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PAPER

“Pylyp Orlyk and his Constitution"

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## I. Biography

Pylyp Orlyk was born in the village of Kosuta, Ashmyany county, (Vileyka district of modern day Belarus), in a family of Czech origin.  [1]

Orlyk first studied at the Jesuit college in Vilnius and until 1694 at Kyiv Mohyla Academy. In 1698 he was appointed secretary of the consistory of Kyiv metropolia. In 1699 he became a senior member of Hetman Ivan Mazepa's General Military Chancellery and 1706 was appointed general chancellor and at that position he was Mazepa's closest aide to, facilitated Mazepa's secret correspondence with the Poles and Swedes, and assisted Mazepa in his efforts to form an anti-Russian coalition.

## II. Family

Pylyp Orlyk married Hanna Hertsyk in the mid 1690s. She was a daughter of the colonel Pavlo Semenovych Hertsyk (a close ally of Mazepa) of the Poltava regiment. Pylyp and Hanna had eight children. They were:  [5] [6]

Anastasiya. In 1723 she married the Swedish nobleman and officer Johan Stenflycht (1681-1758). They had two sons: Carl Gustaf (b.1724) who served as a captain in the French regiment *Royal Pologne* and Filip (b.1726) who died as a child. Anastasiya died in 1728.

Hryhor. He was born in 1702 in Baturyn, Ukraine. His godfather was Hetman Ivan Mazepa. He studied at Lund University 1717-1718. After leaving Sweden in 1720 he first lived with his mother in Kraków, Poland. He later became a Lieutenant General in France where he called himself *comte d'Orlik*. Although he kept the contact with Sweden and in 1742 he also visited Stockholm. In 1747 he married a French noblemwoman, but they didn't have any children. He was killed in 1759 at the Battle of Minden in Germany where he also is buried.

Mykhailo. He was born in 1704 in Baturyn, Ukraine. His godfather was Hetman Ivan Mazepa.

Varvara. She was born in Baturyn, Ukraine. Her godfather was Hetman Ivan Mazepa.

Yakiv. He was born 1711 in Bender, Ottoman Empire. His godfather was king Charles XII of Sweden.

Marta. She was born 1713 in Bender, Ottoman Empire. Her godfather was king Stanisław Leszczyński of Poland.

Maryna. She was born 1715 in Alteführ, Rügen, Swedish Pomerania. Her godmother was king Charles XII's sister Ulrika Eleonora and king Stanisław Leszczyński of Poland.

Kateryna. She was born on November 5, 1718 in Kristianstad, Skåne, Sweden and probably died already in 1719.

## III. Constitution

After Mazepa's death when a question of a choice of the new hetman in contrast to Ivan Skoropadsky, put in Ukraine by Peter the I, the choice had fallen to P. Orlyk, which have selected the hetman on April, 5th, 1710. In a day of elections the state Constitution, which was called a "Pacts and the Constitution of the rights and liberties of the Zaporizhyan Army" has been proclaimed. Being till the end of a life in emigration, Phillip Orlik has concluded allied contracts with Sweden (1710), the Crimean khan (1711, 1712), entered negotiations with Turkey, trying to incline these countries to war with the Moscow state for the purpose of clearing of Ukraine. In 1711 together with koshevy Konstantin Gordienko has carried out a military campaign of Zaporozhians and allied Tatar armies to Right-bank Ukraine, has received White Church, has reached to Fastivbut through change of Tatars has receded to Bendery. In the summer of 1711 Turks, Tatars together with a Polish-Ukrainian army have inflicted defeat of the Russian army over the Prut. Since 1914 after Orlyk has not realised the plans of clearing of Ukraine, he together with Gertsyk, Voynarovsky and Mirovich moves to Sweden, in 1720 - to Austria, later - to Czechia. Since 1722 to 1734 he lives in Greece in the city of Saloniki. In 1740 war between Turkey and Russia to which Phillip Orlik assigns to hope has begun. But after the conclusion between both countries of Bilogorodsky peace his hopes were not justified. Phillip Orlik has died in May, 24th, 1742 in Jassy, Moldova.

