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# CREATING THE LEGEND. THE HISTORY OF THE TRANSFER OF THE REMAINS OF DIMITRY CANTEMIR FROM MOSCOW TO IASSI

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**Abstract:** *In the present book we shall make a bold attempt to cast new light on the many-faceted personality of Dimitrie Cantemir. Setting out from archival documents recently discovered in Moscow, Saint Petersburg, Bucharest, and Istanbul, which we here introduce to the scholarly community for the first time, we shall attempt to plug the gaps in Dimitrie Cantemir's biography and to eradicate the contradictions that have existed hitherto.*

*Among the little-studied pages of Cantemir's biography is the story of the transfer of his remains from Moscow to Iassi. This article is devoted to this topic.*

**Keywords:** *Dimitrie Cantemir, Soviet Union, Royal Romania, Moscow, Iassy, the transfer of remains.*

Soon after the start of negotiations between the USSR and France on mutual assistance and the practical completion of the process of the country's entry into the League of Nations, Romanian diplomacy began to draw closer to Moscow. Personal meetings and negotiations between the heads of the foreign affairs departments of both countries M.M. Litvinov<sup>1</sup>

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#### \* Ambassador of the Republic of Moldova.

<sup>1</sup> Maxim Maksimovich Litvinov (Real name Meer-Genokh Moiseevich Wallakh. July 5/17, 1876 - December 31, 1951). Soviet diplomat, People's Commissar for Foreign Affairs (in 1930-1939). He studied at heder, after thea at the Belostok real school, from which he graduated in 1893 and served as a volunteer in the army. After retiring in 1898, he worked as an accountant in Klinty, as a manager at a sugar factory in Kiev. Member of the RSDLP since 1898. Since 1907 was in exile. After the October Revolution of 1917, he represented the interests of the Soviet Russia in the UK - an authorized representative of the People's Commissariat for Foreign Affairs (NKID), since June 1918, the plenipotentiary of the RSFSR. On September 6, 1918, he was arrested in response to Lockhart's arrest in Russia. After spending 10 days in Brixton Prison, he was released and exchanged for Lockhart in October. From November 1918, M.M. Litvinov was a member of the collegium of the People's Commissariat for Foreign Affairs of the RSFSR. During 12/26/1920 - 09/12/1921 was the political representative in Estonia. On May 10, 1921, he was Deputy People's Commissar for Foreign Affairs. Took part in the Genoa Conference. In 1927-1930 he was the head of the Soviet delegation to the preparatory commission of the League of Nations for disarmament. 07/21/1930 appointed People's Commissar for Foreign Affairs of the USSR. With his direct participation, work was carried out on the

and T. Titulescu<sup>2</sup>, held in Geneva in the spring of 1934, predetermined the establishment of diplomatic relations between the USSR and Romania. During one of the meetings, the issue of candidatures for the position of permanent representatives in the capitals of both countries was put on the agenda. If the Soviet side did not set any requirements or conditions for the Romanian Minister Edmond Ciuntu, who at that time held the post of Ambassador of Royal Romania to the Republic of Turkey, the candidacy then Minister N. Titulescu had a number of requirements to the future head of the USSR's diplomatic mission in Romania. He asked M.M. Litvinov to send a diplomat to Bucharest who would meet the following conditions: "a) not a Jew; b) not looking like a Bolshevik; c) able to speak French; d) capable of dealing with Romanian ladies". Having agreed on numerous details of the procedure for settling diplomatic relations between both countries and evading in silence the most acute and controversial issues between them, on June 9, 1934, People's Commissar M.M. Litvinov and Minister N. Titulescu exchanged notes on the establishment of normal diplomatic relations between the Soviet Union and Royal Romania.

Of all the conditions put forward by the Romanian minister to the candidate for the post of ambassador, the Soviet leadership did not satisfy only the first point. By August, the People's Commissariat for Foreign Affairs had decided on a candidate, nominating its trade representative in France, M.S. Ostrovsky. At the end of the same month, Minister N. Titulescu held the first meeting with the future ambassador in Paris, which was also attended by the newly appointed Romanian ambassador to the USSR E. Ciuntu. During the meeting, the minister considered it necessary

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entry of the USSR into the League of Nations in 1934. Since that time, he headed the Soviet delegations at the League of Nations conference on disarmament (1932), at the Peace Economic Conference in London (1933), in 1934-1938. Represented the USSR in the League of Nations. Cavalier of the Order of Lenin (1936). 03/05/1939 was dismissed. After the beginning of the Great Patriotic War, he was appointed Deputy People's Commissar for Foreign Affairs (he held the position until 1946) and Ambassador to the United States (until 1943). Died of a massive heart attack.

<sup>2</sup> Nicolae Titulescu (1883-1941), prominent Romanian politician and diplomat. In 1917, he first entered the government as Minister of Finance. In 1920-22 - again as Minister of Finance, and from 1922 to 1927 served as envoy in London. In 1927-28 he headed the Ministry of Foreign Affairs. During 1928-32. - Envoy in London and at the same time the representative of Romania in the League of Nations. During 1932-1936 - again served as Minister of Foreign Affairs. After the establishment of the fascist regime in Germany, he became an ardent supporter of the principles of collective security and the rapprochement of Romania with the USSR. With his direct participation in June 1934, diplomatic relations were established between the USSR and Romania. He openly opposed the "Munich" policy of appeasing the aggressors and prevented the transformation of Romania into a satellite of the Nazi Germany. In August 1936, King Carol II dismissed Titulescu, after which he was forced to emigrate from the country.



to warn the diplomat of his intention to strictly follow the "gentlemen's agreement" with M.M. Litvinov - henceforth not to touch upon the international status of Bessarabia. "If someday in Bucharest you dare to raise the issue of Bessarabia before me or someone else," Titulescu said, "I will demand that you be recalled within 24 hours. There is an agreement on this point with Mr. Litvinov." In response, "Mr. Ostrovsky admitted with a smile that he was aware of the matter and would comply"<sup>3</sup>. The Central Executive Committee of the USSR, of November 3, 1934, approved the appointment of Mikhail Semenovitch Ostrovsky as the plenipotentiary representative of the Soviet state in royal Romania.

Little is known about the biography and previous activities of M.S. Ostrovsky<sup>4</sup>. He was born on September 19, 1892 in the town of Fastov, Kiev province, in the family of a small businessman, according to other sources, a teacher<sup>5</sup>, Samson Leib Ostrovsky. The place of birth subsequently served as the reason that in his questionnaires, in the nationality column he wrote - Ukrainian. On July 30, 1908, S.L. Ostrovsky applied to the men's gymnasium in the city of Balti, Bessarabian province, to enroll his son in the 6th grade. The application was granted, and for the next three years the young man studied at this gymnasium, from which he graduated on June 11, 1911. According to the certificate issued by the Ministry of Public Education, Moses (Mikhail) Ostrovsky was "a diligent

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<sup>3</sup> Ерещенко М.Д. Румыния между Германией и Советским Союзом: политика без иллюзий. Восточная Европа между Гитлером и Сталиным. 1939-1941 гг. / Отв. ред. В.К. Волков, Л.Я. Гибанский. (Москва, 1999) с. 335. Ereshchenko M.D. Romania between Germany and the Soviet Union: politics without illusions. Eastern Europe between Hitler and Stalin. 1939-1941 / Rev. ed. VC. Volkov, L.Ya. Gibian. (Moscow, 1999) p. 335; Soviet-Romanian relations, M., 2000, vol. 2: 1935 -1941, p. 200.

<sup>4</sup> Бармин А.М. Соколы Троцкого. Москва, 1997, p. 501. Barmin A.M. Trotsky's falcons. Moscow, 1997, p. 501; Кен О.Н., М.С.Островский и советско-румынские отношения (1934-1938 гг.)". Ken O.N., M.S. Ostrovsky and Soviet-Romanian Relations (1934-1938)". В сборнике "Россия в XX веке", СПб.: Нестор-История, 2005. с. 336-360; Цвиркун В.И., Под сенью двух держав. Кишинев, 2013; Țvircun Victor, Dimitrie Cantemir. Biographical Milestones... (Dimitrie Cantemir. Repere biografice... )2017; Пасат В.И., «Его положение было из разряда самых неприятных», „Родина”, Москва, 2017, №3, с.110-117; Tsvirkun V.I., Under the shadow of two powers. Chisinau, 2013; Țvircun Victor, Dimitrie Cantemir. Biographical Milestones... (Dimitrie Cantemir. Repere biografice... ), 2017; Pasat V.I., "His situation was one of the most unpleasant", "Motherland", Moscow, 2017, No. 3, p.110-117; Țvircun Victor. Emerging from the fog of oblivion (Iviți din negura uitării). București – Brăila, 2021, pp.36-37; Valeriu Pasat. <https://www.historia.ro/sectiune/portret/articol/mihail-ostrovski-primul-ambasador-sovietic-la-bucuresti>

<sup>5</sup> Archive of the foreign policy of the Russian Federation. (AVP RF), фонд 051 (Личные дела. The Personal files), оп.55, папка 98, дело 97 (Личное дело М.С. Островского).

student, who invariably received good grades in core courses”<sup>6</sup>. Same year, he enrolled as a law student to the St. Petersburg Psychoneurological Institute<sup>7</sup>, graduating in 1915<sup>8</sup>. Upon receiving his diploma, he was drafted into the ranks of the army and enlisted as a private into the 22nd Engineer Regiment. Next, we will telegraph the main biographical information preserved in the personal file of M.S. Ostrovsky. After the October Revolution and the conclusion of the Treaty of Brest-Litovsk, “he returned to the city of Fastov, where he was arrested by the German occupation authorities, but escaped from arrest. In 1919, in Fastov, he joined the ranks of the Bolshevik party, where, as part of the Fastov Revolutionary Committee, he began to engage in party work. From 1919 to 1924 he served in the Red Army, and advanced in ranks from a Red Army soldier to a military commissar<sup>9</sup>. He fought within the Ukrainian Engineering Regiment (Kiev), in the Moscow Cavalry Regiment against Denikin, in the 1st Cavalry Army (in Ukraine, Don and Kuban. The last army position was Deputy Commissar of the Military Academy of the Red Army. Apparently, M.S. Ostrovsky managed to prove himself best in the ranks of the armed forces, as evidenced by order No. 36 of 1922 of the Revolutionary Military Council of the RSFSR on awarding him the highest, at that time, and rare Order of the Red Flag.

The following year, M.S. Ostrovsky was transferred to pursue the trade and diplomatic work. During 1925-1929 he was the authorized representative of the Oil Syndicate in Turkey and Germany. In 1929-1930 - the manager of the Middle East office of "Aznefti", and in the next three years, 1930-1933 - represented the interests of the Oil Syndicate in Central Europe, with headquarters in Paris. It was mainly there that he showed his best qualities and organizational skills, being awarded by the Decree of the USSR Armed Forces of April 21, 1933 "for outstanding work in the field of foreign trade" with the Order of the Red Flag of Labor. During 1933-1934, before his appointment as ambassador to Romania, he headed the USSR Trade

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<sup>6</sup> V.I. Pasat, *Op.cit.*, 2017, No. 3, pp. 110-117; Valeriu Pasat, <https://www.historia.ro/sectiune/portret/articol/mihail-ostrovski-primul-ambasador-sovietic-la-bucuresti>.

<sup>7</sup> The Psychoneurological Institute (now it is the National Medical Research Center for Psychiatry and Neurology named after V.M. Bekhterev) was formed, according to the rescript of Emperor Nicholas II, in 1907. Established mainly on private donations, the Psychoneurological Institute, although subordinate to the Ministry of National Education, could allow itself some liberties: it accepted people of both sexes and any religion, as well as people who graduated not only from classical gymnasiums, but also from commercial and real schools, teacher's institutes and other secondary educational institutions. This made gave the possibility to open access to higher education to people from different classes.

<sup>8</sup> AVP RF, фонд 051 (The Personal files), оп.55, папка 98, дело 97 (Личное дело М.С. Островского).

<sup>9</sup> Military commissar of the division.

Representation in France. He was recalled to Moscow on February 6, 1938. Then, on January 5, 1939, he was arrested by the NKVD and sentenced to the OSO of the NKVD of the USSR on May 04, 1939 in Moscow. His accusatory article 58-1a, 7, 8, 11. Sentence - ITL (Correctional labor camps) – sentencing him to 15 years + 5 years of loss of civil rights. He served his sentence in Norillag, where he arrived on 25.08. 1939 from Butyrki. He Worked in the project department of the Norilsk plant. He was one of 20 prisoners sent to Karalgon to be shot, which was canceled by Zavenyagin's order. According to some sources - he died in the camp in 1947<sup>10</sup>, according to others - in 1952 (<http://www.knowbysight.info/OOO/03719.asp>). He was rehabilitated posthumously on August 25, 1956<sup>11</sup>. It should be noted that his professional qualities, communication skills and extraordinary abilities, earned him the respect and friendship of many colleagues, diplomats, and statesmen in the countries where he worked. Mendra, the first military attaché of France in the USSR, recalled on him: “Cunning as a monkey, sensitive to the slightest nuances,” “he guessed the direction of the wind and controlled people like toys”<sup>12</sup>. He had a high opinion of the business and human qualities of M.S. Of high opinion of the business and human qualities of M.S. Ostrovsky was J. de Lattre de Tassigny, in the early 30s a colonel, later a marshal of France, one of the signatories of the pact on the unconditional surrender of Germany in May 1945, who knew him closely. The relationship between the Soviet ambassador and the Romanian minister grew from the category of collegiate to a friendly one.

M.S. Ostrovsky’s appearance in our story about the transfer of D. Cantemir’s remains from Moscow to Iasi, the ancient capital of the Moldavian Principality, is far from accidental. It was with his arrival to Romania that this topic became one of the main political events of the spring-summer of 1935.

Having received the necessary documents and instructions in Moscow, on November 20<sup>th</sup>, 1934, M.S. Ostrovsky, and members of the first Soviet diplomatic mission to Romania, accompanied by Teodor Grikmann, embassy secretary, consul; Sergey Radchenko, Vice Consul, Chatokhin Ivan - employee, Andrushok Fedor, employee and Maria Mzhedlova – employee, have left by train for Warsaw<sup>13</sup>. There they stayed for several days to obtain an entry visa from the consular section of the Romanian

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<sup>10</sup>. AVP PF, фонд 051 (Личные дела. The Personal files), оп.55, папка 98, дело 97 (Личное дело М.С. Островского).

<sup>11</sup>. AVP RF, фонд 051 (Личные дела. The Personal files), оп.55, папка 98, дело 97 (Личное дело М.С. Островского).

<sup>12</sup>. O.N. Ken, M.S. Ostrovsky and Soviet-Romanian Relations (1934-1938), pp.336-360.

<sup>13</sup> The Romanian Ministry of Foreign Affairs (MAE România, Fondul 71/ URSS) Vol.82, F.352.

embassy. On November 27, they continued their journey towards Bucharest.

On December 2, the passenger train approached the station of the Romanian capital, on the platform of which a large crowd of curious people were waiting for the Soviet plenipotentiary representative and those accompanying him (according to M.S. Ostrovsky himself, at least 200 people). The first ambassador of the USSR was received in Bucharest as a welcome guest by the political and intellectual circles of the country. From the first days of his stay, he managed to pay courtesy visits to many statesmen, including Prime Minister G. Tatarescu, Minister of Foreign Affairs N. Titulescu, Minister of Interior Ion Inculeț, his old acquaintance back from his studies in St. Petersburg, as well as Nikolai Iorga, Chairman of the Commission of Historical Monuments. The conversation with the latter, which took place in January 1935, was of particular importance for the topic we are looking into. According to the Ambassador's verbal note sent to Moscow, the academician did not focus on the fate of the gold reserves of Romania that was transferred to Russia for storage during the First World War, believing that "it was eaten a long time ago." His main concern and interest were related to the return to the country of documents from the Romanian National Archives. This urgent request of N. Iorga, M.S. Ostrovsky considered necessary to be conveyed to Moscow, emphasizing that the transfer of the archive would have a wide political resonance and would give weight to the improvement of bilateral relations. From the very first days of his stay in Moscow, the Romanian ambassador E. Ciuntu<sup>14</sup> raised the same topic in conversations with G.D. Stern<sup>15</sup>, head

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<sup>14</sup>. Edmond Ciuntu (1894-?), Romanian diplomat, Ambassador Extraordinary and Plenipotentiary of Royal Romania to the USSR (December 11, 1934-June 24, 1938).

<sup>15</sup>. David Grigoryevich Stern, born on November 13, 1900 in the city of Salnitsa, Litinsky district, Podolsk Province, into a Jewish family of a doctor Grigory Yakovlevich Stern and a foreign language teacher Sofya Borisovna Rabinovich. David Grigoryevich spent his childhood in Bessarabia, in the village of Vadul-lui-Voda and in Chisinau. In 1918-1921 he lived in Romania and Bessarabia. In 1922 he moved to Czechoslovakia, where he joined the Communist Party in Prague. He was a member of the Central Committee of the Communist Party of Germany... In July 1928, he went to work in the apparatus of the People's Commissariat for Foreign Affairs as head of the Press Bureau of the USSR embassy in Berlin. He remained at this job until June 1931, upon his request he was transferred to the central apparatus of the NKID. After being expelled from Czechoslovakia, he was legitimized in Berlin under the Central Committee of the German Communist Party and was an illegal member of the GKP. Since 1927, he was a member of the party at the Political and Trade Representations in Berlin. After returning from Berlin, June 1931-October 1931, he worked as deputy head of the II Western Department of the NKID, and from October of the same year as head of the 2nd Western Department of the NKID. He was fluent in almost all European languages. On May 13, 1937, he was arrested (taken from the hospital where he was due to pneumonia and diabetes) on charges of spying for Germany. Before his arrest, he lived in Moscow on Kalyaevskaya Street, 5. He

of the II Western Department of the People's Commissariat of Foreign Affairs of the USSR<sup>16</sup>. During one of his meetings, on December 20, 1934, he asked his interlocutor “does he know where the archives of the Romanian Ministry of Foreign Affairs, located in Leningrad (!)<sup>17</sup>, are now. Two weeks later, E. Ciuntu returned to the question of the archive, providing D.G. Stern with information about its alleged location. According to him, "the archive is located in two places: in the Kremlin and in Anastasevsky Lane No. 3"<sup>18</sup>.

After conducting his own investigation regarding the location and state of storage of the archive, on December 28, 1934, D.G. Stern presented a memo to M.M. Litvinov, head of the USSR RKID. It established the following:

“Until 1923, the Romanian state archives were located in various places, in particular the following:

- a. In the Grand Kremlin Palace,
- b. In the archives of the People's Commissariat for Foreign Affairs,
- c. In the office of the Plenipotentiary of the People's Commissariat for Foreign Affairs in Leningrad,
- d. in Narkomfin.

These archives, in the period preceding 1923, were related to the OGPU and the Headquarters of the Red Army, it should be noted that only in the Grand Kremlin Palace by the beginning of 1923 there were 1400 boxes.

1. On January 14, 1924, the archive of the Romanian mission in Leningrad was handed over to the instructor of the Central Archive Vashman and placed in the Grand Kremlin Palace. This archive consisted of 4,284 cases packed in 76 boxes, sealed with the seals of the OGPU and authorized by the NKID. At the same time, 10 boxes were transferred from Narkomfin to the People's Commissariat for Foreign Affairs (it is not possible to establish how many boxes were in the Narkomfin according to the available materials).

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died shortly after his arrest in the Butyrka prison, declaring a hunger strike. He was posthumously rehabilitated by the Decree of the Chief Military Prosecutor's Office of August 24, 1957.

<sup>16</sup>. AVP RF. Фонд 125 (Резидентура по Румынии). Опись 17. Папка 111. Дело 3. 1935 г., ff.24-22.

<sup>17</sup>. Из записи беседы Д.Г.Штерна с послом Э.Чунту от 20 декабря 1934 г. From a recording of a conversation between D.G. Stern and Ambassador E. Chuntu dated December 20, 1934 - AVP RF. Фонд 125 (Резидентура по Румынии). Опись 17. Папка 111. Дело 3. 1934 г., f.16.

<sup>18</sup>. Ibidem, f.18.

2. Since the end of 1923, the Romanian archive has been under the jurisdiction of the Central Archive (TsAU). As already noted, before that it was in the Kremlin's storeroom No. 1, along with all the valuables evacuated from Romania. In September 1923, a special commission of the Central Committee of the Communist Party, chaired by comrade Shlyapnikov, began to transfer the archive to the TsAU. It was carried out in parts in accordance with the acts in which only the relevant the number of boxes with archival materials were handed over. The acts are stored in the Archive of the October Revolution. In a special room of the Grand Palace in the Kremlin, the TsAU registered the funds, compiled a summary inventory of the number of boxes, and took the archive to its vault, where it continues to remain at the moment.

The repository of the Romanian archive is a church specially designated for this purpose in the Yushkov Lane, the front door of which is locked, sealed, and guarded by a police post. Inside the church, throughout its entire area, there are stacks of archival bundles, in some places up to the height of the church vaults (these are extraneous materials from the TsAU). Under them are the boxes with the Romanian archive.

3. According to the inventories mentioned above, it can be seen that the entire Romanian archive is placed in 909 boxes, numbered in the current order, summing up to 39,656 cases ...

It should be noted that at the time when the Romanian archive, currently located in Yushkov Lane, was still located in the Kremlin's storeroom No. 1, some of the archival materials became moldy and stuck together. In addition, it must be taken into account that presently, the archive located in Yushkov Lane is covered with dirt and debris accumulated over the years, and access to it is impossible until the removal other foreign archives of the TsAU”<sup>19</sup>.

The appeals of the Romanian and Soviet ambassadors had an effect, as the dispatch D.G. Stern dated February 23, 1935, addressed to M.S. Ostrovsky was informing that “A decision has been taken to return to the Romanians their state archive. We are currently finalizing the preparation of this transfer. Archival materials will be transferred without any comparison with any inventory. Our formula is as follows. We are hand over what we have preserved, giving the Romanians the right to take these archives. You can inform the Ministry (Foreign Affairs – V.T.) about our decision to return the archives. I would like to draw your attention to the fact that C[iuntu], in spite of my most definite explanation, apparently

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<sup>19</sup>. AVP RF. Фонд 125 (Резидентура по Румынии). Опись 17. Папка 111. Дело 3. 1934 г., л.14-13. The full text of the memorandum is given in the appendix. We identified the church where the documents of the archive were kept. It was the Church in the name of Florus and Laurus at the Butcher's Gate of the White City.

deliberately confuses the concept of archives with the concept of Romanian values. If such a trend is revealed in Bucharest, please note that we are talking exclusively about archival materials"<sup>20</sup>.

A month later, during a protocol meeting between D.G. Stern with E. Ciuntu, held on March 21, the Romanian ambassador was informed that "as of today, the Soviet government can begin transferring the archive to his disposal as soon as possible"<sup>21</sup>. A day later, on March 23, the ambassador visited and examined the place of storage of the archive. On the same day, he sent a telegram to Bucharest informing that "1370 boxes and 63 packages are under guard in the premises of the former church. Out of this amount, about 25 boxes with documents and registers are not transportable, as a result of which it will be necessary to produce the same amount before the arrival of our (Romanian) delegation. It should be noted that the stored crates are of various sizes, most of which are for ammunition. The packages contain 100 lei banknotes of the National Bank of Romania. According to the preliminary estimates, about 14 railway wagons will be required for their transportation"<sup>22</sup>.

