egalitarianism, recognition of the rights and freedoms of others, respect for democratic values. Gradually it is come to understand, in order to survive and prosper in a country of immigrants requires respect for the culture of others, habits and traditions of those who work with you together who come to you for help during a drought and forest fires, during the rainy season to save your family and livestock during the "gold rush" when singles were not likely to survive and always needed support true friend.

Today, Australian TV is part of a global system of communication relations, established in the world. However, historical conditions and geographical location of the continent left their mark on Australian television. Australian Broadcasting largely developed by the British model, which is based on a dual "mixed" system of broadcasting that provides competition and coexistence of public and commercial television.

However, the difference is certainly there. Today Australia has an extensive media system. The leading role it played two national radio and television broadcasters and online – Australian Broadcasting Corporation (Australian Broadcasting Corporation, ABC) and Special Broadcasting Service (Special Broadcasting Service, SBS). ABC – national public broadcaster. Founded in 1929, it provides television, radio, online and mobile services throughout the country. According to international agreements, it also provides television and radio audience overseas, especially Asia-Pacific region. SBS makes for Australians programs in English and many other languages, and sends them news from all corners of the earth. It manages the national television channel native (National Indigenous Television Channel, NITV), which distributes programs created mostly native Australians.

Unlike the British public broadcasting system, embodied in the Air Force, the Australian system of national public service broadcasting exists primarily on the state budget. Thus, according to 2014 r., ABC received 1 billion 215.7 million dollars. per year, and SBS – 377,5 million for a year. In addition, they have their own income, respectively ABC – 177.5 million dollars. And SBS – 103,9 million. [2].

Australia also has three commercial television networks, indigenous commercial television station, paid hundreds of television channels and many print, radio and online media resources. This figure is striking: 83% of the Australian population have access to the Internet.

FAA in their work guided by guidelines defined in its Charter. The "Charter ABC" The basic functions of the corporation and its main duties [3]. The functions of the Corporation are: firstly, to provide the Australian public broadcasters pervasive and innovative services of high standards as part of the Australian Broadcasting System, composed of national, commercial and community / municipal sectors, not limited to the above members Australia telecommunications system, including:

- a) broadcasting programs that contribute to strengthening the sense of importance of social identity, inform and entertain, and reflect the cultural diversity of the Australian community;
- b) programs broadcasting educational nature;

secondly, to broadcast to countries outside Australia broadcasting programs of news, current events programs, entertainment and cultural programs should:

- a) provide overseas audience understanding of Australia and the Australian attitude to world affairs;
- b) provide an opportunity to Australian citizens living or traveling outside Australia, Australian obtain information about the case and about the attitude of Australians to the international situation;
- c) provide digital media services;
- d) works broadcast world music, drama and other arts in Australia.

The duties of the Corporation are providing Australian broadcaster services.

First, the corporation realizes the importance of:

- a) broadcast services provided by commercial and municipal sectors of the Australian Broadcasting System;
- b) standards upheld broadcasting service;
- c) its responsibility as an independent National Broadcasting Service, which maintains the balance between broadcaster programs to a wider audience and broadcaster specialized programs;
- d) The multicultural nature of Australian society;

secondly, performing the duties listed corporation shall act in accordance with the first paragraph of the Charter.

It was also created "Charter SBS", which is also the final document, which outlines the considerable experience of SBS, trunk and plan for the future [4]. In SBS Charter states that: First, its main function is to provide multilingual and multicultural radio, television and digital media services that inform, educate, entertain all Australians and, in doing so, reflect the peculiarities of the Australian multicultural society;

secondly, SBS, performing its primary function shall:

- a) contribute to meet the communication needs of Australia's multicultural communities, including Aboriginal communities of Australia and Torres Strait Islander residents;
- b) enhance awareness of the contribution of different cultures in the progressive development of Australian society;
- c) promote understanding and acceptance of cultural, linguistic and ethnic diversity of the Australian people and so on.

Analyzing Charter ABC and SBS, it can be concluded that their shared objectives are:

- Versatility: attempts to give all Australians access to broadcasters, regardless of geography or the ability to pay for these services to enable them to participate in society and its institutions;
- locality: provide people with similar interests the opportunity to interact and participate in local communities;
- strengthen the Australian identity by providing programs that reflect the unique nature and characteristics of the Australian and promote diversity and understanding of other cultures;
- all-encompassing and diverse programming, be sure that the Australian audience has access to the widest variety of content that matches the interests of different groups and represents various groups;
- diversity of news and information, promote awareness of the public debate on key issues affecting Australian society and nation; news and information should be free from commercial and other interests;
- Education: strengthen the intellectual and creative level of the Australian community, Australian support the development of human capital;
- innovation and quality, providing informative and exciting view content that enriches society and its creative thinking and develop new talent.