Pylyp Orlyk, high-level educated, with thin national-political mind, the ardent both conscious patriot and the fighter for independent Ukraine, was allocated in the then environment Ukrainian Cossack starshyny. Even historians XIX century, in particular Nightingales, Kluchevsky, and Kostomarov, despite an uncooperative altitude to the Ukrainian emancipating ideas, should notice its sincerity and cleanliness of gaugings. Orlyk represented entirely new type of the patriot and the intellectual which in improbably heavy conditions of emigration did not leave thought on restoration of independence of the Ukrainian state. The most active conductor of the Mazepa’s ideas, he has devoted the whole life to creation of the West European coalition which would help to release Ukraine. The exile, the hetman-emigrant, with small group of adherents - A. Vojnarovskim, colonel D. Gorlenkom, the general clerk І. Мaxymavych, general judge K. Dolgopolym, general osaulamy G. Gertsikom and F. Mirovichem - did a mad attempts to persuade the government of Sweden, Germany, Poland, France, Turkey on the general struggle against the tsar. He tried to take advantage of any possibility to interest the European states in the decision of destiny of Ukraine. Anybody is more for Pylyp Orlyk has not made at that time if only the Ukrainian question became a particle of the all-European policy of first half ХVIII century.

"Pacts and the Constitution of the rights and liberties of the Army Zaporozhye", or so-called "Pylyp Orlyk's Constitution" which it has been proclaimed in day of its elections by the hetman, is the unique document which researchers not unreasonably name one of the first-ever democratic constitutions. Its main idea - full independence of Ukraine of Poland and Russia, and border with Poland were defined on the river Sluch, as for B. Khmelnitskiy. Except definition of territory of the Ukrainian state, this document defined the rights of all levels of population of Ukraine, independent position Zaporozhye from Poland and Russia. The hetman was appointed the head of the state, near to it should operate General syarshyna which limited to a certain measure the power of the hetman and regulated its relations with the people. Except the foreman to Rada representatives from each regiment should enter. The state treasure separated from hetman, strictly certain separate earths and means were allocated for deduction of the hetman. Colonels and сотники should be selected democratic - free voices of Cossacks or hundreds. The hetman was obliged to watch fair distribution and collecting of the state taxes which were paid Cossack sub-assistents, peasants, petty bourgeoises, merchant class.

The constitution of Ukraine on its acceptance recognised at once the governments of Sweden and Turkey. It and amazes today with the urgency and high legal level. Scientists and politicians nowadays not without the bases consider, that, having embodied ideas of its inspirer, hetman Ivan Mazepa, it as the state certificate of a republican direction for 80 years has outstripped ideas of the French revolution.

After Orlyk’s death there was a literary inheritance in the form of correspondence, versatile persons, speeches, panegyrics and "Діаріуша the traveller", that is a diary. They testify, that Phillip Orlik was rather educated person and had uncommon publicistic abilities. Almost its writing differs extreme artistry, baroque eloquence, free possession in several languages, the frequent reference to historical examples and mythology. Such, for example, his letters to Charles XII, запорожцев and hetman Ivan Skoropadskogo in which it describes misadventures of the people during the Tatar attacks.

Its correspondences Latin, French, Polish and then Ukrainian, or Russian, languages are separate page of Orlyk’s inheritance. Between persons with whom the hetman consisted in correspondence, there were known people, in particular count Flem\_ng, the first minister of the Polish king of August II, golshynsky the prince, English ambasador, the Jerusalem patriarch, the Grand Visier, the Crimean khan, the hetman the Skoropadsky, Swedish king, the Zaporozhye Cossacks on the Turkish earths, etc. The constitution of 1710 - outstanding Ukrainian socially-polythic document in which have found bright display then ideals of the Ukrainian nation. In it contradictions between the European tradition and the newest ideals were reflected by then; contradictions which on the beginning of XVIII item tore apart Europe on irreconcilable enemy camp and with which there lived by then Ukraine. Because through its territory there passed invisible border between aspiration of our ancestors to freedom. Authors of the Constitution, P. Orlik and Cossack the foreman, aspired to connect fragments of the past in a single whole and to outline model of such society which would contain the main achievements of the nations. The stated ideas are a consequence almost of a millenium of political development of Ukraine, the certificate of high level of consciousness of the nations, level of its political culture and creative potential. Certainly, the form in which it is all it is stated, not позбавлна lacks (is more exact than features in due time), but same the first Ukrainian constitution.

The Constitution is made of the introduction (preamble) and articles which are united in 16 sections. Already in an introductory part by style means of baroque it is schematically stated "History of the Army of the Zaporozhye and all Russian people" which reaches times of establishment of predecessor Getmanshchiny - the Ktivan Rus, and also the reasons that Ukraine breaks off with Мoskovshchyna speak and passes under the Swedish patronage. The basic point of the Constitution - declaration of independence of Ukraine from Poland and Moscow. Consolidation of principles of activity of public authorities, General council convocation three times a year was the second point. The constitution limited the rights of the hetman in advantage starshinska aristocracy and precisely established, what profits the hetman which power was limited by Cossack parliament can use, doing from Ukraine the constitutional state. It, it is possible to tell, was a victory starshynska aristocracy over hetman absolute. On O. Ogloblina's expression, the Constitution became "the second defeat … hetman Mazepa after the Poltava accident which has struck the big blow of the hetman power".