A separate subject of discussion between the diplomatic mission and the Romanian representation and the Ministry of Foreign Affairs was the issue of transporting the archive from Moscow to Bucharest. According to the Ambassador, there were two most realistic options. The first is by rail in transit through Poland, Austria, and Hungary. The second option, by train to Odessa, from where by ship to the port of Galati or Constanta<sup>23</sup>. Each of them had both positive and negative sides. However, preference was given to the second option, as it was less costly. In addition, according to E. Ciuntu, in order to receive and maintain the archive, it was desirable to send from Bucharest "two proven and trustworthy people, but by no means historians or archivists, since we are not talking about an inventory of the contents in the boxes, but only about accepting and sealing them (underlined by S. Radulescu)"<sup>24</sup>.

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<sup>20</sup> AVP RF. Фонд 125 (Резидентура по Румынии). Опись 17. Папка 111. Дело 3. 1935, f.19.

<sup>21</sup> The Archive of the Romanian Ministry of Foreign Affairs (Arhiva a MAE a României, Fondul 71/ URSS), Year 1935/36, Vol. 84. Relations with Romania. Return of archives evacuated to Russia. (Relații cu România. Restituirea arhivelor evacuate în Rusia f. 190.). The Telegram Deciphered from the Moscow Legation no. 1019 of 21<sup>st</sup> March 1935 (Telegrama descifrată de la Legațiunea din Moscova Nr. 1019. 21 martie 1935).

<sup>22</sup> The Archive of the Romanian Ministry of Foreign Affairs (Arhiva a MAE a României, Fondul 71/ URSS), year 1935/36, Vol. 84. Relations with Romania. Return of archives evacuated to Russia. (Relații cu România. Restituirea arhivelor evacuate în Rusia. f. 193). The Telegram Deciphered from the Moscow Legation no. 1050 of 23 March 1935 (Telegrama descifrată de la Legațiunea din Moscova Nr.1050. 23 martie 1935).

<sup>23</sup> Ibidem, f.191.

<sup>24</sup>. Ibidem.

During the correspondence regarding the return of documents from the National Archives to Romania, the leadership of the USSR People's Commissariat of Foreign Affairs came up with a proposal to transfer the tombstone and the remains of the Moldavian prince D. Cantemir to the Romanian side. This idea was voiced by D.G. Stern at a meeting with Ambassador E. Ciuntu April 3, 1935.

The same day, the head of the Romanian diplomatic mission in Moscow, addressed a message to Savel Radulescu<sup>25</sup>, Romania's Secretary of State for Foreign Affairs stating the following: "The Soviets are offering us the tombstone of Prince Dimitrie Cantemir, left behind after the demolition in 1935 of the church he built, (sic! - by that time the prince had already rested for 12 years in the family crypt of the Greek Monastery - V.T.) in Moscow. It can be transported simultaneously with the crates (archive - V.T.). ... It seems to me that the remains of the prince were not found under the tombstone. I have asked for additional surveys (of the remains - V.T.) after the site was cleared of bricks and molasses several meters thick."<sup>26</sup>.

According to D.G. Stern, the idea of transferring the tombstone and the remains of the Moldovan ruler to the Romanian authorities arose after the notification he received from the Bureau for clearing the site for the construction of the House of Heavy Industry. The notification stated that "during the demolition of the building of the Greek church on the October 25 st. in Moscow, in one of the basements of this church, a number of tombstones were found, among which there are tombstones on the grave of Dimitrie Constantinovich Cantemir, his wife Alexandra and daughter Maria<sup>27</sup>, who were buried in the same church. The plate of Dimitrie Cantemir has already been removed from its place and transferred to the building of the former Donskoy Monastery in Moscow"<sup>28</sup>.

It is surprising that the administration of the Bureau for site clearing of the demolished monastery reports the discovery of the burial place of

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<sup>25</sup> Savel Radulescu (10/19/1885 - 08/27/1970), a well-known Romanian diplomat. He began his diplomatic career at the Romanian Foreign Ministry in 1921. For a number of years he was N. Titulescu's secretary in the League of Nations. During 1932-1936 he served as Deputy State Secretary of the Romanian Ministry of Foreign Affairs. One of the confidants of King Mihai. After the establishment of the communist regime in Romania, he was arrested in 1948 and in 1951 sentenced to two years in prison and 8 years of forced labor.

<sup>26</sup> The Archive of the Romanian Ministry of Foreign Affairs (Arhiva a MAE a României, Fondul 71/ URSS), 1935/36, Vol. 83. Relations with Romania (Relații cu România, f.72)

<sup>27</sup> A Mary, the eldest daughter of D. Cantemir, was also buried (1757) in the family crypt of the St. Nicholas Greek Monastery. Along with the Moldovan prince, his wife Cassandra (1713), son Antioch (1746) and daughter Smaragda (1720) were buried there in different years.

<sup>28</sup> АВП РФ. Фонд 125 (Резидентура по Румынии). Опись 17. Папка 112. Дело 16. 1935 г., л.2.



the former Moldovan ruler, the existence of which they had no idea, to the country's foreign policy department, and not to the NKVD or any other control body. Moreover, according to the established bureaucratic practice, the heads of the Bureau could not apply directly to the NKID omitting their superiors. Most likely, the starting point for raising the issue of transferring the tombstone from D. Cantemir's grave and his remains to the Romanian side was the previously mentioned appeal of Ion Dick<sup>29</sup>, who by that time was already under the supervision of the NKVD and was expelled from the ranks of the Bolshevik Party.

The next day, after meeting with E. Ciuntu, the head of the II Western Department of the People's Commissariat of Foreign Affairs sent a letter to the Committee for the Protection of Historical Monuments, addressed to Professor A. Ivanov, with the following content: "... during the demolition of the building of the Greek Church on the October 25 st. in Moscow, in one of the basements of this church, a number of tombstones were found, among which there are tombstones on the grave of Dimitrie Constantinovich Cantemir ... The Romanian mission has already been preliminary informed of the existence of these tombstones, and the mission expressed its extreme interest in receiving these monuments from the Soviet Union, due to the fact that the Dimitrie Cantemir is revered in Romania as a great national hero.

The NKID, for its part, emphasizes the political expediency for the USSR in handing over to the Romanian mission the tombstones and remains (if any discovered) of all three of the above-mentioned persons. It would be desirable to make this transfer in the near future.

Based on the foregoing, we appeal to you with a request to establish the belonging of the tombstones to the indicated three persons, determine the exact location of their remains and prepare everything (by filling out the relevant documents) for their transfer to the Romanian mission in Moscow. Further crossed out - It is desirable to transfer the tombstones and remains on the territory of the former Greek church.

Head of the II Western Department  
/Stern/"<sup>30</sup>

It is a testament to the inefficiency of the Soviet bureaucracy that more than a month later David Stern, not having received the information he

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<sup>29</sup>. Российский государственный архив социально-политической истории (РГА СПИ). Russian State Archive of Socio-Political History. Фонд 495. Оп.255. Д.662 (Личное дело Дик Ивана Осиповича – Dicescu Ion Iosif). Л.10.

<sup>30</sup>. AVP RF, Ф.0125 (Культурные связи с Румынией. Cultural relations with Romania). Оп.17. Папка 112. Д.16. Л.2. „2-й Западный отдел. Срочно. Секретно. От 4 апреля 1935 г.; Țvircun V. Dimitrie Cantemir's Postmortem Enigma...p. 32 (Enigma postmortem a lui Dimitrie Cantemir...p.32); Țvircun Victor. Emerging from the fog of oblivion (Iviți din negura uitării. București – Brăila, 2021, pp. 45-46).

requested, was obliged to send another letter to the Commissariat for the Protection of Monuments, dated 14 May:

"To the Committee for the Protection of Monuments  
Comrade Ivanov,

In our letter of 4 April this year, No. 14841, we wrote to you that the People's Commissariat of Foreign Affairs has taken the decision to send to the Romanian Government the tomb slabs of Dimitrie Cantemir, his wife Alexandra (Ruxandra), and daughter Maria, which were found in a basement of the former Nikolisky Greek Church in Moscow. Since the date on which the letter was sent more than a month has elapsed. At present, the People's Commissariat of Foreign Affairs brings to your knowledge that the slabs in question must be placed at our disposal no later than 25 May this year.

Please inform us immediately of the exact day when we could hand over the above-mentioned tombstones to the representatives of the Romanian government. We again draw Your attention to the urgency and political seriousness of this issue.

Head of the II Western Department

/Stern/

Referent /Vlasov/"<sup>31</sup>

Despite these instructions, it was not until 21 May that a team of archaeologists from the State History Museum led by researcher G. I. Chervyakov began excavating the site of the demolished church.

The persistent requests and demands to accelerate the work of the archeologists in discovering the graves and extracting the remains of D. Cantemir were dictated by a number of reasons. First of all, by this time, on May 18, employees of the Romanian Ministry of Foreign Affairs delegated to receive and accompany the archives arrived in Moscow - consuls M. Nikolau and I. Popovici<sup>32</sup>. On the other hand, the process of manufacturing the missing wooden boxes for packing archival documents was completed. By this time, between the leadership of NIKID and the People's Commissariat for Railways, a schedule was agreed upon for loading and departing a train with documents from the National Archives of Romania to Odessa, from where a Romanian ship would take them to the port of Constanța. It was assumed that the train would leave Moscow

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<sup>31</sup>. AVP RF, Ф.0125 (Культурные связи с Румынией. Cultural relations with Romania). Оп.17. Папка 112. Д.16. Л.3; Țvircun V. Enigma postmortem a lui Dimitrie Cantemir...p. 33; Țvircun Victor. Iviți din negura uitării. București – Brăila, 2021, p. 46.

<sup>32</sup> The Archive of the Romanian Ministry of Foreign Affairs (Arhiva a MAE a României, Fondul 71/ URSS), Year 1935/36, Vol.84, Relations with Romania. Return of the archives evacuated to Russia (Relații cu România. Restituirea arhivelor evacuate în Rusia, f.201-203).

no later than May 29-30 and arrive at the Black Sea port by June 10-11. According to an agreement between the Romanian Ministry of Foreign Affairs and the leadership of the naval forces, the "Princess Maria" vessel was to come to the port of Odessa to receive the cargo and deliver it to Romania.

On May 23, under the supervision of the consuls, commenced the loading of the archives into the train cars, which was completed by the 28th. The next day, the train left Moscow. Having barely sent the archives, E. Ciuntu wrote with undisguised disappointment and pain to S. Rădulescu about the impression that the archival documents left on him: "... All the boxes were opened and most of their contents were seized. In our common opinion, it is futile to expect to find anything of material value in them. I personally examined the contents of several opened boxes. The only thing I can say is, it is a real scandal, when during the war time someone found a way to evacuate absolutely worthless things under the guise of valuable cargo: bank registers, bills, and even lottery ticket numbers that could have been destroyed. It is difficult to understand this kind of irresponsibility"<sup>33</sup>.

A few hours after writing this telegram, E. Ciuntu, apparently still under the impression of what he saw in the archive boxes, sent another message to S. Radulescu, in which he noted: "Now, when what belongs to us is returning (to the homeland) I can't help but breathe a sigh of relief after 18 years of hard work. Billions worth of valuables turned into some kind of bank accounts, suitable only for recycling paper. Regarding the boxes sent, I'm afraid that they will cause outrage. If in 1917 real treasures were to be taken away, we could limit ourselves to one, maximum two wagons. In extreme cases, at the last moment, they could be attached to the royal train. Then there would be no need to evacuate them and then mourn the loss. Now everything is mixed with worthless things, which ironically come back. It is not known how many valuable items will be discovered among them. Let's hope something will"<sup>34</sup>.

Ambassador E. Ciuntu's fears that the contents of the returned archive may cause an undesirable reaction in the country worried the leadership of the Romanian Ministry of Foreign Affairs and, mostly, Minister N. Titulescu. His prestige and political career were put on the scale. It is no coincidence that from that moment on, the main attention and political emphasis of the Ministry of Foreign Affairs and its affiliated media were not focused on the return of the National Archives of the country, but on the transfer and reburial of the remains of the former Moldovan ruler in their homeland.

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<sup>33</sup>. Ibidem, f.204.

<sup>34</sup>. Ibidem, f.206.

As evidenced in the records of D.G. Stern's conversation with Ambassador Ciuntu, dated May 29, 1935, on this day "... the transfer of the Romanian archives to the authorized representatives of the Romanian government, who came to Moscow for this purpose, has been completed. At the same time, at the initiative of the Department, Ciuntu was issued the tombstones, discovered during the demolition of the church on Nikolskaya Street, on the graves of Dimitrie Cantemir and his family"<sup>35</sup>. Then, "in the presence of Comrade Kolchanovsky<sup>36</sup>, the text of the protocol on the transfer of archives was agreed upon. C(iuntu) especially thanked for the transfer of the tombstones and the transfer of the remains of Cantemir, emphasizing that this act would be considered in Romania as exceptionally friendly one, due to the role that Dimitrie Cantemir played in his time in the political and cultural life of Romania"<sup>37</sup>. After agreeing on the text of the protocol on the transfer of archives, both authorized persons D.G. Stern and E. Ciuntu have signed it in the presence of employees of the People's Commissariat for Foreign Affairs of the USSR and the Romanian Embassy.

It should be noted that in addition to the boxes with archival materials handed over by the representative of the Romanian government, on behalf of the Soviet side, D.G. Stern handed over to the Romanian ambassador "18 cartons containing ancient letters of the Moldovan and Wallachian rulers, of great historical value"<sup>38</sup>. At the end of the ceremony of signing the protocol and handing over 18 cardboards to the representatives of Romania, Ambassador E. Ciuntu "made a short speech in which he thanked for the kindness shown in the transfer of archives and expressed confidence that this act would be considered in Romania as one of the serious elements of our friendly relations"<sup>39</sup>.

While the freight train with archival documents of Romania was slowly moving towards Odessa, in Moscow, in the building of the State History Museum, preparations were being made for the solemn transfer of the remains of the prince. On June 1, 1935, in one of the halls of the museum, a shrine with the ashes of the Moldovan ruler was handed over. At the end of the ceremony, D.G. Stern gave a dinner in honor of the

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<sup>35</sup>. AVP RF. Фонд 125 (Резидентура по Румынии. Residency in Romania). Опись 17. Папка 111. Дело 3. 1935 г., ф.49.

<sup>36</sup>. *Kolchanovsky Nikolai Petrovich (1892-1940) - Russian and Soviet diplomat. In the early 1930s, he was deputy head of the Economic and Legal Department of the People's Commissariat for Foreign Affairs of the USSR. Author of the book Diplomatic Technique (Moscow, 1938).*

<sup>37</sup>. AVP RF. Фонд 125 (Резидентура по Румынии. . Residency in Romania). Опись 17. Папка 111. Дело 3. 1935 г., ф.49.

<sup>38</sup>. Ibidem.

<sup>39</sup>. Ibidem.

Romanian ambassador and the consuls who arrived from Bucharest<sup>40</sup>. On the same day, E. Ciuntu wrote to Bucharest about the event, providing some details. “The aforementioned remains were handed over in a neat box lined on the inside with canvas covered with yellow cloth. I expressed the desire to take some pictures, which I will send by mail in two days. At the same time, the Soviets promised to hand over a document certifying the authenticity of the contents in the box in the near future. The box itself is 1 meter 65 cm long, 66 cm wide and 15 cm high, which we (that is, employees of the Romanian embassy - V.T.) wrapped in canvas. Tomorrow morning, (i.e. June 2 - V.T.), he, together with valuable documents, accompanied by both consuls, will be sent (to Odessa - V.T.)

I am convinced that you will agree with my proposal that during the unloading of boxes with documents in Constanta, a special wagon should be prepared for the reception and transportation of the remains”<sup>41</sup>.

In fulfillment of the promise, on June 4, 1935, the People's Commissariat for Foreign Affairs of the USSR handed over to the Romanian Embassy a note with an appendix of a historical note and an expert act on the opening of the tomb and the extraction of the remains, allegedly confirming the authenticity of their belonging to D. Cantemir. Below are the two documents preserved in the Romanian translation in the Archives of the Romanian Ministry of Foreign Affairs. The search for originals in the archives of the Russian Federation, unfortunately, did not give positive results. Moreover, in the course of a conversation with the leadership of the State History Museum, the author was informed that in October 1941, fearing the occupation of the city of Moscow by the Nazi troops, numerous materials and documents from the museum's funds, which did not have great historical value, were destroyed, among which were those we were looking for.

“On the Monuments of the former Nikolisky Greek Monastery, Moscow”.

On the basis of the information in the existing literature, Dimitrie Cantemir was buried in the Nikolisky Greek Monastery. His son, the famous writer Antioch Cantemir, died in Paris on 31 March 1744, requesting in his will that he be buried alongside his father, for which reason he his body was brought to Moscow and buried at the Nikolisky Monastery.

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<sup>40</sup>. AVP RF. Фонд 125 (Резидентура по Румынии. . Residency in Romania). Оп., 17. Папка 111. Дело 3. 1935 г., f.50.

<sup>41</sup>. The Archive of the Romanian Ministry of Foreign Affairs (Arhiva a MAE a României, Fondul 71/ URSS), Year 1935/36, Vol.8, Relations with Romania (Relații cu România, f.94).

According to monastery records, it is known<sup>42</sup> that Antioch and Dimitrie Cantemir were buried in the cellar of the lower church to the right of the entrance. Of the slabs existing in the monastery only those fixed to the west wall of the lower church, between the main entrance and the south-west corner, i.e., to the right of the lower corpus of the building, can belong to the Cantemirs.

On one of the three existing slabs there is an inscription about the burial of the prince with the blazon of St George the Victor. The information about those buried beneath the slabs, on which can be deciphered the words “Moscow . . . in Moscow,” corresponds with the information about the death of the writer Antioch Cantemir, buried in the former Greek church.

Antioch’s will, in which he asks to be buried alongside his father, provides us with the basis to draw the conclusion that the tomb alongside, whose inscription has rubbed off, belongs to Dimitrie Cantemir.

Research into the remnants of clothes and footwear found in both tombs that have been carried out by the fabrics section of the State Historical Museum confirms the provenance of the materials from which the remnants were made. In the tomb of Antioch: French cloth and footwear of the eighteenth century, and in the tomb of Dimitrie Cantemir: men’s footwear, which is not of the Russian type: leather sandals and a Persian girdle.

Accuracy confirmed.

Senior Scholar of the Committee for the Protection of Monuments attached to the Presidium of the Central Executive Committee

Professor Ivanov”<sup>43</sup>

„ACT

On the opening of the graves at the site of the former Greek Nikolsky Monastery in Moscow, st. Nikolskaya 11.

Based on the assignment received from the Committee for the Protection of Monuments under the Presidium of the Central Executive Committee, the State History Museum opened the graves on the site of the former Greek Nikolsky Monastery in order to discover the burial place of Dimitrie Cantemir, prince of Moldova, who died in 1723 in the village of Dmitrovsky (now the city of Dmitrovsk, the former Oryol province) and transferred for burial in Moscow.

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<sup>42</sup>. It is highly doubtful that Professor A. Ivanov possesses monastic records in his hands, since, together with the closure of the monastery in 1923, church utensils, icons, a library, etc. were partly destroyed, partly plundered.

<sup>43</sup>. The Archive of the Romanian Ministry of Foreign Affairs (Arhiva Ministerului Afacerilor Externe a României. Fondul 71). URSS. Vol.84. F.241-242

After the demolition of the walls of the church, research was continuously carried out by the G. I. Chervyakov of the State History Museum.

On 21 May 1935, the surface area of the excavations was razed to floor level and on 22 May dismantling of the floor began under the instructions of G. I. Chervyakov and V. G. Kravtsov of the State History Museum. During the dismantling of the floor and opening of the tombs, comrade Sidorin, the industrial buildings construction inspector, D.A. Kraynov<sup>44</sup> of the State History Museum, and comrade Ellengorn, Secretary of the Monuments Commission of the Presidium of the C.E.C. were in attendance. The work was carried out by a brigade of construction workers to the number of six men.

The floor was made of white flagstones measuring fifty by fifty centimeters. The niches housing the slabs above the tombs were in a wall measuring 1.6 meters in height. Beneath the flagstones lifted from the floor over a surface area of five by three meters there was earth mixed with rubble and pieces of quicklime. Some of the human remains bore the marks of older excavations. The careless arrangement of the human remains and other objects clearly tells us that this section had previously been excavated, while some remains had been disturbed to the point of complete decomposition of the muscle tissues, proof of which is, for example, the all too normal situation of the manner in which the bones are placed.

A copper coin (*deniga*) from the year 1738 was also found here. Remnants of leather and cloth. On removal of the upper layer of earth two tombs were discovered, built from bricks measuring 27.5 by 12 by 7 centimeters, typical of the eighteenth century.

It is situated one metre from the third wall of the church near the entrance, beneath the tomb slab of the body that was brought to Moscow. The tomb is almost rectangular in shape, 1.95 metres long, 80 centimetres wide at the head, and 67 centimetres wide at the feet. The vault has a small lid at the height of 0.5 metres; the tomb is oriented west to east.

On opening the lid, a cavity not filled with earth was discovered. Within were found the decomposed remains of a wooden coffin with traces of the cloth with which the coffin was covered, remnants of silver trimmings on the side planks, which were completely oxidised, and virtually disintegrated handles. Within the coffin was found the ashes of the body with small poorly conserved fragments of bones and small particles of cloth.

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<sup>44</sup>. Dmitry Aleksandrovich Krainov (September 30, 1904, Ivashvevo village, Vladimir province - November 8, 1998, Moscow) a Soviet archaeologist, one of the most famous researchers of the Neolithic and Bronze Age culture in central Russia. Doctor of Historical Sciences.

In the north-west corner of the coffin, close to the place of the head, there was a small china vessel, white in colour, decorated with blue flowers. The contents were completely decomposed. At the foot of the coffin were preserved remnants of men's high-heeled leather footwear with rectangular metal buckles.

#### Vault No. 2

The vault that corresponds with the erased slab is situated in the immediate proximity of vault No. 1, to the south of it, with which it shares a wall.

The size of the vault: length 2 metres; width at the head, 85 centimetres; width at the feet, 74 centimetres; depth, 0.5 metres. The roof of the vault was found completely destroyed, having caved in and been mixed with earth, filling the space within.

At the bottom of the vault were found remnants of boards from the wooden coffin and remains of the body. The bodily remains were found lying on their back, with the head to the west and the hands folded across the chest.

Poorly conserved bones, the skull has not been preserved. Remnants of silk clothing were found, fastened at the chest and sleeves with small buttons and clasped by a long and wide girdle. At the feet were preserved remnants of footwear that suggested a type of sandal with a leather sole fitted with a layer of cork.

The remains discovered were removed. Various moments of the excavations were photographed by comrade Sevastianov, the State History Museum's photographer.

The present act has been drawn up in accordance with the instructions of the State History Museum, Moscow.