Apparently the tasks of the two national broadcasters, they are really comprehensive national broadcasters. After all, no commercial broadcaster in the Australian market does not offer such a variety of services and is not intended to achieve such a wide and diverse audience. It should be noted as a captured audience interest on genre diversity of television and radio programs on two national channels. ABC certainly has a broader spectrum of styles. These genres are in the order, which reflects the cost of each of them than others. For example, if the genre of "fun" is the first in the list, it means that it is the most financially costly. So television genres of ABC Company are as follows: entertainment, comedy, drama, news, infotainment (information + entertainment, is a genre in which on the basis of the facts artistic means to play real events) native programs, sports, arts, documentaries, programs for children.

SBS Corporation has features on genre diversity. Like ABC, it offers its audience entertainment, comedy, drama, news, infotainment, native and sport.

In the life of Australians has always played an important role radio. Australian relief has the following features that only radio stations through separate areas residents were able to get the vital news, and children and adolescents who could not get to school, studying through distance education. So radio still is an important part of the Australian national broadcasting. ABC Radio network consists of the following radio stations: News Radio, triple j, Radio National, Local. Radio SBS are: Radio 1, Radio 2, Radio 3.

What does actually support the Australian national culture and its creators, shows a study of the functioning of a radio station ABC – Classic FM. For ABC Classic FM records all symphony orchestras in each city of Australia (except Darwin and Hobart). This is done in

accordance with the Charter ABC, stating that it should support art in Australia. To make broadcast live orchestra, in every state there is a team of two persons with the exception of Sydney and Melbourne, where the two main workers added more music engineer and producer. This staff attends rehearsals of the orchestra, recorded concerts (usually on Friday or Saturday night), gives musicians a salary for the execution of the same program that was carried out and sign the right to use recorded music in the air.

Yes, 2013 was recorded 610 symphony concerts live. Over the years, Audience format "Classic Radio" gradually decreases. Yet he remains in the Australian radio, as it meets the requirements of the Charter ABC.

At that moment there is a question whether the Ukraine national radio station-broadcasting recordings of national, regional and local symphony orchestras. On which radio frequency you can listen to Ukrainian and foreign chamber and classical music, opera arias or are professional and folk choirs? In response to hear that "this Curiosities." No hope of satisfying the tastes of the Ukrainian part who like these kinds of art, as well as the education of artistic tastes of new generations that are already in effect for over 20 years excommunicated from classical music.

ABC Strategic Plan 2013-2016: A Clear Direction for the ABC aims to focus on the audience as a key strategy that leads ABC to achieve its objectives. That is why ABC tries to create content on a variety of platforms and devices in different formats that content enjoyed every week at least 75% of the audience. Broadcast is shifted to the new model: the "linear model" of the past to a model of "Custom user" today. Now viewers have the option to personalize and use, integrating traditional media content from social media. Access to content through the use of various emerging distribution platforms for ever tends to fragmentation of the media environment. However, along with these trends, linear television plays a significant role, and although he predicted a rapid erosion, it is much less than expected skeptics. Of course, the audience will continue to move to model "on request" and various devices gradually shift the attention of the audience from the linear broadcast to IP-based networks (fixed or wireless). The growth of the content and capabilities in the selection varied content may gradually reduce the consumption of linear TV and radio. This is why national broadcasters to keep pace with time, should produce programs available on different devices and "Custom user."

Reflecting on the methods of achieving harmony in the multicultural Australian society, special attention should be paid to the activities of the corporation SBS, a unique phenomenon in the world. After visiting the 1996 ABC and explore the work of the Australian media giant, no less impression on SBS and me. The first visual impression. Inside the company reminded me of a spaceship or the city of the future. Its architecture and design creativity so much that you feel like in the future. Emphasis added bright colors of great pictures on the background of white walls, reflecting the multicultural nature of Australia. After speaking to the Ukrainian-speaking audience, SBS had an opportunity to personally be acquainted with the structure of the company, its main work units.

It should be noted that the concept of multicultural broadcasting Australian now meets the needs and interests of all segments of the population. Along with the first steps Broadcasting functioning structure SBS (originally conducted only broadcasting), developing

and television. In 2015 the fifth continent was solemnly marked the 30th anniversary from the date of the airing SBS. Established in order to every Australian, despite its geographic origin, age, cultural experience or language skills must have access to high quality, culturally oriented national independent Australian media sources. As written on the Jubilee line page SBS: "Through radio, television, online service we tell the history of mankind on the greatest number of languages than any other broadcaster in the world, that 74 languages on radio and 62 languages on television and over 50 languages online "[5]. Also stresses that the twenty-first century. Brought a new definition of the concept of "multicultural". Today "multiculturalism" means more than offering cultures of other worlds to your home. It reflects a growing multicultural spirit of our community. It celebrates diversity and contributes to Social Inclusion and intercultural understanding of all Australians – linguistically, culturally and sociologically.

SBS seamlessly into account not only the historical past of Australia and the specifics of the settlement, but the current state of Australian society.

