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HISTORICAL AND LEGAL BASES OF THE UKRAINIAN QUESTION IN POLAND IN THE SECOND PART OF 1920-TH

National and public policy Second Polish Republic in the 1920-th was determined by complex circumstances of the post-war treaties of Versailles and contained sharp contradictions, leaving unsolved the problem of new borders and minority rights. Particularly, Ukrainian question, remain keen.

The problem of a national policy of the Polish state and the Ukrainian question, in particular has been the subject of the analysis of Ukrainian and Polish researchers – Krakivsky S., M. Kuhutyak, S. Kulchytsky I. Solar, B.J. Tyshchyk, T. Brovarek and G.Hamunchak, M. Papyezhynska-Turek, R. Tozhetsky, etc.

In 1924-1925 in the government circles of Poland the fighting on the national Ukrainian question started between Democrats (endeks), Polish right-wing politicians and left-centrist forces. According to the endeks, any assignment for the benefit of the Ukrainians would threaten to security of the Polish independence. They were ready to agree only with the provision of certain cultural and national rights of the Ukrainians while preserving assimilation rate of the Ukrainian population.

After J. Pilsudski's supporters coming to power the ruling circles of Poland in the Ukrainian question resorted to the tactics of maneuver and more flexible means of incorporation.

Pilsudchykivs' program was designed to replace the compromised endeks' program with federalist of public policy of assimilation, which differs from the first one only by methods of implementation and had to spread the illusion of equality of nations and elimination of national oppression.

Ukrainian community in Poland after the 1926, hoped to change their situation in the country. Marshall, however, had no clear program on the Ukrainian question in Poland. J. Pilsudskiy believed that the Polish policy towards the Ukrainians, and the national minorities in the state as a whole, has to proceed primarily from the Polish interest.

The step of "rehabilitation", which was to regulate relations between the government and the Ukrainian population, was ratified in 1927, holding local government elections, which were held by the Polish-Ukrainian-Jewish lists. The elections were a success for the Ukrainians.

Changes in government policy on the Polish eastern states began with the appointment of G. Yuzevsky on the position of a governor of Volyn in June 1928. He presented, consulting with J. Pilsudski, the "Volyn program" that foresaw the entire region separation from Galicia.

For the isolation of the region the existence of the so-called "Sokal border" along the former Austro-Russian border was strongly supported. The defining was

the line was a governor at creating osadnytstva that had to become his mainstay in Volyn. However, among the local populations it caused the growth of national consciousness and national movement.

In the 20th the concept of "Poland for the Poles" became characteristic.

So, in the 1920-th Polish political circles continued the policy of national assimilation of the Ukrainians.

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LEGAL STATUS OF PROPERTY OF THE ORTHODOX CHURCH UNDER THE CODE OF LAWS OF THE RUSSIAN EMPIRE

The issue relating to the legal status of the property of the Orthodox Church is a specific subject of the present research. It has been recently especially actualized in the context of launching in Ukraine of the process of restitution of the ecclesiastical property nationalized by the Soviet authorities. Thus, the historical aspect thereof gains practical importance by enabling to determine the particular owner of the property as of the moment of its expropriation.

Despite certain legal incorrectness, we are operating the term "ecclesiastical property", and it is attempted in the present article to define both its essence and components. The Church is not an entity subject to regulation by secular laws; on the contrary, its institutional construction depends on the requirements of canonical laws. Ecclesiastical property per se is being identified upon its belonging to the person, but in the present case such a person is a legal fiction in terms of law. In the light of the above, there has been reached a compromise, whereby the ecclesiastical property is recognized under some Church institutions, owning legal personality but to some extent lacking procedural capacity. The above-mentioned Church institutions consist of bishop's houses, monasteries and separate churches.

The article outlines the issue on the types of ecclesiastical property. It is considered that the church (represented by its separate institutions) can hold title over sacred items, goods either sanctified during the worship, or not sanctified. The author analyzes the particulars of legal regime of different types of ecclesiastical property, conditions and ground for acquisition thereof, termination of property rights of Church institutions over ecclesiastical property, validity of bequeathing of such property or its transfer to lease.

Upon termination of patriarchal governance, Peter I introduced synod-