Scientific Secretary of the Committee for the Protection of Monuments attached to the Presidium of the S.E.C.C.

Professor

Ivanov<sup>45</sup>

The historical note cited above, and the act signed by Professor A. Ivanov, instead of clarifying, further complicates the search for truth. Firstly, they refer to the coffin of Antioch Cantemir. Moreover, the inscriptions on the tombstones delivered to Romania and stored in the historical museum of Iasi have nothing to do with either D. Cantemir or his family members. The words read "Moscow ... in Moscow" are in no way

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<sup>45</sup>. The Archive of the Ministry of Foreign Affairs (Arhiva Ministerului Afacerilor Externe a României. Fondul 71) URSS. Vol.84. f.243-245; Țircun V., Dimitrie Cantemir's Postmortem Enigma...(Enigma postmortem a lui Dimitrie Cantemir...), p. 29-31.



connected with the biography of Antiochus. He was born in Constantinople, and died in Paris, which means that these two words should have been imprinted on the plate. In addition, the main milestones of his life in Russia are connected not so much with Moscow as with St. Petersburg, which is why the mention of the capital on the tombstone of A. Cantemir lacks basis. There is one more, important circumstance. The burial of A. Cantemir in Moscow took place 1.5 years after his death and he was delivered from France not in a wooden, but in a lead coffin. Hence, this detail could not be overlooked.

Concerning the determination of the remains of clothes and shoes. It should be taken into account that a significant part of the secular burials in the Greek monastery of St. Nicholas dates back to the 20-60s of the 18th century. Since the 70s, in connection with the plague epidemic, burials in the central part of Moscow were, and mainly in the Greek monastery were strictly forbidden. As French clothing fashion dominated among the Russian nobility, it is not surprising to find details of French clothing and footwear among the remains. In addition, the surviving elements of clothing from the alleged burial of D. Cantemir, with a great deal of doubt, can be attributed to the Moldovan ruler, as at the end of 1719 he dressed in the European style<sup>46</sup>, which did not have an oriental trait.

In addition to the above, there is another argument asserting that we are biased in identifying the recovered remains as authentic Cantemirs'. The reasearch in the State Archive of Literature and Art (Moscow) allowed us to find a curious document related to the topic of this study. In the first days of February 1935, having discovered about the demolition of the St. Nicholas Greek Monastery, the leadership of the Committee for the Protection of Monuments under the Presidium of the All-Russian Central and Executive Committee of the Council of Workers', Peasants' and Red Army Deputies sent a letter to the State Historical Museum (a copy - in the Literary Museum), which stated the following request: "In view of the ongoing demolition of the cathedral of the former Greek monastery on Nikolskaya Street, the Committee for the Protection of Monuments requests that the tombs located there be opened to remove museum items and that the remains of the first Russian satirist Antiochus Cantemir be taken to the literary corner of the new cemetery of the former Novodevichy Convent"<sup>47</sup>. The document's resolution reflected the sad reality - "To be

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<sup>46</sup>. Șt. Ciobanu, *op. cit.*, 1924, p. 23.

<sup>47</sup>. Российский государственный архив литературы и искусства (РГАЛИ). Russian State Archive of Literature and Art (RGALI). Ф.612. Оп.1. Д.2817. Л.2. This document was signed by the Byk-Bek, the Deputy Chairman of the Committee and Professor A. Ivanov, the Academic Secretary. Sent to the addressees by official letter No. 95 dated February 7, 1935.

archived. Came in 22 days late"<sup>48</sup>. The latter meant that all burials, including those of the Cantemir family, were already demolished by January 1935 and taken along with construction waste to a landfill.

But since the propaganda machine was launched, and the transfer of the remains of Dimitrie Cantemir to Iasi became one of the most important historical events for the Romanian society in the summer of 1935, and the political prestige of the head of the Romanian Ministry of Foreign Affairs, the process of extracting the "remains" and their solemn reburial were carried out on a national scale.

In the meantime, preparations were being made in Romania solemnly to receive and reinter the remains of the Moldovan prince. On 11 June 1935, the Council of Ministers issued a decision to send a vessel from the port of Constanța to Odessa to fetch the national archives<sup>49</sup>, and the remains of Dimitrie Cantemir. It was also decided to construct a mausoleum in Iași for the earthly remains of all the rulers of Moldova<sup>50</sup>. After the re-inhumation of Dimitrie Cantemir's bones, the remains of Prince Gregory Ghika were to have been brought from France. Neither of these plans came to fruition, however.

The passenger ship „Princess Maria” set sail from on Constanța 11 June, under the command of Captain Paraschivescu, arriving in Odessa the next day. At the same time, a train from Moscow arrived in the port, carrying one thousand four hundred and forty-five crates of archival documents and other valuable items that had been stored in the Soviet Union, along with the sealed coffin containing the earthly remains of Dimitrie Cantemir. It took two days to load the crates onto the Princess Maria, under the supervision of representatives of the People's Commissariat of Foreign Affairs and officials of the Romanian Consular Service. On 14 June, the vessel left port and arrived in Constanța the next morning.

According to foreign diplomats accredited in Bucharest: “On the occasion of the anniversary of the establishment of relations with the USSR, N. Titulescu came to M. Ostrovsky on June 9 with several bottles of old cognac, and they sat in a narrow intimate circle until 5 o'clock in the morning. On the occasion of the arrival of 1450 boxes of Romanian archives from the USSR, N. Titulescu again, together with M. Ostrovsky, went to Constanta, where they had drinks in a restaurant, after which M. Ostrovsky, in a tipsy state, wished to read the inscription on the base of the

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<sup>48</sup>. Ibidem.

<sup>49</sup>. Sorin Iftimi, *Bringing the bones of Dimitrie Cantemir from Moscow to Iassy. The Cantemirean Dynasty... (Aducerea osemintelor lui Dimitrie Cantemir de la Moscova la Iași. Dinastia Cantemireștilor...)* 2008, p.85.

<sup>50</sup>. Șt. Gorovei, "The Historical Journal", 10, 1973, pp. 20-22.

statue of Ovid, which stands in the market place in Constanta, for which the whole cheerful company, with a rarely talkative and gesticulating N. Titulescu and M. Ostrovsky, supported by the arm of Vice Minister Savel Radulescu, went to the monument, where he attempted to read in the moonlight the Latin inscription"<sup>51</sup>.

For both, the return of documents from the National Archives and the remains of D. Cantemir were of great political importance. On the one hand, they jointly broke the deadlock on a problem that politicians and diplomats have been unable to resolve for the past two decades. On the other hand, by this act they solemnly celebrated the first anniversary of the establishment of diplomatic relations between the two states.

The solemnity of the coming moment was also reflected in the directives of the Ministry of the Interior, sent to the heads of local administrations along the route of the funeral train. They prescribed the following:

“We have the honor to inform you on the annexed program including the ceremony of receiving, transporting and reburial of the remains of Dimitrie Cantemir, and ask you to take appropriate measures for the implementation of this program, as well as the necessary measures for public order.

The ceremony will begin with the receipt of the shrine with the remains, their transfer to Iasi and reburial in the Church of the Three Hierarchs.

### **I. Reception in Constanta**

The remains will be received in Constanta on Sunday morning at the landing stage on June 16<sup>th</sup>. A procession of cathedral of priests led by the Head Bishop will arrive to the sound of bells from the cathedral.

Representatives of the king, government and the parliament, the Commission of Historical Monuments, civil and military authorities. When the shrine will be taken out of the ship, two artillery salvo shots will be fired, accompanied by the chime of the bells of all city churches and the sounds of the military orchestra.

The military brass band will play a welcome march.

After that, a prayer service will be served at the pier by the cathedral clergy.

Following the service, the shrine, wrapped in the national tricolor, will be mounted on a gun carriage by the members of the government and parliament.

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<sup>51</sup>. O.H. Кен *op. cit.*, 2005, c.336-360.

The cortege, accompanied on all sides by the cavalry and gendarmes standing in a cordon, will proceed to the station in the following order: in front the cathedral of priest's procession, headed by the bishop, gun carriage with four senior officers on the sides, representatives of the royal house, representatives of the government, parliament of civil and military authorities.

Throughout the length from the pier to the railway station, on both sides of the road, there will be students from the city's schools and military personnel from the local garrison, who will salute the passing cortege, to the sound of the ringing bells and the orchestra.

At the railway station, the coffin will be removed from the gun carriage and placed in a funeral car with representatives of the civil and military authorities.

On the way to Iasi, the carriage will be accompanied by clergy and guards of honor. Throughout the cortege, the streets of the city will be decorated with half-masted national flags with mourning ribbons. Lanterns will be lit. same goes for the pier, the station and the special train.

### **Dress code**

- A. For civilians, frock coat, top hat, black gloves
- B. For the military - a white ceremonial uniform.

## **II. Transfer to Iassy**

The train will stop according to schedule at the following stations: Buzau, Rimnic, Focsani, Birlad, Vaslui. At each of these stations, the train will be greeted by the local civilian and military leaders, schoolchildren, garrison troops and a military band to greet and salute.

Dress code as above.

## **III. Reception in Iassy**

The clergy will hold a short service. Stations will be decorated with mourning flags. June 17, Monday morning, the city hall authorities of Iasi will be waiting on the platform of the station. The clergy of the city, led by the metropolitan, who will arrive heading the procession under the chime of the cathedral bells. King's representatives. Chairman of the Council of Ministers with members of the government, members of Parliament, members of the Commission of Historical Monuments, heads of civil and military authorities, rector, members of the senate, professors and students of the Mihailian University<sup>52</sup>.

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<sup>52</sup> Founded in 1835. At present, the University „Alexandru Ion Cuza” (Iasi).

When the coffin will be taken out of the car, 101 artillery salvos will be fired. The bells of the city's churches will ring, and the military band will play church music. The members of the clergy will hold a service on the platform of the station.

At the end of the service, the shrine will be mounted on a gun carriage by members of the government and the Parliament.

The funeral procession will be opened and closed by a squadron of cavalry, accompanied by gendarmes, who will march towards the Cathedral of the Three Saints in the following order:

Ahead will be the procession of priests led by the metropolitan, followed by the gun carriage with the coffin accompanied by four generals, representatives of the king, the chairman of the government with members of the cabinet of ministers, members of Parliament, members of the Commission of Historical Monuments, heads of civil and military authorities, rector, members of the senate, professors and students of the Mihailian University. Throughout the procession of the funeral cortege from the station to the cathedral, he will be greeted with a salute by the soldiers of the local garrison.

The city will be covered with mourning flags.

### **Reburial**

At the cathedral, the coffin will be removed from the gun carriage and installed on the spot where the passage will be made. During it, professors from the University of Iasi will stand in the guard of honor.

The panegyric will be read by Metropolitan Nikodim<sup>53</sup>.

After the passage, the shrine will be brought into the church and left there until burial in the first niche to the right of the pump. The grave for reburial will be prepared by the Department of Architecture of the Commission of Historical Monuments. The commission will prepare the text of the gravestone.

The burial ceremony will be carried out by the Metropolitan, the Mayor of the Iasi Municipality, the commander of the military unit and a delegate from the Commission of Historical Monuments, who will sign a protocol in four copies, following the example of the previous procedures for the burial of King Charles and King Ferdinand, of which one copy will

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<sup>53</sup> Nikodim (Nicolae Munteanu December 6, 1864 - February 27, 1948, Bucharest) - Bishop, Metropolitan, Patriarch of the Romanian Orthodox Church. He graduated from school in Neamț and in 1895 - the Kiev Theological Academy. On August 1, 1894, he took monastic vows, and on March 3, 1912, he was ordained bishop of Huși. In January 1935, the Church National Congress of Romania elected Nikodim as Metropolitan of Iassy. On June 30, 1939, the Church Council elected Nikodim, Metropolitan of Iassy, as the new Romanian High Priest.

be transferred to the State Archives in Bucharest, the second - to the archives of the Iasi City Hall, the third - to the Moldovan Metropolis and the fourth - to the Commission of Historical Monuments”<sup>54</sup>.

While a special commission from the Ministry of Foreign Affairs received the cargo, at the station a special train arrived carrying the members of the Government Commission, consisting of Minister of Education C. Angelescu<sup>55</sup>, Minister of Religious Cults A. Lapedatu<sup>56</sup>, Minister of Local Administration Vasile Sassu<sup>57</sup> and Chairman of the Commission of Historical Monuments Nicolae Iorga<sup>58</sup>, approached the platform of the city station.

A solemn ceremony to receive the bones of Dimitrie Cantemir was held the next morning, 16 June 1935, in the port of Constantza. The bells of the Episcopal Cathedral were rung, and a procession of priests headed by Gerontius, Bishop of Dobrudja, arrived. Accompanied by the Minister of Foreign Affairs Nicolae Titulescu and M.S. Ostrovsky, the Soviet ambassador to Bucharest, the priests boarded the vessel, officiating the „Te Deum” by the coffin containing the remains of Dimitrie Cantemir. Four superior officers then lifted the coffin onto their shoulders and bore it down the gangplank as an artillery salvo was fired and a squadron of hydroplanes circled the docks<sup>59</sup>.

A second service was held once the coffin had been brought ashore. The coffin was then laid on a gun carriage and the cortège, made up of

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<sup>54</sup> Maria Mihăilescu, ”The Chronicle of Vrancea” („Cronica Vrancei”), 2011, IX, pp.258-265.

<sup>55</sup> Constantin Angelescu (June 10, 1869 - September 14, 1948), a prominent political figure in royal Romania. He received his doctorate in medicine in France. Professor, honorary member of the Romanian Academy (1934). From 1901 to the end of the 1930s he was a member of Parliament, a senator. From 1914 to 1940 he was a member of the government, holding the post of head of various ministries.

<sup>56</sup> Alexandru Lapedatu (2 September 1876, Cernat, Braşov – 30 August 1950, Sighet Prison). Historian, diplomat, professor, politician. From 16 November 1936 to 20 March 1937 he was President of the Romanian Senate, and from 1935 to 1938, the President of the Romanian Academy.

<sup>57</sup> Vasile Sassu (4 April 1909, Bucharest – ?, Bucharest). Politician, journalist. He founded the Institute of Agricultural Law. Minister in the government of Gheorghe Tătăărăscu.

<sup>58</sup> Nicolae Iorga (17 January 1871, Botoşani – murdered 27 November 1940, Strejnic, Prahova). Historian, expert on the Byzantine Empire, literary critic, writer, member of the Romanian Academy from 1911, politician. One of the founders of the National Democratic Party. From 1918 to 1920, President of the National Assembly. From 1931 to 1932, prime-minister and minister of education. Author of numerous works on the history of Romania, Turkey, the Balkans, and the history of Romanian literature. He laid the foundation for the literary trend of "semenatorism" (from the name of the journal "Semenatorul" ("Sămănătorul") – The Sower). Was murdered by the legionnaires of the "Iron Guard".

<sup>59</sup> Sorin Iftimi, *op. cit.*, 2008. p.88.

thousands of people, made its way to the railway station. A special train, decorated with flowers and flags, then transported the prince's bones to the old capital of the Principality of Moldavia. The route from Constanța to Iasi passed through Buzău, Râmnicu Sărat and Tecuci.

Late in the night of 17 June, the train reached its destination. The official ceremony was to be held at nine o'clock the next morning. In the meantime, the president of the Council of Ministers, Gheorghe Tătăreanu<sup>60</sup>, arrived in Iasi, accompanied by ministers Ion Incuț<sup>61</sup>, Ioan Costinescu and Victor Iamandi<sup>62</sup>. The station was adorned with garlands and tricolours. A guard of honour from the local garrison stood along the platform. In addition to very important persons from Bucharest, there were numerous delegations from other towns and provinces of Romania. Among them were lay and ecclesiastical figures from Bessarabia, including Gurie, the Metropolitan of Bessarabia<sup>63</sup>, and Visarion Puiu<sup>64</sup>, the Bishop of

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<sup>60</sup>. Gheorghe Tătăreanu (22 December 1886, Craiova – 28 March 1957, Bucharest). Lawyer and prominent politician. Honorary member of the Romanian Academy. Twice head of the Romanian Government. After the coup that resulted in the Antonescu dictatorship, he fell from power. In 1950 he was arrested by the Communists and sentenced to five years' imprisonment in Sighet. Two years after his release he died in hospital in Bucharest.

<sup>61</sup>. Ion Incuț (Ivan Konstantinovitch Inkuletz) (5 April 1884, Rezeni, Lăpușna, Bessarabia – 18 November 1940, Bucharest). Studied Mathematics and Physics at Saint Petersburg, where he was awarded a first-class degree. Doctor docent. He fought in the First World War and in 1917 was part of the Petrograd Soviet as a member of the Socialist Revolutionary Party. In April of the same year he went to Bessarabia as an emissary of the Provisional Government. On 21 November 1917 he was elected Chairman of the Moldavian Council. After unification with Romania, from 27 March 1918, he was Minister for Bessarabia, Minister of Health, Minister of Internal Affairs, and Minister of Communications, and in the Ion Duca Government he was deputy prime-minister. In 1918, he became a member of the Romanian Academy.

<sup>62</sup>. Victor Iamandi (15 February 1891, Hodora, Cotnari, Jassy – 26 November 1941, Jilava Prison). Prominent politician of the interbellum. Member of Parliament for the Liberal Party. Minister of Justice. Murdered by the legionnaires of the "Iron Guard".

<sup>63</sup>. Gurie Grosu (January 1, 1877, Nimoreni village, Bessarabian province. - November 14, 1943, Bucharest), hierarch of the Romanian Orthodox Church. He graduated from the theological school (1892) and the theological seminary (1898) in Chisinau, the Theological Academy in Kiev (1902). In the same year he took monastic vows. On April 28, 1928, he was ordained Metropolitan of Bessarabia. He held this chair until his retirement in 1936.

<sup>64</sup>. Visarion Puiu (in the world as Victor Puiu, September 27, 1879 - August 10, 1964), hierarch of the Romanian Orthodox Church. Ordained Bishop of Agres in 1921. From 1923 to 1935 - Bishop of Khotyn. During 1935-1940. - Metropolitan of Bukovina. From November 16, 1942 to December 14, 1943 - Metropolitan of Transnistria and Odessa. After World War II, from 1945 to 1958 he was head of the Romanian Orthodox Diocese of Western Europe.

Bălți. The delegation from Galați was headed by Cosma Petrovici, the Bishop of Galatsi<sup>65</sup>.

At a quarter past nine, to the sound of hymns, four generals brought the coffin from the train carriage, and it was then taken by four officers from the guard of honour. Amid artillery salvos, the coffin was placed on a catafalque decorated with flowers and national flags. Metropolitans Nikodim and Gurie officiated the *Te Deum* together, with a chorus of two hundred priests. After the service, the prime-minister and members of his cabinet lifted the coffin from the catafalque and laid it on a gun carriage. Wreaths sent by King Carol II and Minister of Foreign Affairs Nicolae Titulescu were laid on the coffin, along with one from Ambassador Ostrovsky.

The cortège set off from the station to the Cathedral of the Metropolia. At the head of the procession, in front of the gun carriage, walked the servants of the Church. Behind the gun carriage came General Ilashevici, representing the Royal House, and after him, members of the Government and Parliament, representatives of the Historic Monuments Commission, the authorities, the officer corps, and student organisations. Both sides of the route of the procession were lined with townsfolk and pupils from the local lycées. At ten o'clock, the procession reached the Cathedral of the Metropolia, where Metropolitan Nikodim, later Patriarch of the Romanian Orthodox Church, officiated the service of remembrance.

After the service, the cortège continued to the Church of the Three Hierarchs. The coffin was lowered from the gun carriage and carried inside the church by four professors from the University of Iasi. In the presence of the metropolitans and members of the Historic Monuments Commission, the coffin was opened, and its contents inventoried. Following this, the shrine with the remains was placed in a copper coffin, which was lowered into the burial niche on the right side of the entrance to the church.

As the sounds of the military band died out, the funeral litias were played, along with the panegyric speeches in memory of the great man. About a hundred years, in the Cathedral of the Three Hierarchs, rest the, over which a granite slab is installed indicating that the remains of the Moldovan ruler Dimitrie Cantemir, “a fighter for the freedom of his homeland and a researcher of the historical past of Romania, “who returned home after long and difficult journey” are buried in this place. We do not know whose ashes rest there. Perhaps the remains of no less worthy person. But the indisputable fact is that, and the documents cited by us are of objective evidence, that these remains do not belong to D. Cantemir.

Suspensions regarding the authenticity of Dimitrie Cantemir's remains arose in Romania no sooner than they arrived in Iasi. Mikhail Semyonovich Ostrovsky, the first Soviet ambassador to the Kingdom of

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<sup>65</sup>. Iftimi Sorin, *op. cit.*, 2008. p. 89.



Romania, reported to the People's Commissariat of Foreign Affairs: "currently, the very authenticity of Dimitrie Cantemir's remains has begun to arouse suspicions and Argetoianu (former Minister of Finance in the cabinet of N. Iorga and board member of almost all Romanian societies with German capital ..., leader of an insignificant group of fascists) has demanded a scientific assessment of them with the aim of determining their authenticity. The remains in question, with a view to avoiding a fresh scandal, similar to the one surrounding the national archive, were hastily interred in the cathedral (of the Three Hierarchs - V.T.) in Iași."<sup>66</sup>

Everyday politics, as well as declarations on the part of Minister Titulescu regarding his coming visit to Moscow to negotiate a bilateral treaty,<sup>67</sup> meant that Argetoianu's demands came to nothing. Not least, the debate as to the authenticity of Cantemir's remains was quashed as a result of unofficial instructions sent to the press by the Ministry of Foreign Affairs. To this also contributed the news that following the Soviet example, "the German government is proposing to send the remains of Moldavian Prince Michael Sturza, buried in Baden Baden, to Romania."

Nevertheless, the afore mentioned not diminish the importance of the fact that this tomb can rightfully be considered a cenotaph, will remain the eternal resting place, be it real, be it symbolic, a place of pilgrimage for all those who honour the memory of the political and statesman of the 1st quarter of the 18th century D. Cantemir, "a prince among philosophers and a philosopher among princes", the illustrious European Enlightenment thinker, a man and scientist who discovered and gave Europe a concise encyclopedia of Moldova.

This concludes the last legend of a short, but full of fateful historical events, biography of the hereditary ruler of the Moldovan Principality, His Grace Prince of the Russian and Holy Roman Empires, Privy Councilor and Senator, honorary member of the Berlin Academy, Dimitrie Cantemir.