SBS forms the staff of the representatives of the national minorities languages are conducted radio and television programs. This tendency is even among the elected members of its Board of Directors. They are all different nationalities and one of them – Dot West – is aborigines, a veteran of the struggle for the establishment of indigenous media in Australia [5].

SBS policy aimed primarily at meeting the communication needs of multicultural Australian society, including ethnic communities, Aboriginal and people of Torres Strait. SBS aims to show the contribution of different cultures to progress the Australian community and support understanding and acceptance of cultural, linguistic and ethnic diversity of the Australian people and contribute to the preservation and development of languages and cultural skills.

SBS Television plays a special role in the lives of Australians. Each week more than 5.2 million people in urban areas and 2.1 million in the remote areas of watching television, which offers programs developed both in Australia and around the world, 400 national and international sources. Half of these programs transmitted languages other than English, and many of them are available to anyone who speaks English, thanks to subtitles, Special Department. SBS opens its viewers a whole world of news, topical programs, movies, sports, documentaries, dramas, comedies, entertainment and animation, created both by SBS, and the Australian independent producers and television industry world leaders [6].

News on SBS it is its pride. Because it has a larger volume of news and more news sources than any other Australian television network. No longer in the Australian media space has no access to news bulletins from 26 countries. SBS International Film Library consists of more than one thousand. Names Corporation shows an average of 26 films per week through the SBS ONE and SBS TWO and 250 new movies a year. On the sports programs on SBS can say briefly: it covers all sports events which the world admires. The online service SBS (SBS Online) delivers the world's best news, movies, cooking programs, programs in the "for" and other audience exceeding 900 thousand. Users per month.

News programs online also include the BBC and CNN, Dateline, Insight, Living Black offer viewers an interactive experience to provide comments and participate in discussions on

international and local issues. When SBS Online Service started its work in 1997, it had only text pages and pages of drawings and provided five new articles a day. Today, SBS Online publishes over 500 sports and news articles a year and more than 100 thousand. Video annually. Almost a million monthly users it produced 14 million pages of reviews and impressions. [7]

For SBS fundamentally important activity is harmonious entering the information and communication space Australia. Inc. sees its mission to promote the diversity of national broadcasting. SBS assigns itself the role of socio-cultural factor that increases the range of possibilities Australian radio, television and online services. It reflects the nature of Australian society, changing, bringing different perspectives.

Of particular interest is the language policy of the corporation. The distribution of the amount of airtime on radio and television is decided on the basis of the ethnic minorities.

Central to the corporation stated in the Charter SBS, is the recognition, promotion, research and support for cultural diversity in Australian society. One of the fundamental tools to achieve this goal was not only to create television programs in different languages, but also support those programs subtitled in English. It is important for the audience and the broadcaster is a key element of social problems that decides SBS. The image in the eyes of the corporation SBS viewers and listeners is high. This is confirmed by the answers of respondents, 65.5% of them believe that it is a valid alternative to other broadcasters; 77.5% – it shows programs made in Australia and abroad; 62.3% – it opens a window to the world; 56.7% – that it awakens and stimulates its opinion; 76.2% – that is entertaining, 73.4% – that is information; 65.8% – that it is reasonable.

The development of community/municipal television (shown by the example of Australia, but available in other countries and regions of the world, such as Catalan and Basque in Spain, utilities in Mexico, Brazil, India, Sri Lanka, etc.) is an important phenomenon in theory as the embodiment of the dichotomy of "global – local" in the modern world, and in the development in different levels. The special geographical conditions of the continent (the presence of remote and isolated areas – mostly places of deployment Aborigines and other indigenous peoples) led the creation of a system 150 media associations, which are paid by the federal government TV and radio, commercial stations etc., which are coordinated by the National Association of Australia aboriginal Media (National Indigenous Media Association of Australia) and under the auspices of a special program of UNESCO. This communication system is helping Aboriginal self-determination, self-government and control over aboriginal affairs.

Studying the experience of Australia makes it possible to conclude that the elected model multicultural development of society and the development of the Australian National Broadcasting justified, promotes harmonious progress of the state in all aspects – political, social, economic and cultural, as evidenced by its achievements in these areas life, and can serve as an example for many countries, including Ukraine.

References

1.About Australia – [Electronic resource] – Mode of access:

// www.australia.gov.au/about-australia

2. ABC and Efficiency Study / www.communications.gov.au

3. Australian Broadcasting Corporation Act, 1983. – Sydney, ABC, 1983. – 21 p.

4. Special Broadcasting Service ACT, 199. – Sydney, SBS, 1991. – 13 p.

5. Non-Executive Director [Electronic recourse] – Mode of

Access: www.sbs.com.au/aboutus/board-of-directors/director/id/189/h/

6. Radio [Electronic recourse] – Mode of

Access: www.sbs.com.au/aboutus/ourstory/index/id/10/h/Radio

7. Online [Electronic recourse] – Mode of

Access: www.sbs.com.au/aboutus/ourstory/index/id/15/h/Online