By the important feature which distinguished it from usual hetman articles and did similar to late European constitutions, there was that it was made not between the hetman and the monarch (a protector of the Ukrainian state), and between the hetman and the Cossacks which spoke on behalf of persons of all Ukrainian people. However a word "constitution", that used in the name, yet had no such value as today, and, so, is an error to consider this document as the constitution in modern understanding.

Pylyp Orlik's constitution contained many interesting and progressive ideas, was up to standard of the best achievements of then legal thought. It considerably advances time, and also testifies about deep democratic principles department of Pylyp Orlyk and to he was what serious figure.

The constitution is made with the uttermost confidence of fast homecoming where it will have a validity for all Ukraine. Therefore at the moment of its conclusion, it represented the uttermost reality, instead of simply theoretical project which became later when returning to Ukraine of its composers became impossible. The Constitution and has not got real force, that is why there was in history as an original legal instruction, an original legal platform "Mazepa’s movements" and, the most important thing, as one of the first constitutional certificates in history of Europe.

Special character last years the problem of the Ukrainian language has got. This sharpness has been caused by erroneous dogmatic approaches to development of national languages throughout last 70th years. Revival national-speaking processes and national consciousness is promoted by historical language sources which Phillip Orlika's Constitution - an original language instruction of the Ukrainian people concerns. Monuments collapse eventually, people die, and written sources remain, supplemented. And from them we scoop our knows, they remind us of ours roots.

Charles Х ІІ has confirmed the approved constitution and became the guarantor of independence of Ukraine.

Having got a hetman mace, Phillip Orlik of infections undertook continuations of business of the predecessor - Ivan Mazepa. After the Battle of Poltava in 1709, he escaped together with Hetman Ivan Mazepa and king Charles XII of Sweden Bender in the Principality of Moldavia, where Mazepa soon died. Pylyp Orlyk was then chosen as a Hetman in exile by the cossacks and the Swedish king Charles XII. While in Bender Orlyk wrote one of the first state constitutions in Europe. This Constitution of Pylyp Orlyk was confirmed by Charles XII and it also names him as the protector of Ukraine. Orlyk represented entirely new type of the patriot and the intellectual which in improbably heavy conditions of emigration did not leave thought on restoration of independence of the Ukrainian state. The most active conductor ideas, he has devoted the whole life to creation of the West European coalition which would help to release Ukraine. The exile, the hetman-emigrant, with small group of adherents - A. Vojnarovsky.

Between 1711 and 1714, together with Crimean Tatars and small groups of Cossacks, Orlyk carried out unsuccessful raids into Right-bank Ukraine. Afterwards, Pylyp Orlyk now together with several other cossacks followed the Swedish king Charles XII to Sweden via Vienna and Stralsund. Orlyk with his wife Hanna Hertsyk and six children arrived in Ystad, Sweden on the new year's day of 1716. They now lived in the city of Kristianstad for some years. Orlyk and his family left Stockholm in 1720 but as late as 1747 his widow and children received financial support from the Parliament of Sweden. From Sweden Orlyk first went to Hamburg, Hannover, Prague, Wrocław and Kraków, where he left his family to stay in a monastery. Orlyk went on to France and in 1722 he arrived in Iaşi in Ottoman Turkey in order to organize an alliance against Russian Empire. From there he went on to Thessaloniki and from the mid 1730s he is known to have lived in Budjak. He died 1742.

## Conclusions



After years fighting against the Muscovite tsars, Orlyk fled first to Sweden, and then passed through central Europe to the relative safety of the Ottoman lands. On 2 November 1722… the fifty-year-old Orlyk was ordered by the Porte to Salonica. There this cultivated and warm-hearted man spent no less than twelve years in exile, watching the twists and turns of European politics from the sidelines while his impoverished wife remained in Cracow and his eight children were dispersed throughout Europe. Only in March 1734 was he released, thanks to French intervention, and allowed to move north; still trying to organize an uprising in the Ukraine, he died in poverty nine years later. Orlyk's misfortune has proved to be the historian's gain, for from the day of his arrival he kept a diary which offers a unique insight into the eighteenth-century city… His urgent scrawl gives access not only to his voluminous political correspondence, most of which - in Latin, French, Polish and Ukrainian - was duly copied into his journals, but also to the rigours of daily life in his place of exile. The misbehaviour of his loutish servants, the local fare, his bag after a day's shooting in the plains, stories told him by tailors, interpreters and bodyguards enliven its pages. Jesuits, consuls, doctors, spies and the Turkish judges and governors who ran the city all encountered the busy exile. Most of the time, he lived well, considering his predicament…

## Resources

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