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# THE TRANSFORMATION OF THE PARADIGM OF THE CONCEPT OF SOVEREIGNTY

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**Abstract:** *The concept of sovereignty represents one of the most important concepts within the framework of modern constitutional law, on which is focused the entire system of State power. The concept of sovereignty appeared in Ancient Greece and later was developed and analyzed by thinkers of the Middle Ages and the modern era. One group of the philosophers formulated the concept of papal sovereignty, believing that state power belongs to the Pope of Rome. Others analyzed the concept of royal sovereignty, stating that all state power should be concentrated in the hands of the king and, thus, personify state power. During the Enlightenment and the French Revolution, the philosophers justified the concepts of popular and national sovereignty. As a result of this research, we aimed to analyze the development of sovereignty from the philosophical point of view, as well as the practical applicability of the theories of great thinkers in the modern period.*

**Keywords:** *sovereignty, state power, governance, human rights*

## Introduction

The sovereignty of state power represents one of the basic elements of the state and an inherent feature of any state formation. The importance of this concept lies in the fact that, from the emergence of the state to the present day, the phenomenon of state power plays a key role in the political, social and cultural life of society, influencing international relations and the economic, political and social life of the state. Since ancient times, people have been preoccupied with the search for the answer to the question "*How should be organized the state so that all people to be happy?*" or, in other words, "*To whom should state power belong?*", "*How should that state be governed so that the needs of the*

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*people are met?"*. The problem of sovereignty is not only the problem of determining the holder of sovereignty, but also the whole mythology, the ontological origin of any political power.<sup>1</sup> Solving the problem of sovereignty is equal with solving the whole problem of state power. At the same time, the concept of sovereignty is a key concept in the science of constitutional law.<sup>2</sup>

### **Methodology**

The aim of the research is to identify the factors influencing the content of sovereignty and independence of the European Union (EU) Member States at the stage of integration into the European area. The sovereign and independent state, as a subject of international relations, is in a common legal space with other states, global and regional international organizations, and this space is constantly evolving. The essence of the issue we are addressing is not that international relations are governed by international rules, but that the laws of national states conform to the rules of higher regional or international entities. For example, in the EU, much of the national legislation of the Member States is inspired, generated by European legislation.

In this study we have researched doctrinal approaches, normative framework, applying the following methods: historical, systematic, analytical and logical-legal. The comparative method is an essential element of the study, as its use highlights the positive and innovative elements that have led to the exercise of governance through public authority bodies, as well as the possible errors that may occur in the exercise and maintenance of power. In the process of elaborating the paper, the historical method, used to research the origin and evolution of the concept of sovereignty; the logical method (deductive and inductive analysis, typology, generalization, specification, etc.), used constantly throughout the research, especially when synthesizing the various opinions of authors in the field of constitutional law, were applied.

### **Theoretical background**

In the literature, there is no unanimously recognized definition of sovereignty, nor of its defining features. So, we would like to analyze some definitions formulated by scholars in the field of public law, in order to highlight the most important features of this concept. Prof. I. Deleanu

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<sup>1</sup> G. Agamben, *Homo Sacer. Homo Sacer and Bare Life* / Scientific Editor D. Novikov, Moscow, 2011, p. 66.

<sup>2</sup> D.Y. Dorofeev, *Philosophical and legal foundations of the concept of sovereignty* // Journal of the Russian State Pedagogical University named after A.I. Herzen. № 110, 2009, p. 79. Available at: <https://cyberleninka.ru/article/n/idei-i-lyudi>

considered that state power is a sovereign power. It is indisputable that sovereignty is an exclusive attribute of state power, a specific feature of this power which distinguishes it internally from all other social powers (authorities) (e.g., the power of parties, trade unions, associations) and externally from all other state and supra-state powers. Sovereignty is that feature of state power which is expressed in the power of the holder of power to organize and exercise, determine and settle internal and external affairs freely and according to his will, without any interference, respecting the sovereignty of other states and the rules of international law.<sup>3</sup> It follows that exclusive or sovereign political authority is a higher form of social organization which, together with nation and territory, constitute indispensable elements of the state, being institutionalized and non-personalized.<sup>4</sup>

Professor Tudor Drăganu points out that the term "sovereignty" has different meanings. Sometimes the term 'sovereignty' is used to designate 'state power', which can lead to unfortunate confusion, since many international documents and constructions do not equate the notion of 'sovereignty' with that of 'state power', but consider it an attribute of 'the people' or 'the nation'.

In another sense, the notion of "sovereignty" is used to emphasize the quality of "state power" as that characteristic of its supremacy.

In another sense, sovereignty describes the general feature of state power which ensures its supremacy through the expression and realization of the will of the ruler, as the binding will of the whole society, in conditions of the respect for the fundamental rights and freedoms of citizens and independent of any foreign power.<sup>5</sup>

Professor N. Popa mentions that sovereignty is an inalienable right of any state in the governance of society and in the establishment of relations with other countries, and the state decides on the internal organization, establishes the functioning of public powers, the legal status of the citizen, decides the extent of economic objectives that are of strategic importance, organizes the general legal framework for the activity of all economic agents.<sup>6</sup> Sovereignty can also be defined as a state's supreme right to govern society, to establish relations with other states according to the

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<sup>3</sup> I. Deleanu, *Constitutional Law and Political Institutions*, vol. 1, Iași, Chemarea Foundation Publishing House, 1993, p. 71.

<sup>4</sup> I. Deleanu, *Constitutional Law and Political Institutions*, vol. 1, Iași, Chemarea Foundation Publishing House, 1993, p. 31.

<sup>5</sup> Gh. Iancu, *Constitutional Law and Political Institutions*, Bucharest, Lumina Lex, 2005, p. 258.

<sup>6</sup> N. Popa, *General Theory of Law*, Bucharest, 1992, p. 63.

rules of international law, and to resolve its internal and external affairs freely, without interference by any foreign power.<sup>7</sup>

In order to answer the question „*who is the holder of power?*”, or “*to whom does state power belong?*”, we would like to examine the concept from a philosophical and legal point of view, which will help us to understand all the particularities of this phenomenon.

Sovereignty emerged as an objective social-political phenomenon at the same time with state power, as an inherent attribute of the state<sup>8</sup>. Sovereignty does not exist in a society where there is no state. The concept of sovereignty emerges only after a social contract between the state and the community.<sup>9</sup>

The first forms of manifestation of sovereignty emerge in societies where there is a supreme and absolute political authority in the community<sup>10</sup>. From a historical perspective, it can be said that the sovereignty of state power as a social-political phenomenon emerged long before its crystallization as a theoretical notion, as a result of a profound historical necessity, reflecting the fundamental characteristics of the state: supreme authority exercised over a specific territory, the right to organize itself - economically, socially, politically, militarily, administratively, to draw up laws and rules binding on society as a whole and to impose itself, if necessary, by force of coercion<sup>11</sup>.

According to the researches of some scholars, the Greeks developed the idea of sovereignty, at least in Aristotle's time, and they were the first to understand its meaning. Within the polis, sovereignty was considered to belong to the aristocratic rulers, or all the citizens, but the polis was seen as a community governed by laws rather than people. Of the Greek philosophers, Aristotle came closest to the concept of sovereignty when he suggested that it was preferable for superiority to be invested in the law, which is above the community or any person within the community<sup>12</sup>. Respectively, we note that Aristotle was one of the first philosophers, who founded the concept recognized by contemporary doctrine as an element of the rule of law.

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<sup>7</sup> T. Cârnaț, *Constitutional Law*, Chișinău, Print-Caro, 2010, 2<sup>nd</sup> ed., p. 158-159

<sup>8</sup> I. Deleanu, *Constitutional Law and Political Institutions*, vol. 1, Iași, Chemarea Foundation Publishing House, 1993, p. 72

<sup>9</sup> F.H. Hinsley, *Sovereignty*, Chișinău, Science, 1998. p. 17

<sup>10</sup> Harry Hinsley, *Ibidem*, p. 20

<sup>11</sup> C. Ionescu, *Some considerations on Art. 2 para. (1) of the Constitution*. Available at: <https://www.juridice.ro/343767/cateva-consideratii-pe-marginea-art-2-alin-1-din-constitutie.html>

<sup>12</sup> Harry Hinsley, *Ibidem*, p. 24.

Referring to the etymological origin, the word "sovereignty" comes from the Latin word *super* (above)<sup>13</sup>. The first definition of sovereignty is thought to be that of the Roman jurist Proculus (1st century AD): "*Liber autem populus est is, qui nullius alterius populi potestati est subiectus*", which translates as follows: "*The free and independent people is that which has not been subjected to the government of another people.*" The first mention of this word is found in the work register of the Saint-Victor monastery.<sup>14</sup>

Over time, the meaning of the term "sovereignty" has changed, referring to the situation of a man who, in terms of hierarchy, is subordinate to no one<sup>15</sup>. In this sense, the term sovereignty was first used in 1283 by Phillip de Bonamour, a French jurist who said that "each baron is sovereign in his own estate".<sup>16</sup>

It should be noted that the development of the concept of sovereignty began only in the Middle Ages, when it was used to indicate the position of the king at the top of the feudal hierarchy.<sup>17</sup> However, some placed the papacy at the top of this hierarchy.<sup>18</sup> Thus, for example, St. Thomas Aquinas (1225-1274), a Dominican monk and professor of philosophy and theology, and founder of positive law, declared the Pope of Rome to be the representative of the divine life and head of the "Republic of Christ."<sup>19</sup> The Pope of Rome had the right to sanction monarchs and to release monarchs, to release their subordinates from the obligation to obey the monarch.<sup>20</sup> From this follows the necessity of the subordination of the individual to the monarch and of the monarch to the church, his conception being justified by the authority of the papacy, which allows us to conclude that sovereignty belongs to the papacy.<sup>21</sup> This idea is based on

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<sup>13</sup> A. Arseni, *Legitimacy of the representative mandate in the exercise of national sovereignty*, Chisinau, 2019, p. 31

<sup>14</sup> V. Kondurov, *Karl Schmitt's Philosophy of the State*, St. Petersburg, 2016, p. 5  
Available at:

[https://dspace.spbu.ru/bitstream/11701/5129/1/Vypusknaya\\_kvalifikacionnaya\\_rabota\\_%28Kondurov\\_V\\_E\\_%29.docx](https://dspace.spbu.ru/bitstream/11701/5129/1/Vypusknaya_kvalifikacionnaya_rabota_%28Kondurov_V_E_%29.docx)

<sup>15</sup> Alexandru Arseni, *Ibidem*, p. 31.

<sup>16</sup> Viacheslav Kondurov, *Ibidem*, p. 6.

<sup>17</sup> I. Deleanu, *Constitutional Law and Political Institutions*, vol. 1, Iași, Chemarea Foundation Publishing House, 1993, p. 72

<sup>18</sup> G. Vrabie, *Constitutional Law and Political Institutions*, Vol. 2, Iași, Cugetarea Publishing House, 1992, p. 69

<sup>19</sup> Alexandru Arseni, *Ibidem*, p. 31

<sup>20</sup> Thomas Aquinas, *Summa contra Gentiles* (Against the errors of unbelievers) quoted after Zăpârțan Liviu Petru, *Doctrine politica*, Iași, 1994, p. 74

<sup>21</sup> Genoveva Vrabie, *Ibidem*, p. 69

the fact that the divine order objectively limits all possible state power,<sup>22</sup> which, in the view of St. Thomas Aquinas, is subordinate to the Church, to which it is vassal and to which it must obey, defend and help it to achieve its aims, and in the fight against heretics, the Church needing the state for its executioner function. The authority of the sovereign over his subjects is explained by the biblical thesis expressed in the phrase "there is no dominion except from God"<sup>23</sup>, referring to the supernatural source of the monarch's power, as long as the sovereign never violates the authority of the Church.<sup>24</sup>

According to the Christian conception, the temporary ruler (king, emperor) is the anointed one, the subject of God, to rule for the common good. When the ruler uses power for his own benefit, he loses legitimacy and God raises up an opponent and a replacement. According to the opinion of other scholars, the church, the Pope, without having temporary sovereignty over kings and emperors, can condemn a worldly rule because of abuses caused by sin.<sup>25</sup>

According to the views of the philosopher Thomas Aquinas, the state, which is not subordinate to the Church, is illegal and loses its right to exist<sup>26</sup>. Respectively, we note that the thinker supports the divine origin of sovereignty, which does not mean that God approves any form of government or a particular form of government, much less approves the appointment of a particular ruler.<sup>27</sup>

The philosopher Thomas Aquinas also develops another concept closely related to that of sovereignty - the concept of the legitimacy of state power, affirming that legality does not constitute legitimacy<sup>28</sup>, but legitimacy is what grounds legality, and the law, in the thinker's view, must be in agreement with the common good, and therefore with virtue.<sup>29</sup>

Another philosopher, who contributed to the development of the concept of sovereignty and through his ideas foreshadowed the European Enlightenment visions of popular sovereignty and the separation of powers

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<sup>22</sup> A. Birmo, *The main trends in the philosophy of law and the state*, Paris, Ed. A. Pedone, 1978, p. 61.

<sup>23</sup> E. Râbca, V. Zaharia, V. Mărgineanu, R. Ciobanu, *Philosophy of law*, Chişinău, Artpoligraf, 2016, p. 80.

<sup>24</sup> M. Bădescu, *Fundamental Concepts in Theory and Philosophy of Law*, Schools and Currents in Legal Thought, Lumina Lex, Bucharest, 2002, p. 25-28.

<sup>25</sup> P. Georgescu, *Philosophy of Law in the Context of Actuality*. Tractate and anthology of texts. Bucharest, Titu Maiorescu University, 2001, p. 78.

<sup>26</sup> Eugen Râbca, Victor Zaharia, *Ibidem*, p. 81.

<sup>27</sup> Paul Georgescu, *Ibidem*, p. 73.

<sup>28</sup> A. Birmo, *The main trends in the philosophy of law and the state*, Ed. A. Pedone, Paris, 1978, p. 67.

<sup>29</sup> N. Popa, Gh. Dănişor, I. Dogaru, D. C. Dănişor. *Philosophy of law: The great currents*, Bucharest, ALL BECK, 2002, p. 95.



in the state, is Marsilius of Padua.<sup>30</sup> The thinker considered that the source of political power is the people and from them emanates the government, therefore, the prince being in the state, must govern, being always obliged to the people, to keep the law. He can be punished if he does not respect it. The philosopher states that the Pope and the clergy have no legal justification, not even the right to impose by force the observance of the divine law, and therefore the punishment of heretics can only be pronounced by civil courts. Marsilius of Padua bases his concept of popular sovereignty on the theory of the social contract, demonstrating that political power, the state, is an emanation of the will of the people.<sup>31</sup>

State power is the emanation of the will of the people, to whom belongs the right to make laws binding on all, even those in government. Every citizen has the right to participate in the legislative process and under no circumstances can the law be passed by a single person (the monarch).<sup>32</sup>

Therefore, we observe the transition from the concept of papal sovereignty, justified by the fact that state power emanates from God, and the power of the Pope in Rome must be positioned above the power of the monarch, to the concept of popular sovereignty, the people becoming sovereign, with the right to decide on all essential aspects of the social, political, economic life of the state. Moreover, under this concept, the people had the right to elect the king, which shows the transition from hereditary to elective monarchy. We should mention that the terms papal sovereignty and popular sovereignty practically developed in parallel, with a major influence exerted by religion, philosophers' opinions and the form of government existing in their state.

Another thinker of the Middle Ages who was concerned with researching the concept of state power and sovereignty was Niccolo Machiavelli (1469-1527), who attempted to conceptualize the idea of sovereignty but did not develop it into a political theory. Machiavelli considered the interests of the state above all, with absolute monarchy as the form of government, the prince being at the head of the state, and the interests of the state being a justification for the application of violence to the people.<sup>33</sup> We observe the phenomenon of the personification of state power, which is embodied in the figure of the monarch, holding absolute

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<sup>30</sup> O. Klimenko, A. Mirzoev, *Development of the concept of sovereignty from Marsilius of Padua to Hegel*, Legal Science. № 3, 2016, p. 24.

<sup>31</sup> V. Capcelea, *Philosophy of Law*, Manual for Higher Education Institutions, Kishinev, Arc, 2004, p. 96.

<sup>32</sup> M. Padua, *Defensor pacis*/ translated from French by B.U. Esenov, scientific editor, note by G.P. Luparev. M. Dashkov, 2014, p. 106.

<sup>33</sup> N. Machiavelli, *The Sovereign*. M., EXMO-Press; Kharkov: Folio, 1998, p. 63.

power. The philosopher does not identify any difference between the state and the person of the prince, and in order to achieve the interests of the state, Machiavelli believes that the monarch must hold sovereign power, thus creating the basis for royal sovereignty.<sup>34</sup>

A little later, Jean Bodin (1530-1596) elaborated another conception of the organization of the state, according to which the state appeared independent of the will of man, representing the totality of families, over which sovereign rule was exercised, and which only the heads of families had the capacity to exercise. Defining the republic as "a government based on the laws of nature", Bodin considers the legislative power to be the essence of the state: "where there is no legislative power, he says, there is no republic"<sup>35</sup>. In his doctrine of sovereignty, he defines sovereignty as the absolute and perpetual power of a republic, which consists in passing and repealing laws<sup>36</sup>. We could conclude that, according to the great thinker's vision, sovereignty belongs to the legislative power, embodying the right to make laws and direct the internal life of the state.

In Bodin's ideas about sovereignty, one can detect shifts of emphasis from "ius" to "lex" and from "natural" to "statutory" law, meaning positive law.<sup>37</sup> According to the theory developed by the great thinker, there must be a supreme power in every state, and the main features of sovereignty include: permanent character, i.e. the state power is established for a period of time, which is not determined in advance, and the holder of the state power, established in office for a fixed period of time, is not sovereign; absolute character - the sovereign (the person or persons who adopt the laws) cannot be subject to these laws, the conduct of the sovereign is superior to the laws and inaccessible to legal regulations, and his will is above the law and the will of other subjects of law.<sup>38</sup> This consideration is based on the fact that the will is more important than reason, which increases the importance of the sovereign, who is placed above the law. Bodin was convinced that subjecting the sovereign to any kind of statutory law would undermine the essential meaning of the idea of sovereignty, which is the power to command everyone and everything.<sup>39</sup> *The indivisible and unitary character* of sovereignty underlines the necessity of holding state power by a person or governing body; the unconditional and continuous character represents the right of the holder of state power to solve social and political problems, without being obliged

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<sup>34</sup> Oleg Klimenko, Alexandr Mirzoev, *Ibidem*, p. 24.

<sup>35</sup> Ș. Georgescu, *Philosophy of Law. A history of ideas in the last 2500 years*, Bucharest, ALL BECK, 2001, p. 49.

<sup>36</sup> Valeriu Capcelea, *Ibidem*, p. 98.

<sup>37</sup> Ștefan Georgescu, *Ibidem*, p. 49 .

<sup>38</sup> Eugen Râbca, Victor Zaharia, *Ibidem*, p. 81.

<sup>39</sup> Ștefan Georgescu, *Ibidem*, p. 49.

to coordinate his own decisions with other persons or institutions, and the citizens have only obligations towards the sovereign.

Bodin, being an advocate of hereditary monarchy, believes that only monarchy can ensure that the social and religious confrontations in France can be overcome<sup>40</sup>. Jean Bodin thus became the author of the secular theory of sovereignty, recognizing the king as a sovereign independent of the outside world, which led to the separation of states from papal power<sup>41</sup>, the monarch being subject only to natural law, which was made up of eternal laws given by God<sup>42</sup>. Sovereignty, according to Bodin's view, is personified, with the sovereign (monarch) having legislative and judicial prerogatives, resolving issues of war and peace, and appointing public officials. The only limitation of the sovereign's power was that the king did not have the absolute right to decide on the use of the state budget. For example, for the introduction of new taxes and duties, the monarch had to seek the consent of the States General, who only had the right to vote for the approval of the state's fiscal policy<sup>43</sup>. The absolutization of the sovereign's power meant that the people had no protection against violations of the law. Bodin mentioned only the right to property, which had to be respected, but this appeared as a moral demand on the sovereign<sup>44</sup>. The people must obey the legal monarch, but they have the right to kill the tyrant. In exceptional situations, when decisions need to be taken urgently, absolute power belongs to the monarch, who has the 'right of last decision', which is a principle feature of sovereignty<sup>45</sup>. Like the philosopher Thomas Aquinas, Jean Bodin approaches the concept of the legitimacy of state power by stating that this power is based on natural laws, the violation of which leads to the loss of legitimacy of state power.<sup>46</sup>

Therefore, we could conclude that sovereignty is the absolute and perpetual power of a republic<sup>47</sup>, which is manifested in the adoption of laws, the declaration and ending of wars, the appointment of officials, the dispensation of justice<sup>48</sup>. The importance of the concept developed by the

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<sup>40</sup> Eugen Râbca, Victor Zaharia, *Ibidem*, p. 88.

<sup>41</sup> Arseni Arseni, *Ibidem*, p. 32.

<sup>42</sup> Genoveva Vrabie, *Ibidem*, p. 69.

<sup>43</sup> Oleg Klimenko, Alexandr Mirzoev, *Ibidem*, p. 24.

<sup>44</sup> Ștefan Georgescu, *Ibidem*, p. 49.

<sup>45</sup> K. Schmitt, *Political Theology*. Moscow, KAHOH-PRESS-Lj Kuchkovo POLE, 2000, p. 18-20.

<sup>46</sup> D. Shumkov, *Social and legal foundations of state sovereignty of the Russian Federation* (historical and theoretical analysis): abstract of the PhD thesis. St. Petersburg. 2002, p. 46.

<sup>47</sup> Genoveva Vrabie, *Ibidem*, p. 69.

<sup>48</sup> M. Voiculescu, *History of Political Doctrines*, Bucharest, Hyperion XXI, 19921, p. 60.

great philosopher Jean Bodin is expressed by the fact that he addresses the concept of the legitimacy of power and creates a theoretical system of categories and notions centred on the concept of sovereignty. This system was further developed and refined by the great philosophers of modernity.<sup>49</sup>

### **Results and discussions**

The development of the concept of "*sovereignty*" is also influenced by the formation and development of states on the European continent and reflects the stages of formation and evolution of states. The Peace of Westphalia in 1648 exhausted the process of executing the discussion about the mandates of the community and the authorities of power in accordance with their possibilities. Thus, all 145 sovereign subjects, which signed the Treaty of Westphalia, represented the European Christian civilization. During the first 150 years of its existence, the system of sovereign states remained Eurocentric, and the occupation and exploitation of the peripheries of giant lands was considered as mutual action with those peoples and generations, which represented a secondary system of semi-sovereign states.

Analyzing the concept of sovereignty reflected in the doctrine of contemporary constitutional law, we attest that it represents the supremacy and independence of state power in the sphere of internal and external relations,<sup>50</sup> and the given notion does not apply to a state authority, a person, but to the state itself. State sovereignty is the feature of state power that it is supreme within the territory of the state and independent of any state or international body, a feature expressed in the power of the state to freely resolve its internal and external affairs, provided that it respects the sovereignty of other states and the rules of international law.<sup>51</sup>

### **The actual concept of sovereignty in the XXI century at the international level**

Actually, the concept of sovereignties is facing new challenges. We should analyze the concept of sovereignty in the context of the joining various international organizations. Analyzing the sovereignty through the prism of the international law, we could conclude that sovereignty as "*indivisible, unlimited and illimitable*" power that was described by Hobbes does not exist. The well-known American jurist, Hugh Evander

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<sup>49</sup> Oleg Klimenko, Alexandr Mirzoev, *Ibidem*, p. 24.

<sup>50</sup> I. Guceac, *Constitution at the crossroads of millennia*, Chisinau, Tipografia Centrale, 2013, p. 30.

<sup>51</sup> Ion Guceac, *Ibidem*, p. 83.

Willis (1875-1967), remarks: *“It may be said that each nation is independent of every other and that international law is not a limitation upon any of them because it is self-imposed, but the facts of life limit external sovereignty. So far as there are international law, treaties, conventions, and the League of Nations, all national sovereignty is limited in international relations. In the same way internal sovereignty has its limits. Both the states and the nation in the United States are limited by bills of rights. If sovereignty must be independent and unlimited there is no such thing as sovereignty”*<sup>52</sup>.

It should be mentioned that actual political philosophy does not position sovereignty as an absolute and unlimited power, denying the characteristic approach to classical philosophy. We should highlight the difference between the internal and external sovereignty. The internal sovereignty is the state’s right to decide on the organization of political, economic, social, cultural life and other areas that are included in the concept of the internal affairs of a state. The internal sovereignty manifests in the field of international relations, in the state’s right to conclude treaties and to join international organizations. So, according to the doctrine of international law, sovereignty represents the supremacy and independence of state power in the sphere of internal and external relations<sup>53</sup>. At the same time, state sovereignty is a quality of state power to be supreme in the territory of the state and independent from any state or international body, a characteristic expressed in the right of the state to resolve its internal and External Affairs freely, provided that the corresponding rights of other states and the norms of international law are respected<sup>54</sup>.

In this context we should mention the declaration of Kofi Annan the UN secretary-general pronounced at 18 September 1999. According to him *“State sovereignty, in its most basic sense, is being redefined—not least by the forces of globalization and international co-operation. States are now widely understood to be instruments at the service of their peoples, and not vice versa. At the same time individual sovereignty—by which I mean the fundamental freedom of each individual, enshrined in the charter of the UN and subsequent international treaties—has been enhanced by a renewed and spreading consciousness of individual rights. When we read the charter today, we are more than ever conscious that its aim is to*

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<sup>52</sup> H. Willis, *The Doctrine of Sovereignty Under the United States Constitution*. Articles by Maurer Faculty, 1929. Available at:

<https://www.repository.law.indiana.edu/facpub/1256>

<sup>53</sup> I. Guceac, *Constitution at the crossroads of millennia*, Chisinau, Tipografia Centrale, 2013, p. 30.

<sup>54</sup> Ion Guceac, *Ibidem*, p. 83.

*protect individual human beings, not to protect those who abuse them*<sup>55</sup>. This statement was pronounced by the UN Secretary General in analysis of the concept of sovereignty in the context of the humanitarian interventions of the XX century and forecasting the change in the sovereignty's meaning in the XXI century. From those exposed abought, we could conclude that humanitarian crises, violations of human rights, genocides show that the sovereignty of the state is not absolute one.

So, we should mention that the humanitarian intervention or the responsibility to protect in the actual terminology represents the actions of the international community regulated by Chapter 6 and 7 of the United Nations Charter that could be taken if there are presented the threat to the peace, the security of humanity and acts of aggression. According to the one of the definitions of this concept, the humanitarian intervention represents actions undertaken by an organization or organizations (usually a state or a coalition of states) that are intended to alleviate extensive human suffering within the borders of a sovereign state. Such suffering tends to be the result of a government instigating, facilitating, or ignoring the abuse of groups falling within its jurisdiction. This abuse often takes the form of deliberate and systematic violations of human rights, including forced expulsions, ethnic cleansing, and, in the most extreme cases, genocide<sup>56</sup>. In these situations, the international community intervenes in the internal affairs of the state in order to save the categories of the population subjected to persecution. So, the people's particular interest is positioned as one more important than the interest of governors who abuse their power.

In this study, we should analyze some aspects of the humanitarian intervention because the application of the articles of Chapter 7 of the UN Charter allows the violation of the sovereignty of the state and the application of the armed force to restore the peace and security of humanity. We should highlight that *“Humanitarian intervention constitutes a calculated and uninvited breach of sovereignty (state rights) in the name of humanity (individual rights). In the post-Cold War era, however, this conception of sovereignty as sacrosanct came under sustained attack. It was argued that despotic leaders should not be able to hide behind the shield of state sovereignty and that the international*

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<sup>55</sup> K. Annan, *Two Concepts of Sovereignty*, The Economist, 18 September, 1999. Available at: <https://www.economist.com/international/1999/09/16/two-concepts-of-sovereignty>

<sup>56</sup> D. Bell, *Humanitarian intervention*. *Encyclopedia Britannica*, March 26, 2019. Available at: [Humanitarian intervention | International Law & Human Rights | Britannica](#).

*community had an obligation to intervene to stop the widespread abuse of human rights*<sup>57</sup>.

In his declaration Kofi Annan noted four aspects of humanitarian intervention which need to be considered with special care. *“First, “intervention” should not be understood as referring only to the use of force. And yet the commitment of the world to peacekeeping, to humanitarian assistance, to rehabilitation and reconstruction varies greatly from region to region, and crisis to crisis. If the new commitment to humanitarian action is to retain the support of the world’s peoples, it must be—and must be seen to be—universal, irrespective of region or nation. Humanity, after all, is indivisible*<sup>58</sup>. So, the UN secretary-general does not admit an uneven approach to humanitarian crises and genocide situations that are common for several international crises. Each humanitarian intervention represents a violation of the sovereignty of the state, as well as the principle of non-interference in the internal affairs of the state, which determines the necessity of the development of standards accepted by the international community that will not allow the application of double standards.

Kofi Annan highlight that *“traditional notions of sovereignty alone are not the only obstacle to effective action in humanitarian crises. No less significant are the ways in which states define their national interests. The world has changed in profound ways since the end of the cold war, but I fear our conceptions of national interest have failed to follow suit. A new, broader definition of national interest is needed in the new century, which would induce states to find greater unity in the pursuit of common goals and values. In the context of many of the challenges facing humanity today, the collective interest is the national interest*<sup>59</sup>. So, the international interests which are manifested in the defense and promotion of the human’s rights should prevail over the interests of the state leadership that blatantly violates fundamental human’s rights.

The UN secretary-general argued that *“in cases where forceful intervention does become necessary, the Security Council—the body charged with authorising the use of force under international law—must be able to rise to the challenge*<sup>60</sup>. So, namely UN plays the most important role in the authorization of the humanitarian intervention and this international organization should act promptly and uniformly in the situation of the existence of the threat of peace and security of humanity,

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<sup>57</sup> Kofi Annan, *Ibidem*, p. 3.

<sup>58</sup> Kofi Annan, *Ibidem*, p. 3.

<sup>59</sup> Kofi Annan, *Ibidem*, p. 3.

<sup>60</sup> Kofi Annan, *Ibidem*, p. 3.

which is practically impossible if one of the member states of the Security Council is involved in armed conflict.

Kofi Annan argued that *“when fighting stops, the international commitment to peace must be just as strong as was the commitment to war. In this situation, too, consistency is essential. Just as our commitment to humanitarian action must be universal if it is to be legitimate, so our commitment to peace cannot end as soon as there is a ceasefire. The aftermath of war requires no less skill, no less sacrifice, no fewer resources than the war itself, if lasting peace is to be secured”*<sup>61</sup>. So, the role of the international community does not finish simultaneously with the finish of the war and UN should do everything possible to lessen the consequences of war.

We can conclude that at actually humanity is facing with the modification of the concept of sovereignty that is transformed from the absolute and unlimited power of the state over the territory and its own citizens into one limited by international commitments, treaties, provisions of international law, the guarantee the respect to fundamental human rights. Therefore, the UN Security Council sanctions humanitarian intervention, which is an exceptional measure undertaken by the international community in the case of flagrant violation of human’s rights and threats to the peace and security of humanity. Despite the fact that humanitarian intervention violates the state’s sovereignty, the application of force in this case is absolutely legal, if it is carried out in compliance with the provisions of the UN Charter because it defends the interest of ordinary citizens persecuted by the state leadership. Accordingly, the “individual sovereignty” defined by the UN secretary-general becomes more important than the sovereignty of the state which undertakes acts of genocide and mass killings<sup>62</sup>.

### **The concept of sovereignty in EU**

The concept of sovereignty in EU should be analyzed both thought the prism of the sovereignty of the state members of community and the “sovereignty” of the EU organization as the complete entity.

We should note that the philosophy of the EU is based on the two concepts that explain the actual construction of the EU, namely supranational and intergovernmental theories. According to one of the definitions, a supranational union represents a type of multinational political union, where negotiated power is delegated to an independent

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<sup>61</sup> Kofi Annan, *Ibidem*, p. 3.

<sup>62</sup> A. Arseni, V. Pozneacova, *The Concept of Sovereignty in the Political Philosophy—From Antiquity to the Contemporary Epoch*. Humanities and Social Science Research, 4(3), 2021, p. 1.



authority by governments of member-states, which actions in the interest of community. The international community includes the members from different states. The supranational organization is founded because of some benefits that it gives to each member-state by setting trade-related standards that help to maintain economic stability in all member-states. The structure of the supranational organization allows the development of political and economic standards that are respected by member-states. Another theory that refers to the construction of the EU is intergovernmental theory. According to one of the doctrinal definitions intergovernmentalism represents the theory of European integration as a type of multinational political union in which states play a more important role in decision-making process in comparison with supranational theory. In international relations, scientists who develop this theory treat states, in general, and national governments, in particular, as the main actors of the integration process<sup>63</sup>.

The supranational and intergovernmental character of the EU is regulated by the Treaty on the Functioning of the European Union, which in the articles 3-5 establish the EU's competence. According to this treaty, *"the Union shall have exclusive competence in the following areas: a) customs union; (b) the establishing of the competition rules necessary for the functioning of the internal market; (c) monetary policy for the Member States whose currency is the euro; (d) the conservation of marine biological resources under the common fisheries policy; (e) common commercial policy."*<sup>64</sup> According to article 2 of this Treaty *"only the Union may legislate and adopt legally binding acts"* in this domains *"the Member States being able to do so themselves only if so empowered by the Union or for the implementation of Union acts"*<sup>65</sup>. This competence shows the supranational construction of the EU because in the domains established by treaty states do not have de right to legislate.

Beginning from that exposed above, we should note that in the doctrine of European law crystallized two different opinions which refers to the concept of sovereignty within the European Union. According to one point of view, the legislative process at the level of the European Parliament violates the sovereignty of the states, because in the areas mentioned in the articles 3-5 of the Treaty on the Functioning of the

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<sup>63</sup> Alexandru Arseni, Veronica Pozneacova, *Ibidem*, p. 1.

<sup>64</sup> *Consolidated Version of the treaty on the functioning of the European Union*. Official Journal of the European Union, C 326/47, 26.10.2012, Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:12012E/TXT&from=EN>

<sup>65</sup> *Consolidated Version of the treaty on the functioning of the European Union*. Official Journal of the European Union, C 326/47, 26.10.2012, Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:12012E/TXT&from=EN>

European Union the national Parliament do not have de right to legislate. We should note that the right to legislate is one of the most important state's prerogatives and the manifestation of national sovereignty of the state, which is limited in the member states' of EU. According to other savants, the actual construction of the EU does not limit the state's sovereignty. This point of view is based on the fact that the right to join the International Organization is one of the state's exclusive prerogatives. So, namely state decides to join the EU, having the right to leave the International Organization, as Britain did. These researchers argue that the State cedes to the International Organization only certain strictly limited competences and the state's sovereignty remains unlimited by the EU's construction. We adhere to the point of view according to which the sovereignty of EU member states is not limited by the implementation of the legislative process at the community level, because states through elections appoint their representatives in the European Parliament and membership in the International Organization is a right, an expression of the sovereignty and free will of the state.

Analyzing the concept of the sovereignty in the actual construction of the EU, we should analyze the process of the accession to EU, during which the sovereignty of all states, members and candidate states is perfectly respected because states should ratify the agreement to accession to the EU according to their constitutional rules. This is not a formal prerogative because Norway, for example, twice gave up joining the European community. The sovereignty of the candidate state is respected until the last stage of accession, especially when public opinion considers that the negotiated conditions of accession are not satisfactory<sup>66</sup>.

We should note that among the conditions of accession to the EU is the compliance to the *acquis* of EU. This condition may seem as a very restrictive one and may be an obstacle to the exercise of sovereignty in the economic and legal fields. The candidate must accept not only the treaties' regulations but also the whole legislation of the EU. It should be noted that the candidates have always achieved a transition period for adapting the state to their new economic and legal situation. Plus, the introduction of the single European currency represented another attack on the sovereignty of the state, because coin minting of the national currency was traditionally the responsibility of the state as a manifestation of its sovereignty<sup>67</sup>.

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<sup>66</sup> N. Coșleț, *The impact of state membership in the UN, NATO, and EU on state sovereignty*. In: *Realities and perspectives of national legal education*: Vol. 1, 2019, p. 668. ISBN 78-9975-149-79-2.

<sup>67</sup> Nicolae Coșleț, *Ibidem*, p. 668.

Actually, in the community's law appears the concept of the “strategic sovereignty”. The emergence of this concept is based on the fact that European countries are increasingly vulnerable to external pressure that prevents them from exercising their sovereignty. This vulnerability threatens the European Union’s security, economic health, and diplomatic freedom of action, allowing other powers to impose their preferences on it. To prosper and maintain their independence in a world of geopolitical competition, Europeans must address the interlinked security and economic challenges other powerful states present – without withdrawing their support for a rules-based order and the transatlantic alliance. This means creating a new idea of “strategic sovereignty”, as well as establishing institutions and empowering individuals that see strategic sovereignty as part of their identity and in their own interest. Most fundamentally, the EU needs to learn to think like a geopolitical power<sup>68</sup>. The emergence of the concept of strategic sovereignty of the EU is determined by the deepening of the supranational tendencies of this organization. The concept of strategic sovereignty is manifested in several areas including security, health, climate, economic and digital fields<sup>69</sup>.

Therefore, actually within the EU could be identified two trends related to the concept of sovereignty. On the one hand, states transfer the defining powers to supranational bodies for the proper functioning of the International Organization and for the development of uniform policy in the areas established in the Treaty on the functioning of the EU. On the other hand, there is created the concept of strategic sovereignty of the EU, which is seen as a superpower capable of promoting its own interests, based on the unity of the legislation of the member states. Respectively, we could note the transfer of the states’ competence to the supranational bodies and creating a new concept of sovereignty that allows the promotion of the interests of the member states of the community.

## Conclusions

Sovereignty is a key concept of constitutional doctrine, from the Middle Ages to the contemporary period. Sovereignty has always been conceived as the supreme power, granted either to the Pope of Rome, the king, the people or the nation, depending on the period of development of political thought and significant historical events in the universal history of humanity. The triumph of the concept of popular sovereignty was

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<sup>68</sup> J. Puglierin, P. Zerka, *European Sovereignty Index*. June, 2022. Available at: <https://ecfr.eu/wp-content/uploads/2022/06/European-Sovereignty-Index.pdf>

<sup>69</sup> A. Arseni, V. Pozneacova, *The Concept of Sovereignty in the Political Philosophy – From Antiquity to the Contemporary Epoch*. Humanities and Social Science Research, 4(3), 2021, p. 23.

manifested in the granting of supreme power to the people, who are sovereign in their state. This principle has been enshrined in majority of the world's constitutions.

The phenomenon of globalization and the geopolitical changes of the current period have determined the redefinition of the phenomenon of sovereignty, which is no longer positioned as the absolute and unlimited power of the state in internal and external affairs. It no longer represents the unconditional and unlimited power of state power over a territory and its citizens. Today, the exercise of state sovereignty is linked to the state's obligation to guarantee and respect fundamental human rights and freedoms. The UN can authorize the military forces of a state or coalition of states to enter the territory of another state if its leadership commits acts of genocide, war crimes, crimes against humanity and threatens the peace and security of humanity. Thus, the welfare of the people and respect for human rights take precedence over state sovereignty and state power over its territory and citizens.

In the 21st century, the transformation of the concept of state sovereignty is manifested in the ceding of some state powers to community bodies within international or regional organizations. Thus, these transformations within some states generate a paradigm change in the concept of sovereignty, from national sovereignty to strategic sovereignty.

Based on the above, we could conclude that, from ancient times to the present, the concept of sovereignty has been and remains one of the most controversial theories, reflecting the overall structure of state organization. Nowadays, there is a tendency to re-evaluate the essence of sovereignty and adapt it to the conditions of contemporary reality.

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# BERGSON'S DURATION INTUITION AND FREE WILL: AN OVERVIEW

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**Abstract:** *Bergson's metaphysics and epistemology are founded on the concepts of duration as ultimate reality and intuition as the method of true knowledge. Bergson differentiates between the objective experience of time and the subjective experience of time. The objective experience of time is spatialized, scientific, external, and physical time based on measurement, divisibility, clock, and astrolabe. The subjective experience of time is a complete, continuous, immediate, internal, and indivisible duration. Bergson uses intuition as a methodology to understand duration. He asserts that intuition explains the nature of duration, and to attain intuition, metaphysics must transcend scientific materialism and be liberated from its identities and symbolic representations. He considers the possibility of real freedom with intuitive understanding of change and movement. This paper explains Bergson's metaphysical concept of duration as the ultimate nature of reality, and the method of intuition as the sole means to describe the reality, and the possibility of freedom.*

**Keywords:** *Bergson, Intuition, Duration, Knowledge, Free will.*

## Introduction

Henri Louis Bergson (1859-1941) was a prominent French philosopher whose ideas influenced several renowned French philosophers, artists, theologians, and social theorists. Bergson challenged and questioned the scientific understanding of time, a paradox that has long attracted philosophers both before and after him. Time has been investigated and understood in various ways by several philosophers and scientists, including Plato, Aristotle, Kant, and Einstein. Philosophers and scientists agree that both psychological and physical time exist. Physical time is objective, existing outside of the mind as a component of the natural world. Psychological time, on the other hand, is subjective and reliant on one's mental state<sup>1</sup>. Bergson believed that scientific materialism asserted

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<sup>1</sup> Anawat Bunnag, "The Concept of Time in Philosophy: A Comparative Study between Theravada Buddhist and Henri Bergson's Concept of Time from Thai Philosophers' Perspectives," *Kasetsart Journal of Social Sciences* 40, no. 1 (2019), p.2.

that reality is regulated by physical and mechanical rules, while he stresses the concept of becoming as a basic truth, which he referred to as “duration”. According to Bergson, duration is determined by the mind, which exists only in our consciousness.

Bergson was critical to the concept of intellect because the history of philosophy explains all kinds of beings and essence of things through intellect under the domain of metaphysics. He emancipated metaphysics and epistemology from Intellect's account of fixed representation. According to Cunningham, Bergson defines the basic properties of duration in his essay “Time and Free Will” as pure heterogeneity, a continual process of nowness, and the production of completely new being, yet its nature is unpredictable. We know each moment is a brand-new formation that is only now coming into being.<sup>2</sup> Bergson writes that we normally consider time as a homogenous medium in which our conscious states are arranged and re-arranged in time through signs or symbols, unlike real duration. He also emphasizes that pure duration could be thought of as a series of changes in quality that mix and overlap. Duration does not have clear boundaries or a tendency to split apart, and have nothing to do with mathematical, and scientific numbers.<sup>3</sup>

On the other hand, Bergson's views on time seem to contradict not only the notion of time as it existed in classical physics, but also Einstein's theories of relativity about time. Due to the widespread acceptance of Einstein's general theory of relativity, Bergson's thoughts on physics have been mostly regarded as incorrect in scientific and philosophical circles. However, whether Bergson accepted the essential tenets of Einstein's scientific ideas is debatable. Bergson built on Einstein's thesis, but Einstein responded in a brief comment on Bergson's view of time that the time of the philosophers did not exist.<sup>4</sup> Bergson comes up with the idea of intuition as a method to know duration. According to Deleuze, Bergson's duration can be known through the method of intuition, rather than feeling and inspiration. Bergsonism's method is intuition. Intuition is a completely developed method in philosophy, rather than sensation, inspiration, or chaotic sympathy. It contains strict standards that constitute what Bergson refers to as ‘precision’ in philosophy. This is what Bergson emphasizes: intuition that methodologically presupposes duration.<sup>5</sup>

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<sup>2</sup> G Watts Cunningham, "Bergson's Conception of Duration," *The philosophical review* 23, no. 5 (1914), p. 528.

<sup>3</sup> Darcy Butterworth Kitchin, *Bergson for Beginners: A Summary of His Philosophy, with Introduction and Notes* (G. Allen, 1914).50, 56.

<sup>4</sup> Laurens Landeweerd, "Time, Life and Memory," *Bergson and Contemporary Science. Nijmegen: Springer* (2021). V1

<sup>5</sup> Hugh Tomlinson and Barbara Habberjam, "Bergsonism," (1988) 13.



In addition, Bergson's interwoven conception of duration and intuition provided a way to justify the possibility of free will against determinism. Dolbeault figured out that Bergson's concept of possibility of free will was based on the notion of intuition and duration. Bergson says that free will cannot be comprehended by the idea of mechanical causation. Predetermined choices cannot be applied to free will since the inventive and creative nature of free will offers reasonable justification for its indeterminacy.<sup>6</sup> Some experts on Bergson argue that he did not agree with the concept of determinism, as he was one of the process philosophers. Process philosophy believes in the concept of becoming and creative evolution, rather than determinism. Bergson identifies determinism with rationality in opposition to the immediate experience of the fundamental self in the process of living and doing.<sup>7</sup> Bergson defines free will as the ability to behave voluntarily, this he calls escape from the mechanistic explanation and physical laws. Free will emerges from the horizon of inner life, and the immediate experience of qualities, feelings, and sensations. Bergson also makes a radical shift of free will in his work "Creative Evolution". He asserts that time as force is not only restricted to consciousness but is also an ontological principle in itself, a fact of being.<sup>8</sup>

The paper is divided as follows into three sections. The first section undertakes Bergson's notion of duration as the ultimate nature of reality. This section underscores the difference between subjective and objective conception of time. The second section explains Bergson's notion of intuition as an epistemological tool to explore and understand the multiple attributes of the duration. The third section demonstrates Bergson's concept of the possibility of free will through the intuition of duration.

## **Duration**

Bergson argues that "pure duration" is the form that the succession of our states of consciousness takes when the self allows itself to live ("se laisse vivre"), and when it stops creating a separation between its current and former states".<sup>9</sup> He adds that the subjective time is a cohesive whole, where an individual can freely experience the past and present without using the categories of conscious states as psychology does. This illustrates that duration turns both past and present states into a single organic

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<sup>6</sup> Joel Dolbeault, "Bergson's Theory of Free Will," *Journal of French and Francophone Philosophy* 28, no. 2 (2020). 94

<sup>7</sup> Bunnag, "The Concept of Time in Philosophy: A Comparative Study between Theravada Buddhist and Henri Bergson's Concept of Time from Thai Philosophers' Perspectives." 6

<sup>8</sup> S. Guerlac, *Thinking in Time: An Introduction to Henri Bergson* (Cornell University Press, 2006). 81

<sup>9</sup> Mark Sinclair, *Bergson* (Routledge, 2019). 49

whole, as the notes of a song blend into one another when we remember them.<sup>10</sup> The limitless connection of the past with the present demonstrates that the present is not only linked to the past, but it also dissolves into it, and continues in the present duration. This is an immanent synthesis because each moment is inseparable from the past. The immanent synthesis is a self-stretching from the present to the past and there is no external force acting on it.<sup>11</sup>

Bergson maintains that duration is absolute and lived time, and he rejects the idea of scientific time which is based on uniform quantities, measurement, and clock that exists in the world. Instead, he emphasizes internal time, where different states of consciousness merge to form true duration.<sup>12</sup> His focus is on the duration as an intuitive experience of self, which leans towards the philosophy of irrationalism, rather than rationalism. Rationalism explains everything through reason and tries to fix all becoming and moments, whereas Bergson argues that becoming is the ultimate reality, which he refers to as duration or a flow of time. He also explains several attributes of duration, namely pure heterogeneity, complete newness, unpredictability, pure awareness, and unending events. This reveals that when we return to our inner spiritual life, we find ourselves in a duration in which the past is constantly ongoing and overflowing unceasingly within a completely new present.<sup>13</sup>

To reinforce his claim, Bergson says that we must leave behind the outer world, which is known through mechanical causation. He prefers the inner world as a continuous and free progress of consciousness that cannot be consolidated through external phenomena.<sup>14</sup> The continuous flow of time is the characteristic of duration that cannot be comprehended through scientific analysis and calculations. This is because any procedure or measure of time is an obstacle and interruption in time. An interruption in time is created by the intellect and explained through specified moments and intervals, as shown by clocks and calendars. For Bergson, any intellectual attempt to experience the duration is a false approach because the real duration can only be experienced through intuition.<sup>15</sup>

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<sup>10</sup> J. Alexander Gunn and Alexander Mair, *Bergson and His Philosophy* (Routledge, 2018). 30

<sup>11</sup> Sinclair, *Bergson*.50, 51.

<sup>12</sup> Kitchin, *Bergson for Beginners: A Summary of His Philosophy, with Introduction and Notes*. 62

<sup>13</sup> Cunningham, "Bergson's Conception of Duration." 527

<sup>14</sup> Arnaud François and Roxanne Lapidus, "Life and Will in Nietzsche and Bergson," *SubStance* 36, no. 3 (2007). 641

<sup>15</sup> Bunnag, "The Concept of Time in Philosophy: A Comparative Study between Theravada Buddhist and Henri Bergson's Concept of Time from Thai Philosophers' Perspectives", p. 3.

Bergson not only criticizes the scientific conception of time but also views philosophers as being flawed in their understating of time. He criticizes the Kantian epistemology as problematic because it leads us to think of time in terms of space. Bergson believes that Kant was unable to escape the realm of phenomena and restricted our knowledge of space and time. He aims to break the traditional subject-object divide that has been a fundamental part of Western metaphysics since Descartes and Kant. Kant believes that we can only know the world as it appears to us and not as it truly is, which he referred as the "thing in itself".<sup>16</sup>

Unlike Bergson, Descartes, and Spinoza explain time and duration differently. Descartes distinguishes between time and duration, where time is only a mode of thought and a means of measuring duration in relation to the motion of heavenly bodies. According to Spinoza, time is only a function of the imagination, but duration defines things even divinity and eternity.<sup>17</sup> Descartes' concept of time is related to both the material world and thought, where he believes that time measures the duration of things. Spinoza's concept is also divided into eternity, time, and duration, where both duration and time are related to the existence of modes, and eternity is related to the existence of substance. The concept of time of these philosophers is explained in relation to extension, space, and the material world. On the other hand, Bergson does not support the scientist's concept of time. He argues that science mediates the world via symbols, which alter our perception of reality by immobilizing temporal flux. Even ordinary language strengthens the worldview by formal mathematical languages. Thus, all linguistic jargon and symbols obstruct the temporal nature of reality and destroy our sense of duration.<sup>18</sup> It is important to note that Einstein categorically denies the Bergson's' conception of time. Einstein asserts that Bergson's idea of duration was meaningless because it had nothing to do with anything that could be measured in the real world. Bergson, on the other hand, has doubts about scientific measuring methods of time. Rather, he favored introspection instead of observable facts. In addition, Bergson asserts that Einstein's theory of general relativity is unquestionably one of the most significant scientific achievements of the twentieth century. However, the way he talks about time in his theory is still based on thought experiments starts with the idea that time is clock time.

Due to the assumption of time as clock time, theoretical physics remains stuck in a conceptual dilemma about time and space.<sup>19</sup> By

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<sup>16</sup> Landeweerd, "Time, Life and Memory." IX, 27.

<sup>17</sup> Sinclair, *Bergson*, p. 13

<sup>18</sup> Guerlac, *Thinking in Time: An Introduction to Henri Bergson*, p. 19.

<sup>19</sup> Landeweerd, "Time, Life and Memory.", p. 46.

criticizing the scientific and material time Bergson writes, “Men of science have fixed their attention mainly on the concepts with which they have marked out the pathway of intuition. The more they laid stress on these residual products, which have turned into symbols, the more they attributed a symbolic character to every kind of science. And the more they believed in the symbolic character of science. Gradually they have blotted out all difference, in positive science, between the natural and the artificial, between the data of immediate intuition, and the enormous work of analysis which the understanding pursues round. Thus, they have prepared the way for a doctrine which affirms the relativity of all our knowledge”.<sup>20</sup>

In his work *Creative Evolution*, Bergson analyzes the connections between philosophy and biology, and the limits of traditional epistemology in terms of experience of duration. Bergson contends that instead of adopting conceptual framework drawn from the physical sciences to account for evolution, we should allow thinking of creative evolution (i.e., evolution seen as the production of new forms and realities) to shape our view of epistemology. Bergson suggests that we place our own intelligence within the process of evolution and think about knowledge in terms of modes of evolutionary adaptation, opposed to a priori categories about the world.<sup>21</sup> Consequently, Bergson explains life as a contingent process of expansion and change. The movement of constant difference invents new forms. He calls this movement “*élan vital*,” which is not a concept of rational knowledge but rather an image that invites us to think outside of the mechanistic framework of the physical sciences and fixed metaphysical categories. The “*élan vital*” represents the process of time as duration, and time as force, a force that reveals life with the path of time. He believes that evolution is not something that occurs to life; rather, it is life itself, a continuous movement of difference.<sup>22</sup> Bergson emphasize often that duration implies consciousness and exists only as consciousness and memory. Its essence is to flow without end.<sup>23</sup>

### **Intuition**

Bergson's metaphysics and epistemology are based on two ideas: intuition and duration. Duration is the ultimate reality, and intuition is way to know the truth of duration. He used the term “intuition” as a method of knowing by which philosophy can discover reality. Intuition as a

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<sup>20</sup> Henri Bergson, *An Introduction to Metaphysics* (Hackett Publishing Company Incorporated, 1999), p. 49.

<sup>21</sup> Guerlac, *Thinking in Time: An Introduction to Henri Bergson*, p. 67.

<sup>22</sup> *Ibid.*, 67.

<sup>23</sup> Alan Robert Lacey, *Bergson-Arg Philosophers* (Routledge, 2010), p. 29.

method of knowing, provides the immediate understanding of ultimate reality that cannot be attained through reason alone. When we stop reasoning and instead focus on inner experience, we become conscious of the fundamental nature of duration, which is continual, and never-ending change.<sup>24</sup> The connection of intuition somehow creates ambiguities as Bergson relates this concept to the entire philosophical method, as it is difficult to know how this non-symbolic and direct apprehension meets to systematic and procedural criteria of knowing. It seems impossible to figure out what intuition is? Later, by limiting intuition, Bergson withdrew his extreme position and said it is part of a philosophical method, rather than complete method in itself.<sup>25</sup>

Bergson asserts that there is only one reality that we all know through intuition and not by simple analysis. We live in this reality as our own self flowing through time. We may not be able to sympathize intellectually with anything else, we certainly sympathize with our own selves. Through intuition we penetrate into the concept of duration. In other words, it is possible to have a inner knowledge of the duration of the self by the self.<sup>26</sup> The relation between intuition and duration is interconnected. For Bergson, "I have an intuitive access to the temporal nature of direct, non-mediated experience. This access connects me to a continuity of diverse and multiple durations. If I put in the right effort, I can follow this direct experience either to spirit or to matter".<sup>27</sup> He argues that both intellect and intuition are capable of various forms of knowing. Scientific concepts are intellectual, whereas metaphysics provide knowledge that is both intellectual and intuitive. This combined knowledge can harmonize different conceptions of reality.<sup>28</sup> The most important thing about intuition is that it does not separate the world into distinct parts like intellect does. The way intuition sees the world is simple and natural and it may seem hard and strange to intellect. Memory is a good example of this, as the past lives on in memory and blends with the present beyond the scope of intellectual comprehension. The past is not real; it is memory, along with its corresponding yearning, that brings the past and the future to life, and therefore creates real duration.<sup>29</sup>

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<sup>24</sup> Grace Neal Dolson, "The Philosophy of Henri Bergson, I," *The Philosophical Review* 19, no. 6 (1910). 580-581

<sup>25</sup> Sinclair, *Bergson*, p. 162.

<sup>26</sup> Bergson, *An Introduction to Metaphysics*, pp. 9-24.

<sup>27</sup> Landeweerd, "Time, Life and Memory", p. 14.

<sup>28</sup> Bunnag, "The Concept of Time in Philosophy: A Comparative Study between Theravada Buddhist and Henri Bergson's Concept of Time from Thai Philosophers' Perspectives", p.3.

<sup>29</sup> Bertrand Russell, "The Philosophy of Bergson," *The Monist* (1912), p. 331.

It is evident that Bergson's intuitive method directly contradicts scientific methods of inquiry and investigation. Therefore, sciences are in a precarious position, particularly, if we consider the exact scientific approach to reality through analytical and intellectual methods. However, most approaches in the sciences are analytic and reductionist methods. Scientists analyze by interpreting, translating, and employing symbols, linguistic representations, and mathematical equations. In each of these instances, according to Bergson, there is something absolute that lies beyond the horizon of these conventional analytic knowledge strategies. We can access the absolute by entering it, rather than moving around it.<sup>30</sup> By exploring the method of intuition, we can know, at least one thing, which is the self rather than distinct and fixed states of consciousness. As he says, duration is the inner life of our consciousness having continuous, creative, and qualitative development characteristics. This duration is defined as the continual movement of the past, which extends into the future.<sup>31</sup> The method of intuition not only provides solid ground to understand the duration but also enables the intuitive self to experience the free will.

### **Free Will**

Bergson explains free action as "the self alone will have been the creator of it" and "it will represent the whole of the self". We are free when our actions emerge from our whole self, like an artist and their work. Thus, Bergson's concept of freedom is the relationship between the real self and the action it takes.<sup>32</sup> Kant asserts that freedom is unknowable noumena, i.e., thing itself, rather than phenomena which can be subject to experience. In contrast, Bergson argues that we have a direct experience of freedom to streamline our actions. He also points out that there is a common problem of freedom in both metaphysics and psychology.

From this, Bergson takes a key approach to the problem of free will, which is based on the idea that time as duration is a force that does not follow mechanical laws.<sup>33</sup> In the Western philosophical tradition, and the libertarian view on the metaphysics of free will holds that a free act has happened only if the agent could have acted otherwise, i.e., only if they had alternate options. This view implies that the future can be predicted as already present, and someone has only to choose. Bergson, however, contends that there is always an element of unplanned innovation in our

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<sup>30</sup> Landeweerd, "Time, Life and Memory", p. xiii.

<sup>31</sup> Richard H Schlagel, "Intellect and Intuition in the Philosophy of Henri Bergson" (Boston University, 1952), p. 45.

<sup>32</sup> Lacey, *Bergson-Arg Philosophers*, p. 83.

<sup>33</sup> Sinclair, *Bergson*, pp. 63-64.

autonomous acts, which is inconceivable and hence impossible for the agent to think before it occurs. In this regard, Bergson compares the free act to the creation of works of fine art as products of genius.<sup>34</sup>

According to Guerlac, against the notion of determinism, some proponents of freedom maintains that free will does not consist of a choice between two alternative actions. The difficulty is that the choice never really happens because the alternatives are never given in advance. What happens in the time of becoming is that there are no obvious choices; instead, there are a "multitude of varied and subsequent states" and "a self that lives and develops via the influence of hesitations until the free action slips from them like fruit, which has become too ripe". Bergson, therefore, finds freedom in hesitation rather than in choosing. He finds that the subject of freedom has been improperly addressed in traditional disputes between determinists and proponents of free will. For Bergson, time is confused with space as real events are replaced with symbolic events. However, we cannot describe freedom through concepts, if we try to describe freedom, we destroy it. But this is an absolute difference that exists between the immediate experience and reflective experience of thought. The immediate experience happens in real-time and moves in only a single direction, whereas the reflective experience of thought is represented by spatial figure whose directions is reversible.<sup>35</sup>

In addition, Sinclair writes that the third chapter of "Time and Free Will," Bergson offers several positive characteristics of the free act, such as it is an act where the self alone is the author and expresses the entirety of self. Bergson supports the concept of human freedom, claiming that traditional debates between determinists and libertarians presuppose a fundamental conflict of duration with space. The determinist idea contends that will is driven by several discrete, psychological motives. Such symbolic representation overlooks the durational self. The more actions depend on motives and reasons, the more they become unfree.<sup>36</sup>

Guerlac presents a critical insight by arguing that Bergson suggests that we are not robots, and therefore do not function in a predictable way like billiard balls that follow mechanical laws. We act instead of reacting, which implies that Bergson's concept of free will is deceptive, because free will is something akin to rational decision of the rational subject. Instead, Bergson's argument against determinism is rooted in an understanding of emotion and feelings, where freedom is not associated with cognitive or rational abilities, but with the intuition of duration. In contrast, Bergson argues that determinism is rooted in the present. The inorganic world is

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<sup>34</sup> Ibid., 84.

<sup>35</sup> Guerlac, *Thinking in Time: An Introduction to Henri Bergson*, pp. 83-85.

<sup>36</sup> Sinclair, *Bergson*, pp. 74-84.

more determined than the organic living world. Animal life has limited ability to function beyond its current determinants (environment and internal impulses i.e., instincts).<sup>37</sup>

In addition, for Bergson freedom is not a given, but the possible experience which generated by our imagination of previous and future states. As a result of memory and imagination, human existence acts on previous states (recorded in archives) and imagined future states, making it even freer. Consequently, every notion of freedom is intimately connected to the experience of time.<sup>38</sup> Consequently, Bergson produces a new way of thinking about indeterminism, beyond the classical indeterminism. Classical indeterminism says that free will means being able to choose between different futures, which are called "alternative possibilities". In contrast, Bergson argues that freedom of will involves creating the future. It cannot be reduced to a choice between predefined options; rather its imaginative and creative nature is appropriate to demonstrate indeterminism.<sup>39</sup>

Dolbeault viewed Bergson's concept of free will in relation to morality. He argues that Bergsonian view of free will does not concern about moral responsibility at all. This is true for two reasons first, Bergson states that the most crucial aspect for understanding free will is the unique experience of free will, instead of a common philosophical idea (which may be misleading). Second, this experience suggests like that the question of free will is a metaphysical one, which has nothing to do with the notion of moral responsibility. Bergson's reflects that "Am I the one who makes my future, or is it already predetermined?" It is not clear at all that the idea of moral responsibility can help answer this question. In modern discussions, there are different ideas of moral responsibility, some of which are compatible with determinism and others that are not.

Bergson asserts that freedom originates from within, not from external sources; therefore, the choice is made by the essential self rather than the social self, leading to a conflict between moral duty and free will in Bergson's philosophy.<sup>40</sup> Moreover, Andersson adds his views on the Bergson's concept of freedom by asserting that Bergsonian metaphysics, as pure creativity, would appear to rely on "nature's end-lessly inventive self-creation," yet nature's self-creation presupposes that duration is the fundamental component of freedom, life, and consciousness. Freedom begins with dynamic motion and produces revolutionary transformation. If we follow this perspective in Bergson, there is no issue of freedom in

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<sup>37</sup> Guerlac, *Thinking in Time: An Introduction to Henri Bergson*, pp. 43-53.

<sup>38</sup> Landeweerd, "Time, Life and Memory", pp. 28-29.

<sup>39</sup> Dolbeault, "Bergson's Theory of Free Will" p. 2.

<sup>40</sup> *Ibid.*, p. 17.



either the determinist or libertarian meaning; such philosophical problems arise from an exclusive reliance on the process of analysis employed by scientists, even scientific naturalists.<sup>41</sup>

### **Conclusion**

According to Landeweerd, Bergson protected and succeeded in preserving our idea of human freedom by reinterpretation of the conception of time. This shows that he prioritized process over substance and possibility over reality. Moreover, he explains the idea of self in relation to free will.<sup>42</sup> Guerlac extends Bergson's concept of self and writes that the self is divided into two parts: one is ordinary self, related to conventional social constraints and linguist jargon, which is ideologically constructed and suppresses living feelings. Second is the passionate, deeper, and related to the qualitative experience of inner life. Bergson considers the concept of free will with the latter. Free will is an intuitive experience of duration against the misrepresented idea of time and linguistics symbols.<sup>43</sup> Psychologists attempt to determine a person's identity by observing how different mental states interact with each other. From Bergson's point of view, when people act freely, they are whole in every bit of their actions, and this manifestation of internal state is free action.

Bergson's philosophy has challenged the notion of reality of both philosophical rationalism and scientific materialism. Philosophical rationalism and scientific materialism explain reality through analysis, language, translations, and symbolic representations. He rejected the static and fixed view of reality and supported the idea of becoming and flux by introducing the concept of duration as flow of time. He reshaped the Western philosophical metaphysics, claiming that reality can be known through intellect. By limiting mental states and intellect, he argues that duration is a fundamental reality that can be known through the method of intuition. One can experience the immediate and direct knowledge of reality via intuition. Intuition is the introspection of self in relation to memory, becoming, experience and knowledge. It asserts that our own self can be expressed in duration. He believes that freedom inherently creates becoming in duration, which can also be known through metaphysical intuition. The concept of durational self and mystical intuition have opened space for mysticism and asceticism in the contemporary world.

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<sup>41</sup> Pamela Sue Anderson, "Bergsonian Intuition: A Metaphysics of Mystical Life," *Philosophical Topics* 43, no. 1/2 (2015), pp. 9-12.

<sup>42</sup> Landeweerd, "Time, Life and Memory." p. 16.

<sup>43</sup> Guerlac, *Thinking in Time: An Introduction to Henri Bergson*, p. 83.

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# SPACE IN MUSIC OF ELECTROACOUSTIC FORMATION AS A PHENOMENON OF COLLISION OF SYMBOLIC IMMORTALITY

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**Abstract:** *The paper considers the ontological foundations of the musical-sound continuum of the electro-acoustic formation (digital synthesis, Web, spectral and spatial music). The transformation of the orders of aesthetic accessibility of space, found in the form of cloud and stream effects, is due to the redefinition of the phenomenon of connectivity and coherence through the “revolution of sound”. On the example of the “meditative” mechanism of sound organization, which is equally significant in spatial and post-digital aesthetics, the peculiarity of kinesthesia is shown, which arises as a result of alteration in the empirical content of retention and ultimately forms the image of an existentially unlimited navigation of spaces. It is argued that the qualitative transformation of connectivity determines the hypostasis of the secondary image (the universe) to a literal visualization with its latent preservation on the periphery of meaning formation. Catharsis is dispersed in sound events of a performative non decreasing presence, which is a transformed form of immortality collision. The practice of spatialization realizes the temporal (existential) confinement of artifacts, contrary to the ideas of abandoning it in favor of space as the fifth dimension of musical continuum.*

**Keywords:** *space, sound continuum, spectral music, digital and post-digital art practice, immortality collision, soul rebirth.*

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## Introduction

Music is the art of transforming sound qualities into image qualities, aesthetically revealing the integration of self into a continuum of universality. How can an image of the world arise from a series of sounds? The sound revolution defined a new aesthetic and, most importantly, technological content of this “eternal” question and sharpened it: music is a concentrated form of symbolic immortality to the extent that it follows its own laws and through them the laws of the universe.

A musical image – the lasting fullness of being – is a sound unity that realizes the coherence of thinking. According to R. Descartes, it is represented by the concept of “innate ideas”<sup>1</sup>, in evolutionary epistemology – by the category of culturegen<sup>2</sup>. In what way does music reveal and implement the ontological status of mental connections?

Music has traditionally been seen as a form of temporality. About twenty years ago in the essay on spatial imaginary, including with regard to the latest practice, the temporal conditioning of spatial experience in music was still emphasized<sup>3</sup>. But it is about actually sounding music. “Space may be experienced only in time and time only in space. It is important to note that music drawing space of performance into the realm of meaningful elements, that is... really “spatio-temporal” and not “spatial”. The categories of spatialization may seem to belong outside of time, but their realization is always temporal”<sup>4</sup>. It is difficult to deny the procedural quality of perception. Moreover, musical image forms with temporal sound units. However, music, being in its transcendental openness “everywhere at home”, reveals a way of connecting a human being with the natural-cosmic world in aestheticization of space. Time and space are mutually represented, but spatial being as ontologically self-basic manifests itself in the mental departure from temporal attribution of music, starting with the Pythagorean cosmogony and, apparently, its ancient Eastern forerunners, – and up to the facts of modern aesthetics. “With the systematic inclusion of space into musical composition, music finally *escapes the old conceptual constraints of music as a time-art*” (*emphasis ours* – O.R., I.K., K.N.). “The rediscovery of the spatial dimension in music is found in the 1950s in the spatial separation of the sound sources, most noticeably instruments. Many instrumental works

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<sup>1</sup> R. Descartes, *Meditations on First Philosophy. With Selections from the Objections and Replies*. Cambridge: Cambridge University Press, 2017.

<sup>2</sup> M. Ruse, *Evolution and ethics viewed from within two metaphors: machine and organism*. *History and Philosophy of the Life Sciences*, 2022, 44 (1), pp. 1-17.

<sup>3</sup> M. Trochimczyk, *From Circles to Nets: On the Signification of Spatial Sound Imagery in New Music*. *Computer Music Journal*, 2001, 25 (4), pp. 39-56. Available at: <http://www.jstor.org/stable/3681955>.

<sup>4</sup> *Ibid*, p. 39.

which attract considerable interest for space as a new musical dimension can be mentioned”<sup>5</sup>.

Musica mundana, major-minor system, atonalism and the “revolution of sound” are different cases of work with space. Experiments in the sphere of organizing of the sound environment of music by sonic artists working in the field of live electronic<sup>6</sup> and live coding of aesthetical phenomena (including immercial technologies of space presentation) are, in our opinion, a kind of ontological testing and a variant realization of the hermeneutic potential of sound. As it will be shown further, in this mode, musical practice often carries out re-creation of metaphysical constants, approaching the origins of the categorization of space. However, the latest chapter in musical practice and the analytics accompanying it often also tells about the effects of space, and this is obviously at odds with the ideal universality of spatial being. In its radical form, sound spatial environment of city landscape, down to background of events, embeds musical ideas into a pragmatic scenario that exploits the spatial nature of sound. According to the author, the project of “spatial value can be supported in urban planning and policymaking”<sup>7</sup>. In musical practice, the pragmatic intention of sound space, which transposes the concept and the very ontological truth of spatial experience into an everyday mode, includes, for example, Peter Ablinger's City operas. The social topos of the urban environment governs the laws of musical composition.

Such turn in aesthetics of music appeared to be, in our opinion, permissible from a cultural point of view due to the rethinking of phenomena of spatiality, although in this case the pathos of rethinking is due to the object-figurative version of the space developed in the order of the aesthetic influences of music through the meaningful definiteness of the sound message; which constitutes a significant task in the study of sound. “Many composers are attracted to the experimental and exploratory side of spatial effects and spatial sound technology”<sup>8</sup>. The n-dimensionality of imaginable space is replaced by consideration of “several kinds of space”

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<sup>5</sup> B. Zelli, *Space and Computer Music. A Survey Of Methods, Systems And Musical Implications*. eContact! 11.4. Toronto Electroacoustic Symposium (TES) 2009. Available at: [https://econtact.ca/11\\_4/zelli\\_space.html](https://econtact.ca/11_4/zelli_space.html).

<sup>6</sup> N. Peteres, G. Marentakis, S. McAdams, *Current Technologies and Compositional Practices for Spatialization: A Qualitative and Quantitative Analysis*. Computer Music Journal, 2011, 35 (1), pp. 10-27. Available at: <http://www.jstor.org/stable/41241704>.

<sup>7</sup> A. van der Hoeven, E. Hitters, *The spatial value of live music: Performing, (re)developing and narrating urbans paces*. Geoforum, 2020, 117, pp. 154-164. Available at: <https://www.sciencedirect.com/science/article/pii/S001671852030242>”.

<sup>8</sup> N. Peteres, et al. *op. cit.*, p. 13.

which “can co-exist with the appropriate musical events”<sup>9</sup>. Characteristically, through the multiplication of spaces, electronic music has a direct impact on the affective sphere. “Spatialization techniques in electronic music allow us to mobilize... deep emotions in the service of musical thought ... We accomplish this by creating or generating the illusion of space for the listener”<sup>10</sup>. The multiplicity of spaces means their relative locality (along with the phenomena of localization of sound with the most accurate or even illusory perceptual effect) and mobility. “There are... two principal ways of generating audio motion: movement *in* space, and movement *of* space”<sup>11</sup> including “space that is moving throw us and *qualitatively transforming*”<sup>12</sup> (*emphasis ours – O.R., I.K., K.N.*).

Spatial and computer music aren’t synonymic notions. However, it is evidently that computer techniques and technologies of sound design are given the new specification of space in music: spatial music commonly presents as kind of musical phenomena for which the location and movement of sound sources is a primary compositional parameter. So “spatial” is the specification of creative formation and, moreover, generation of musical thinking, but, in our opinion, not paradigm, in spite of idea that “spatialization is our genuinely new contribution to musical art”<sup>13</sup>; because of technological dominance in such alteration of space representation. Development is a category of qualitative transformation, achieved in this case by doubling and multiplying the phenomena of spatiality. We are talking about the development of space re-creation as the ontological basis of musical phenomena, given their commonality and the evolutionary nature of the immanent laws of musical art.

## Discussion

### I. “Ontological Adventure”: Jancu Dumitrescu’s Cosmogony as a Mindset Phenomenon

*Galaxy* of Iancu Dumitrescu is an unexpected image of the universe. Dissonances, cutting into adjacent harmonies or a light tense “interplanetary” background rumble, can be crystal and brutal. Probably, the peculiarity of the composer's creative style is akin to an ironic passage from his widely known interview<sup>14</sup>. “Well, if I had to answer something

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<sup>9</sup> J. Dashow, *On Spatialization*. Computer Music Journal, 2013, 37 (3), p. 5. Available at: <https://www.jstor.org/stable/24265509>.

<sup>10</sup> *Ibid*, p. 4

<sup>11</sup> *Ibid*, p. 6.

<sup>12</sup> *Ibid*, p. 6.

<sup>13</sup> *Ibid*, p. 6.

<sup>14</sup> I. Dumitrescu, *Acousmatic Provoker*. Interview by Gilles Peyret and Serge Leroy, Paris 1995. Translate from the French by Josh Ronsen, June-September 1999. Corrected and updated by I. Dumitrescu and A.-M. Avram, Monk Mink Pink Punk #7, 1999. Available at: <http://www.ronsen.org/monkminkpinkpunk/7/id1.html>.

about me with courage, I would say it to you in the manner of Ionesco... I would say to you that I am... horrible! But is it my music that horrified you so much to pronounce this word?" Perhaps, the reference to the theater of Ionesco reveals the ironic direction of experiments in the field of the sound spectrum, undertaken by the master in his uncompromising manner. The interest in Dumitrescu's music is the combination of the motif of cosmogony and the flow of subjectivity, observing its peripetia; the unity of the affective and spiritual-contemplative tendencies of his figurative and stylistic individuality. In our opinion, irony is a form of keeping the self as a whole in actual attention to stable structural and functional patterns, but from the standpoint of estrangement. The whole is like a house that can be looked around only after leaving it; an aesthetic form of being "above" the completeness of the process. The work of art, in the historical sense of the term, is actually a whole, combining the symbolism of immortality with the mystery of the transition of bodily into spiritual existence. In the mode of irony, a dramatic vision of earthly events is superimposed on deep intuition: the mystery acquires the features of the Hamlet's question. In our opinion, in the *Galaxy*, space appears visible, since behind the contrasting signs of sound events there is a figure of questioning from the first person - questioning about being-other-than-itself<sup>15</sup>.

The concept of being-for-itself (*être-pour-soi*) by J.-P. Sartre appears to us as an explication of a collision, "encoded" by *Galaxy*. Space is not declared as a statement of essence, but is revealed through a "raster" of contrasting sound unities. Aesthetically constituted space is also a process of internal communication that gives form to a work of art and carries a question about itself in the world. According to Sartre, consciousness possesses being precisely through such questioning, but being-for-itself (*être-pour-soi*) lacks being, and thus it is the apophatic negation of Being-in-itself; an existence through which Nothingness (*néant*) comes into the world.

What is Nothingness in context of aestheticization of space? Not equating this concept with the "great Nothing" of the ancients, we believe that Iancu Dumitrescu's aestheticization of space is a relation to being, which also carries the possibility of non-being. Music of *Galaxy* is a way to be spatially in the form of a questioning about immortality.

Spectral music, a trend to which the style of Dumitrescu is usually attributed, is characterized by an analytical component. In theory, the process of working with sound includes an analysis of its spectral composition, which is the material of creative apprehension. Ontologically meaningful connections of elements are apparently revealed in the process

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<sup>15</sup> J.-P. Sartre, *Being and nothingness: an essay in phenomenological ontology*. New York: Citadel Press, 2001.

of *einfüllung*<sup>16</sup> – “in-feeling”. If we connect this technique with the position of questioning about being, then the assumption arises that the removal of positive guarantees at the physical level is compensated by the actualization of the mental bonds of being. Probably, this desire is spontaneously realized through the exploration and recombination of sound microstructures in spectral music and in digital synthesis techniques, despite the fact that it is an alternative to the practice of in-feeling due to the specifics of the creative process.

The opening of the horizon of sound, coupled with the assertion of the implicit meaning of music, is obviously a search, and hence the hope of remaining oneself, which in the sacred aspect means salvation. The sound image of *Galaxy* does not dismiss the musical experiences of the harmony of the world, with its perceptible explosive potential. This is the quote from an interview with Iancu Dumitrescu, which, in our opinion, confirms the above. “Of going myself... to the discovery of a proper evolution, an assumed path... with the risk to find – or not – the truth, in my way... I was always on the point of breaking my neck. ... My only safety, I saw in the increasingly modern, original effort to be. <...> My music is rather an exaltation in the Dionysian sense of the word. By Dionysian I do not mean vulgar, but ... an euphoria which is used to traverse a path on the basis of the material towards its transcendence.<...> All that was ...constituted in my music, in a hermeneutic identity of Orphism... Music, such a nostalgic adventure towards a lost paradise... is the voyage towards this paradise...<...> Music refuses all “programmatism”, that it is literate, linguistic etc... the music is born and grows by an internal law!... <it is> an ontological adventure counters nothingness”<sup>17</sup>.

Spectral tendency and digital granular synthesis of sound, which became possible already at the turn of the Millennium and enriched computer music<sup>18</sup>, are two forms of “ontological adventure”. Thus, post-digital practices, without leaving, according to K. Cascone<sup>19</sup>, the field of digital music-making technology, discover “amazing tapestries of sound” in the noise “accompaniments” of working computer technology; and in this connection the author actualizes the first experience of the

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<sup>16</sup> M. Sacrini, *Categorial Intuition And Passive Synthesis In Husserl's Phenomenology*. Horizon. Studies in Phenomenology, 2016, 5 (2), pp. 248-270. <https://doi.org/10.18199/2226-5260-2016-5-2-248-270>. Available at:

[https://www.academia.edu/30704564/Categorial\\_intuition\\_and\\_passive\\_synthesis\\_in\\_Husserls\\_phenomenology](https://www.academia.edu/30704564/Categorial_intuition_and_passive_synthesis_in_Husserls_phenomenology).

<sup>17</sup> J. Dumitrescu, *op. cit.*

<sup>18</sup> B. Zelli, *op. cit.*

<sup>19</sup> K. Cascone, *The Aesthetics of Failure: “Post-digital” Tendencies In Contemporary Computer Music*. Computer Music Journal, 2000, 24 (4), p. 12-18. Available at: <https://www.mitpressjournals.org/doi/10.1162/014892600559489>.



emancipation of noise and the “enjoyment” of it. In aesthetics of failure there is not so much transgression as the identification of creative material on an intuitive level through the modeling of glitch and the other phenomena of failure. “The post-digital aesthetic is developed in part as a result of the immersive experience of working in environments suffused with digital technology. But more specifically, it is from the “failure” of digital technology that the new work has emerged. Glitches, bugs, application errors, system crashes, clipping, aliasing, quantization... even the noise floor of computer sound cards are the raw material that composers seek to incorporate in their music. While a technological error is often controlled and suppressed – its effects are buried beneath the threshold of perception – most audio tools can zoom in on the errors, allowing composers to make them the focus of their work”<sup>20</sup>. According to the author, an error is sometimes more interesting than a “success”, because it allows you to see that even the most perfect instruments carry the anthropic characteristics of their creators, and this probably inspires evocative creative techniques.

Computer sound design, through the identification of sound microstructures, implements an approach somewhat similar to the installation of spectral music, although on a different technological basis.

## **II. Digital Magic of Sound and Its Crystallization in the Aesthetics of Music**

The composer and programmer Curtis Roads in his monograph “Microsound”<sup>21</sup> (the term was introduced by him) likens the effects of using a computer in musical practice to operating with voices and textures in organ music. “It doesn't matter if the simulated models exist outside of the machine's circuitry, or if it's pure fantasy”<sup>22</sup>. The Microsound technique, in which the basis is digital granular synthesis of sound, and primarily timbre, is considered by the author to be comparable to ancient musical thinking. However, if the Aristoxenus's microtemperament was intended to streamline the phenomena of pure tuning, then the digital model is primary in relation to the pitch and duration of the sound. “Microsonic methods dissolve the rigid bricks of musical architecture... Sounds may coalesce, evaporate, or mutate into other sounds... When particles quickly line up, they give the illusion of continuous tone... Dense agglomerations of particles form swirls of the sound cloud whose shapes

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<sup>20</sup> *Ibid*, p. 13.

<sup>21</sup> C. Roads, *Microsound*. Cambridge, Massachusetts: MIT PRESS, 2001. Available at: <https://academic.oup.com/mts/article-abstract>.

<sup>22</sup> *Ibid*, p. 32.

evolve over time”<sup>23</sup>. C. Roads distinguishes nine gradations of time, from Eternity to Infinitesimal. This is not just a modification of expressive means, but an alteration of an aesthetically experienced universality.

In our opinion, transcendental metaphors in the context of the virtualization of the sound continuum are compensatory in nature, since the effect as such is qualitatively different from spontaneous spatial sojourn – no matter how “assisting” the role of the computer may be considered by digital artists, sonic artists, digerati in whole<sup>24</sup>.

Global historical navigation, covering the phenomena of civilization from the pyramids at Giza to the explosion of the atomic bomb, is presented in the Interactive piece on the Web “Cathedral” by the recognized master of virtual music W. Duckworth. The author plays the laptop while the Cathedral Band performs live. An instrument *The Pitch Web* allows anyone with a computer to play along with when the band is performing live over the Internet. In the book “Virtual Music: How the Web Got Wired for Sound”<sup>25</sup> Duckworth discusses on site of “Cathedral”. The project uses computer technology to immersively support an interactive experience rather than replacing the creative process. However, as a continuum, from the names of the parts to the logically open presentation of the human community, it is consistent with physical reality, which the music doubles as a kind of commentary. By W. Duckworth’s consideration “virtual music to be electronic music written specifically for the Web as either sound files or MIDI files, both of which are streamed to the site and heard in real time using either the Shockwave, Beatnik or QuickTime plug-ins”<sup>26</sup>. Indeed, “Surprisingly, writing music for *Cathedral* is not that different from writing for traditional ensembles”<sup>27</sup>. The composition, as the author noted<sup>28</sup>, was performed at the web-concert in 2001.

The virtual epic *Cathedral* is structured by means of a continuum that appears as “natural” – whereas, in our opinion, in music the continuum is a form of concentration of reality. Continuum is a symbolic form deployed from the intuition of spatial being through temporal experiences and structures of time into a holistic configuration. In the aesthetic

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<sup>23</sup> *Ibid*, p. 32.

<sup>24</sup> J. Lanier, *Virtually There: Three-dimensional tele-immersion may eventually bring the world to your desk*. Scientific American, 2001, 10, pp. 66-75. Available at: <http://www.jaronlanier.com/cocodexintro/laniero1sciam.pdf>; C. Roads, *op. cit.*; B. Zelli, *op. cit.*

<sup>25</sup> W. Duckworth, *Virtual Music: How the Web Got Wired for Sound*. London: Routledge, 2005.

<sup>26</sup> W. Duckworth, *Making Music on the Web*. Leonardo Music Journal, 1999, 9, p. 14. Available at: <http://www.jstor.org/stable/1513470>.

<sup>27</sup> *Ibid*, p. 16.

<sup>28</sup> *Ibid*, p. 17.

consciousness, the whole represents the “open”, which we will turn to in the following presentation. The ideas of the ontology of space, which correlate with mode-tonal thinking, are indicative. Thus, the idea that the laws of space are concentrated in the tonal logic and in the relations of the tones of the mode evolved from I. Kepler's “*Harmonice mundi*”<sup>29</sup> to local, but also metaphysically oriented, B.L. Yavorsky's mode-rhythm theory. The relations of the mode, according to Yavorsky, are consistent with the spatial position of the body and at the same time are determined by the “principle of conjugation”. This is how he called the ontologically significant connection of the tones of the mode – the phenomenon of the “higher order”<sup>30</sup>. The transgression of mode in atonalism was dated (with an aberration of the approach set by Yavorsky) to the phenomena of overcoming gravity<sup>31</sup>. The limitation of this form of response to the growing priority of spatiality of music is also overcome on the material of the retrospection of musical thinking. The development of the “sonance coefficient”<sup>32</sup> – an exponent indicator of the mastery of space in the evolution of Western music – made it possible to trace the aesthetic, and not purely technical, preconditions for the qualitative transformations of spatiality in music. Atonalism, which determined the setting on non-repeatability of each sound in the serial combinations with subsequent post-serialism, the development of microchromatics and spectralism, is synchronized with electroacoustic experiments. A technical, logical-aesthetic, increasingly ramified form of creativity has evolved with the growing integration of engineering, design, and information technology in coding sound experience, taking into account neurodynamic factors. As it is known, the first nomination of the concept of electro-acoustic music bears an additive specificity. In the second one, since

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<sup>29</sup> B. Stephenson, *Chapter IX. Book 5 of the Harmonice mundi*. The Music of the Heavens: Kepler's Harmonic Astronomy. Princeton: Princeton University Press, 1994, pp. 128-241. <https://doi.org/10.1515/9781400863822-010>; Available at:

<https://www.degruyter.com/document/doi/10.1515/9781400863822-010/pdf#APA>; B. Stephenson, *Chapter VIII. The Harmonice mundi*. The Music of the Heavens: Kepler's Harmonic Astronomy, Princeton: Princeton University Press, 1994, pp. 118-127. <https://doi.org/10.1515/9781400863822-009>. Available at:

<https://www.degruyter.com/document/doi/10.1515/9781400863822-009/html#APA>.

<sup>30</sup> G.I. Lyzhov, “*Osnovnye elementy muzyki*” B. Yavorskogo: *klyuchi k ladovoj teorii*. Sto let russkogo avangarda. [“Basic Elements of Music” by B. Yavorsky: keys to modal theory. One hundred years of the Russian avant-garde]. Sb. st. Red. M.I. Katunyan. Moskva: Izd-vo MGK, 2013, s. 113-126.

<sup>31</sup> B.M. Galeev, *Sinesteziya i muzikalnoe prostranstvo*. [Synesthesia and musical space]. Muzyka – kultura – chelovek, Vyp.2. Sverdlovsk: UrGU, 1991. s. 36-43.

<sup>32</sup> *Idei Yu. N. Holopova v XXI veke. K 75-letiyu so dnya rozhdeniya* [Ideas Yu.N. Kholopov in the XXI century. To the 75th birthday]. Redaktor-sostavitel T.S. Kyuregyan. Moskva: Muzizdat, 2008, s. 48-56.

the 1950s, its status can be equated to a formation, and we allow ourselves to state it as such a nomination.

It is generally recognized that by the 90s of the twentieth century, the main directions of sound design were passed, supplemented by new finds and effects in the mode of constant search, updating and at the present time. Ontologically, this state of affairs means, in our opinion, the search for the laws of connectivity. The inherent value of sound in spectral and digital music is naturally associated with the “archeology” of sonorous phenomena and with the mythological motif of the first sound. “Before time” or rather “without time” – it is primary status of anthropoid images of the world including the sound symbolism. Referring again to Iancu Dumitrescu's statements, we present the following evidence: “My music has... an amount of illuminated primitivism, like style in the visual arts. For me, the return to primary sources was the only reasonable possibility, profoundly positive, to come out of the extraordinary blocking which even today constrains and corners the composer. I am tasked to constantly enrich my knowledge of rituals, magic, of telluric worlds...”<sup>33</sup>.

It should be noted that the abstract sound mentioned in the ancient Chinese treatise “Lyushichuntsyu” and the sound “Saut-e Sarmad” in the practice of the Sufis, in theory, are not audible. In Japanese music, the silence-sound “ma” provides synchronous sound production when ensemble playing the shakukachi. However, according to its original purpose, it has the metaphysical meaning of lack of quality, of all kinds, including a regrettable absence, at the same time marking the beginning of action<sup>34</sup>.

Probably, the mystification of silence and the first sound in ancient ontologies, endless, supersensible, incomprehensible, are similar symbols of goodness, being, first of all, timeless, positing space from itself. “In the beginning was the Word” is both a phenomenon of faith and a cultureme of spatial experience that determines the structuring of creative experience.

Thus, the categorial comprehension of space in music, *ceteris paribus*, actualizing affective processes<sup>35</sup>, the binaural nature of auditory perception (to simulate the effect of sound movement, which in a normal situation a person fixes only by turning his head or moving)<sup>36</sup> and pragmatic tendencies of sound-spatial projects [spatial value], – raises the conditions for the possibility of sound effects and work with them.

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<sup>33</sup> I. Dumitrescu, *op. cit.*

<sup>34</sup> K. Matsunobu, *Musical Space, Time, and Silence in Qualitative Research*. International Review of Qualitative Research. A Cross-Cultural Reflection, 2014, 7 (2), Special Issue: A Day in the Arts: Tuning into the Aesthetics of Qualitative Research, pp. 202-216. <https://doi.org/10.1525/irqr.2014.7.2.202>.

Available at: <https://www.jstor.org/stable/10.1525/irqr.2014.7.2.202>.

<sup>35</sup> J. Dashow, *op. cit.*

<sup>36</sup> B. Zelli, *op. cit.*

Working with space evidently refers to the structural parallelism of anthropoid images of the world, in the context of which their spatial or temporal parameters become not primary. Perhaps this circumstance also prompts spatial music ideologues to emphasize the unprecedented properties of illusory, essentially virtual spaces as gradation of musical culture optimizing the kinds of musical expression. “The computer takes a special place in this development and puts the new concepts into effect, which would have been inconceivable until 50 years ago ... elektronische Musik and musique concrète, two important musical directions of the time, consider space as *the fifth independent dimension in music (emphasis ours – O.R., I.K, K.N.)* after tone color, duration, dynamics and pitch. While spatialization in instrumental music meant, at different times, varying the position of the instruments, the movements of the instrumentalists during playing and, in certain cases, sound color change (Gustav Mahler), in computer music it deals even with the innermost sound structures. The use of the computer as a modern tool in musical production began with far-reaching experiments and productions. Initially, computer-assisted technology provided excellent solutions to the practical problems of live performances. Later on it permitted the production of musical qualities”<sup>37</sup>.

The transformation of the musical and aesthetic principles of space, when it is emancipated and rethought as the basis of spatial music – the area of effects of sound movement in an illusory three-dimensional continuum – despite the historical remoteness from the concept of *musica mundana*, forms a stage of its theoretical “life”. We are talking about a new formation of intervals – now timbre and spatial – the differentiation of which through the aesthetics of Boethius and the texts of Ptolemy reproduced by him goes back to the microtemperament of Aristoxenus. Spatial music proceeds from the opposite of the pure scale, since it divides the tone into thirds, quarters and up to sixteenths, but the principle of filling space with sound connections is preserved. Unlike Boethius, Spatial music and, more broadly, the music of the electro-acoustic formation is hardly oriented towards ecmelic and emmelic intervals, especially since the rejection of melody was originally inscribed on the banner of serialism. Disintegration of this kind turns out to be the chosen form of conservation of musical qualities, no matter how paradoxical it may look. What essential characteristics of the musical are preserved and brought to the surface of artistic phenomena by the dominant of spatiality? Let us turn to the texts of Boethius in their modern translation and comments by S. Lebedev, a researcher of the treatises “Music” and “Arithmetic”.

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<sup>37</sup> B. Zelli, *op. cit.*

“Boethius could not find an equivalent pair of native words to convey the difference between the Greek ψόφος (any sound in general, including the roar of thunder, wolf howl) and φθόγγος (a sound of a certain pitch, the subject of the science of harmonics)”<sup>38</sup>. We should note: the topology of the harmonized space includes the sounds of nature, and the distinction between the sounds of nature and culture is secondary. The nature of intervals, interpreted by Boethius, takes into account emmelic and ecmelic properties (ontological unconditionality or constitutive mediation). Relationships, connections, spatial qualities form a sound sequence. S. Lebedev discusses on the idea of “melody, but not of any kind, but which is understood as an ordered ... unfolding of musical intervals in time ... music itself was defined by ancient scientists through “modulation” as a science or art (i.e. technology) of skillful (literally “good”) proportionality. In modern terms, modulatio ... is something other than ... a continual definition of the mode ... melody-modulation is diametrically opposed to the lyrical-emotional idea of melody”<sup>39</sup>. We emphasize that in this and the following provisions, we are not talking about borrowing or reproducing Pythagorean constants, but about the study of coherence as a deep phenomenon of human thinking, just only because Boethius conceives the relationship between world and human music. Hence, the interval is an ontological property of relations, translated into the mode of musical thought. S. Lebedev quotes Boethius' “Music”: “the melody itself (musica modulatio) is denoted by the names of numbers... And the relation of the sounds themselves to each other is found... in numbers” and comments on this provision. The “musical” meaning of the word modulatio is derived from the thought of Boethius, who draws a direct parallel between the harmony (coherence) of the celestial circulation and ... harmony in the music generated by man”<sup>40</sup>. Thus, the coherence of celestial bodies moving in their orbits – *ratus cursuum ordo* – determines *ratus ordo modulationis*, the rational order of modulation, that is, the technique of transition of sounds over intervals. “The consonance that governs the entire coherence of music (*musicae modulationem*), cannot arise otherwise than in sound”<sup>41</sup>. The anthroposophical idea of the spatial relations in Boethius is expressed in the idea of the transition of the coordinated sound that the moving celestial bodies emit into the form of intervals that eventually form *diatessaron modulatio*, a melody. Again,

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<sup>38</sup> S. Lebedev, *O metode i stile rannego Boeciya (na materiale “Muzyki” i “Arifmetiki”)*. [On the method and style of the early Boethius (on the material of “Music” and “Arithmetic”)]. *Nauchnyj vestnik Moskovskoj gosudarstvennoj konservatorii*, 2011, 3, s. 32.

<sup>39</sup> *Ibid.*

<sup>40</sup> *Ibid.*

<sup>41</sup> *Ibid.*, pp. 36-37.

according to the logic of Boethius, the melody is the deployment of a spatial dominant, “measured by a supertert ratio ... a move to a quart, and harmonica modulatio is the harmonious proportion, or simply harmony (of the world, which is based on the number)<sup>42</sup>. The ontology of coherence is realized in music through an aesthetically constituted universe.

S. Lebedev emphasizes the difference between the lyrical vision of the melody and the melody-modulation: “the prototype of the verb modulari in ... the “musical” meaning was the Greek verb μελωδεῖν (widely used in the passive – μελωδεῖσθαι). The last ... is composed of μέλος (an element of the whole) and ᾄδειν /ἀεῖδειν (to sing), μελωδεῖν literally – to sing articulately, in the narrow musical sense – to sing “discretely”, at intervals”<sup>43</sup>. Melody as a form of time is a direct deployment of spatial relationships, a conceptual projection. Spatial music returns us to the essence of musical.

### III. To the Deep Factors of Musical-Spatial Symbolism

Obviously, the ontic constant of the musical correlates with the basic experiences of space. At the same time, this is not about a perceptual image, but about the level of aestheticization of being - a unity of a more complex order, formed in internal communication and some certain cognitive-symbolic self-report – a secondary image. “Visualization of sensory experience ... allows the visual modality to be dominant, to play the role of ... a communication channel between analyzer systems at the perceptual level ... and at the level of representations”<sup>44</sup>, that is, attributions of a spatially given reality. Spatial perceptual images<sup>45</sup> are a deep prerequisite for sound symbolism of space.

In the aspect of the creative implementation of aesthetic sensibility, we consider it possible to view the figurative-spatial basis of the musical as an oceanic experience.

The term “oceanic experience”, introduced by R. Rolland in a letter to Z. Freud<sup>46</sup>, was further introduced by the analytical psychology of C.G.

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<sup>42</sup> *Ibid*, p. 37.

<sup>43</sup> *Ibid*, p. 37.

<sup>44</sup> A.A. Gostev, *The problem of secondary images in psychology*. *Psikhologicheskii Zhurnal*, 2012, 33 (4), pp. 17-26. Available at:

[https://www.researchgate.net/publication/291723902\\_The\\_problem\\_of\\_secondary\\_images\\_in\\_psychology](https://www.researchgate.net/publication/291723902_The_problem_of_secondary_images_in_psychology).

<sup>45</sup> Z. Wang, A.C. Bovik, H.R. Sheikh, E.P. Simoncelli. *Image Quality Assessment: From Error Visibility to Structural Similarity*. *IEEE Transactions On Image Processing*, 2004, 13(4), pp. 1-14. Available at: <https://www.cns.nyu.edu/pub/lcv/wang03-preprint.pdf>.

<sup>46</sup> D.J. Fisher, *Sigmund Freud and Romain Rolland: The Terrestrial Animal and His Great Oceanic Friend*. *American Imago*, 1976, 33 (1), p. 21. Available at: <http://www.jstor.org/stable/26303019>.

Jung in the categories of implicit religiosity. Subsequently, A. Maslow interpreted the phenomenon of spontaneous, ontologically non-differentiated spatiality as a kind of “peak experience”. “Peak experience” ... is a name, a word, a concept that expresses the amount of sameness that exists among the experiences of love, insight, creativeness, orgasm, parturition, mystic (oceanic, cosmic) experiences, certain athletic experiences, aesthetic experience, and some others as well. Of course, these are each personal, subjective experiences, but I, the listener, found similarities among all these experiences which I could then make into an abstract generalization”<sup>47</sup>.

The content of the concept of space is spontaneously obvious, but at the same time it is complex and multiple, given the mission of this concept as a key one for translating infinity into the scale of actual experience. Of particular importance is the Zeno’s philosopheme about the space-Cosmos and the image of Heraclitus’ (reasonable) worlds “by measures of flaring up and dying down by measures”. The category of an innumerably materialized essence, εἶδος, presented by Plato in a logical connection with the images of a thing and σιμουλάκρουμ – its incorrect form-copy, and the later, debunking what is not, nomination simulacra by J. Baudrillard<sup>48</sup> determined the understanding of the connection of multidimensionally universal musical and various paradigms of thinking set out in our work. We interpreted the meaningfulness of space in music, accepting the G. Leibniz’s speculation<sup>49</sup>. Based on these constructings, we understand musical space as a way to be - through manifested in relations of tones connection with the world. Thus, space in music is an aesthetic discovery of the multidimensionality of consciousness, converting sensory data through apperception. Like the Zeno’s of Elea aporias, music reveals the paradoxical nature of consciousness through the symbolism of movement in the form of time it creates. The hermeneutic potential of sound connections is realized by the interaction of time factors with the formation of the meaning of music, which, in our opinion, is made up revealing the properties of the transcendental process by recreating the structures of thinking in the actual existence of music. The moment of

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<sup>47</sup> A.H. Maslow, *Peak Experiences as Acute Identity Experiences*. American Journal of Psychoanalysis, 1961, 21, pp. 254-260; A.H. Maslow, Appendix D. *What is the Validity of Knowledge Gained in Peak-Experiences?* Religions, Values, and Peak-Experience. New York: Penguin Books Limited, 1970. Available at:

<https://www.druglibrary.org/schaffer/lsd/maslowd.htm>.

<sup>48</sup> J. Baudrillard, *Simulacra and simulation*, 1999. Available at:

[https://www.academia.edu/3787400/ baudrillard\\_simulacra\\_and\\_simulation](https://www.academia.edu/3787400/ baudrillard_simulacra_and_simulation).

<sup>49</sup> B. Evangelidis, *Space and Time as Relations: The Theoretical Approach of Leibniz*. *Philosophies*, 2018, 3(2), 9/ <https://doi.org/10.3390/philosophies3020009>. Available at: <https://www.mdpi.com/2409-9287/3/2/9>.



meaning, which captures sensory data, is also transcendental such as the sound “infinity” that has taken place in the perception of the whole.

We emphasize that space is conceivable. Hence the orientation of our reasoning on the phenomenological approach to musical symbolization with the assumption of the isomorphism of space and the psychic embedded in it. It seems that in the musical implementation of the “oceanic” experience – in a unique and different way from other spiritual phenomena – the reality of space leaves available for aesthetic perception the chthonic “strings” of a human being with a natural basis, like open channels of connection. The simultaneity of sound relations living in the aesthetic consciousness is the only one capable of translating the structure of “primordial image”<sup>50</sup>. Primordial image is a phenomenon of “archetypal mind”<sup>51</sup> evidently based on Psychoid<sup>52</sup>. Psychoid is something involving the causal interaction between instinctive and the physical because it is transcendent, – and the self, which is the ultimate transcendent reality. *Jane Weldon's* idea of translating Plato's system in Jung's teachings (the transcendental function in creativity) corresponds to the understanding of space in our work.

*The concept of Psychoid characterizes the self-understanding of being self, in contrast to the “seeing” (μοτίβο) εἶδος, which has an aesthetic-sensual character. Thus, it is possible to make an assumption about the preservation, at the level of deep intuitions, of the certainty of the way in which self is rooted in the world, up to the ἀλήθεια of the bodily-spiritual aporia.* In the status called Psychoid, the origins of all musical variations of space with the self found in it are hidden. Music has the advantage of translating the oceanic experience beyond the iconic forms of verbal experience and reconnecting the human being with his nature. It is characteristic that the sign in music is positively devoid of content, has no subject reference, and is represented by a transgression of itself. Nevertheless, it is music that has a numinous “aura”, a sacred subtext.

By means of symbolic marking of sacred events, art, and not only music, reveals extraterritoriality. Art “plays with the latest things”<sup>53</sup>, however, its

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<sup>50</sup> C.G. Jung, *Man and his Symbols*. Conceived and edited by C.G. Jung and M.-L. von Franz, J.L. Henderson, J. Jacobi, A. Jaffe. New York, London, Toronto, Sydney, Auckland: Anchor Press Doubleday, 1988, p. 67. Available at:

<https://antilogicalism.com/wp-content/uploads/2017/07/man-and-his-symbols.pdf>

<sup>51</sup> *Ibid*, p. 75.

<sup>52</sup> J. Weldon, *Platonic Jung and the Nature of Self*. Kindle Edition: Amazon, 2017. Available at: <https://www.amazon.com/Platonic-Jung-Nature-Self-Weldon-ebook/dp/B07254W468>.

<sup>53</sup> P. Klee, *Creative Confession and Other Writings*. London: Tate, 2014. Available at: <https://www.amazon.com/Paul-Klee-Creative-Confession-Writings/dp/1849762341>.

extension beyond the boundaries of its own specificity, along with the renewal of resources, speaks of a lack – both of the integrity of the worldview and of being itself; disunity of a human being with the orders of his nature, which do not depend on him. The oblivion of death and, at the same time, a vague awareness of its inevitability are the symptoms of a lack of being, which determines the need for acceptance from the Other – man, God. Comprehension of the objective, insensitive to individual life, but even more alive in its inescapability, the order of things appears as a drama, marked by the image of the Alien. The world, where there is no “me”, naturally feels like an alien. Do “I” have guarantees of personal existence?

We should note that attitudes towards religion are not measured by the number of adherents of a particular denomination. Religiosity (latent readiness for faith) can result in a consumer attitude, observance of rules by type of exchange; and faith can be dependent on the expected well-being.

The expectation of immortality, despite the research of near-death experiences and the development of parascientific ideas, is oriented not to the search for positive guarantees of a transcendent level, but to recipes for biological longevity. In the aesthetics of music, the forms of compensation for the idea of immortality are also changing and the means of building relationships between the soul and the universe are diffusing.

Music refers to both two “absolutes”: technology and magic. Both “echelons” of means develop the trend of neo-mythologism: the completion of the world to the whole, the conjecture inherent in the myth and the acceptance of the resulting image in electro-acoustic music is provided by spatial effects in the order of virtualization – the development of human nature through the combination of symbolic and technogenic factors of attitude to the world and oneself.

#### **IV. Radicalism and Affirmation in a New Aesthetic Paradigm**

The interaction of magic and technology in spatial music speculatively creates an impression of sound affirmation. Unlike the spiritual and aesthetic whole on the scale of a work of “absolute music”<sup>54</sup>, the artifact of the new formation is not structurally closed and is made by the procedural interaction of technical and psychoacoustic effects. Magical allusions in such a scenario create a numinous aura of technogenic sound events. Thus, it is known that K. Stockhausen endowed the buzz of a bee swarm with magical properties and introduced a similar sound into the visual-timbre

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<sup>54</sup> C. Dahlhaus, *Die Idee der absoluten Musik*. Bärenreiter-Verlag-Cassel: Auflage, 1978, p. 14. Available at: [https://www.hmt-rostock.de/storages/hmt-rostock/5\\_Aktuelles\\_Service/Online\\_Lerning/Dahlhaus-Die\\_Idee\\_der\\_absoluten\\_Musik.pdf](https://www.hmt-rostock.de/storages/hmt-rostock/5_Aktuelles_Service/Online_Lerning/Dahlhaus-Die_Idee_der_absoluten_Musik.pdf).

environment of the Helicopter-String Quartet<sup>55</sup>, filled with markers of the “stitched” by magic world. Stockhausen, one of the pioneers of electroacoustic music and the so-called spatial music that intentionally exploits sound localization, connects the structures of the symbolic-sound continuum with the media effect of engineering of space<sup>56</sup>. In the composer's understanding, “the entire compositional structure could be conceived as “timbre”: since “the different experienced components such as colour, harmony and melody, meter and rhythm, dynamics, and form correspond to the different segmental ranges of this unified time”<sup>57</sup>.

So “the total musical result at any given compositional level is simply the “spectrum” of a more basic duration – i.e., its “timbre”, perceived as the overall effect of the overtone structure of that duration, now taken to include not only the “rhythmic” subdivisions of the duration but also their relative “dynamic” strength, “envelope”, etc... Evidently, self-contemplation and the awareness of a universal, planned order exist today “more than ever”. With this comes the desire to give the individual tone a very specific sense that transcends momentary saturation and the merely impulsive play of organization and combination; a sense, that is, of *music as a representation of that comprehensive “global” structure in which everything is integrated*”<sup>58</sup>. The name of K. Stockhausen is mentioned in the vast majority of works devoted to spatial music, and his creativity embraced the fundamental positions of the sound revolution. The disintegration of the structures of the sound continuum, which, along with the implementation of perceptual images and the logic of harmonization as the aesthetic content of music, is not undertaken for the sake of reconstructing the world with technical rationality, but with the idea of moving the figure of the conscious Self into the field of transcendental being and thereby expanding the realities of “entry”, very likely not anthropomorphic. The path to such a reconstruction lies precisely in the field of sound emancipation.

Aesthetic radicalism of technically diverse sound phenomena - from early experiences of sound synthesis, computer and microacoustic music to site-oriented Web compositions and radical spatialization specified by

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<sup>55</sup> R. Bishop, *The Force of Noise, or Touching Music: The Tele-Haptics of Stockhausen's "Helicopter String Quartet"*. SubStance, 2011, 40 (3), pp. 25-40.

<sup>56</sup> M. Shimizu, *Potentiale multimedialer Aufführung und 'szenische Musik'—einige Bemerkungen zum Helikopter-Streichquartett*. Internationales Stockhausen-Symposium. LICHT. Musikwissenschaftliches Institut der Universität zu Köln. Münster, Berlin, London: LIT-Verlag, 2000, pp. 61-73.

<sup>57</sup> K. Stockhausen, *Zur Situation des Metiers (Klangkomposition)*. *Textezur Musik*. 1 ed. Cologne: Verlag M. DuMont Schauberg, 1963, pp. 45-61.

<sup>58</sup> K. Stockhausen, *Texte zur Musik*. 17 vols. Vol. 1. Cologne: Verlag M. DuMont Schauberg, 1963-2014 (1963, 1964, 1971), p. 120.

logic of technologically localized and organized space configuration. The technical possibilities of the musical practice of the second half of the 20th century, determined by the synthesis of sound and digital culture, brought a paradigm shift: the universe in experience - and the universe in electro-acoustic performance.

The mysticism of space is played up through cross specific syntheses of art under the auspices of design, in contrast to the paradigm of “absolute music”, which once took over the cementing functions of cult performances, and popular music, which unites the picture of events by “commentary”. Digital and post-digital art practices are forms of design. Sonic artist, digital artist, musicmaking, art of sound are the categories of the architecture of sound spaces, the topology of which is created by psychoacoustic phenomena. Sound designers note<sup>59</sup> that the vast majority of the audience does not see the difference between spatial music and installations.

However, the differences are obvious. For example, in light and sound installations (panels) by R. Ikeda, the effect of light and sound is provided by the repetition of combinations, fascinating in their rhythmic uniformity. The sound plays a service role and creates an atmosphere of a reminder of the eternal running of time and the transience of life wedged into everyday life.

For its part, J. Finer’s “Long player” for 243 special Tibetan meditation bowls carries the self-sufficiency of the sound-process. Started at the first midnight of the Millennium by six musicians, the performance of the composition should, according to the author’s intention, last a thousand years and eventually be “entrusted” to the computer. In the play, unlike the panel, the sound dominates and organizes the area of perception in the Round House (London), which seems to be specially corresponding to it. In this context, we should note that the concept of “meditative music” refers to the style of micro-connection between sounds introduced by the serial technique. For all the radicality of the rejection of interval connection, since “new grounds and motivation for connection have arisen, ... where each next sound in the series does everything so as not to be outlaw”<sup>60</sup>, the law cannot change and consists of the difference, dissimilarity, fundamental for thinking in general and also for the constitution of space. Meditative music from J. Cage to J. Finer’s “Long player”, despite the fact that they are separated by the period of “digital Maoism”<sup>61</sup> and “quantum mysticism” of ideas about altered states of

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<sup>59</sup> N. Peteres, et al. *op. cit.*

<sup>60</sup> T. Adorno. *Esteticheskaya teoriya* [Aesthetic theory]. per. s nem. A.V. Dranova. Moskva: Respublika, 2001. s. 34.

<sup>61</sup> W. Duckworth, *A Virtual Conversation With Jaron Lanier*. New Music Box USA, 2002, 1 October. Available at: <https://nmbx.newmusicusa.org/a-virtual-conversation-between-jaron-lanier-and-william-duckworth/7/>

consciousness inspired by meditation, differs in the line of spatial organization from the artistic-symbolic form of “absolute music” by the close association of the perceiving consciousness to the material. A minimum of changes, with the same anthropologically constant organization of thought, binds, like an attention-grabbing object of meditation, and forms an end-to-end process without productive catharsis. This performative imitation of “eternity” is directly alternative to the ambivalence of the symbolic structure. The positive non-substance of content of the sound stream is consistent not with the immanent logic of symbolization, but with the logic of consumption, including sacral symbolism in the transformed form of a self-referential sign<sup>62</sup>.

The practice of inspiring aesthetic experiences is seen by us as a kind of forerunner of psychoacoustic series of the spatial music. The tendency of localization and saturation of musical spaces with visual effects, in particular creating the illusion of approaching and receding sound, brings the situation of the place into the external plane of sound events. The statement we quoted above from “Microsound” by C. Roads illustrates the idea of combining flow and texture-spatial effects. This approach was prepared by the concept of temporal structures of the musical continuum in the work of K. Stockhausen<sup>63</sup>. In music of various styles, the phenomenon of timbre space stands out and receives a categorical conceptualization. David L. Wessel sees in it the factor of control over the formation of musical forms: “The most natural way to move about in the timbral space would be to attach the handles of control directly to the dimensions of the space”<sup>64</sup>. Such kind of space, for example, “was produced by the multidimensional scaling program”<sup>65</sup> to imitate an orchestra and also can create “melodic fiction <by effects of> auditory stream segregation”<sup>66</sup>. The timbre space acts as the structuring force of music<sup>67</sup>. These statements summarize, as we could see, the experience of sound designers in spatial music. Spectromorphology (D. Smalley’s

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<sup>62</sup> J. Baudrillard, *op. cit.*

<sup>63</sup> K. Stockhausen, *New Morphology of Musical Time*. Written at Mills College, December 1991 for David Bernstein's Seminar on 20<sup>th</sup> Century Theories of Musical Time. Available at: <http://www.music.princeton.edu/~ckk/smmt/index.html>.

<sup>64</sup> D.L. Wessel, *Timbre Space as a Musical Control Structure*. *Computer Music Journal*, 1979, vol. 3 (2), p. 51. Available at: <https://doi.org/10.2307/3680283>.

<sup>65</sup> *Ibid*, p. 49.

<sup>66</sup> *Ibid*, p. 49.

<sup>67</sup> G.L. Bruno, S. McAdams. *Sound Source Mechanics and Musical Timbre Perception: Evidence From Previous Studies*. *Music Perception: An Interdisciplinary Journal*, 2010, 28 (2), pp. 155-168. <https://doi.org/10.1525/mp.2010.28.2.155>; S. McAdams, *Perspectives on the Contribution of Timbre to Musical Structure*. *Computer Music Journal*, 1999, 23 (3), pp. 85-102. Available at:

<http://www.jstor.org/stable/3681242>.

term)<sup>68</sup> of sound is signified re-opening and new representation of inner dimensions of sound in the variety of music of electro-acoustic formation.

The experiment *per se*, which is quite able to ignore the listener's expectation of harmony, seems to be an end in itself, in contrast to coloristic effects, which do not reveal the technique of digital synthesis to the ear. But none of the practices is an end in itself. The electroacoustic formation is united by special attention to the property that S. Langer at the time of its becoming called "primary illusion" and attributed to music in general. S.K. Langer discusses on the specifics of symbolic forms: "All forces that cannot be scientifically established and measured must be regarded, from the philosophical standpoint, as illusory; if, therefore, such forces appear to be part of our direct experience, *they are "virtual"*<sup>69</sup> (*emphasis ours – O.P., I.K, K.N.*). Unlike physical motion, the motion of sounds is *imaginary*. "Yet it is a myth, built on the most primitive symbol – the body"<sup>70</sup>. Here the virtual is an unreal, numinous, chthonic experience, i.e. transformed forms, including music that creates, according to S.K. Langer, *virtual time*<sup>71</sup>. This concept has not lost its value due to the distinctness with which it draws the line between the rational and spiritual-aesthetic status, and, in particular, the form of time, which tends to be compressed in artistic abstraction.

Movement in music in fact is an illusion, since the form of change, in the form of sound *res temporaria*, does not belong to natural time. In our understanding, the ontology of musical time consists in the aesthetic givenness of being as special and corresponds to the n-dimensional variety (by the type of non-Euclidean space) of the axiomatically accepted structure.

Thus, space in music does not imply doubling, it is an aspect of reality, in contrast to a copy. A striking example of this is the manifestation of the sound "matrix" of being in the art of bell ringing by K.K. Saradzhev (1900-1942). It is known that in an octave he distinguished 1701 tones, and each corresponded to a shade of color, mood or image<sup>72</sup>. Chromesthesia is a combination of sensations of color and sound in a perceptual image. However, at the level of art, this property made it possible to transmit the spatial speculation of universal existence. The aesthetics of bell ringing

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<sup>68</sup> D. Smalley, *Spectromorphology: Explaining sound-shape, Organized Sound*, Vol. 2 (2). Cambridge: Cambridge University Press, 1997, pp. 107-126.

<sup>69</sup> S.K. Langer, *Feeling and form. Theory of art*. New York: Charles Scribner's Sons, 1953, p. 188.

<sup>70</sup> *Ibid*, p. 188.

<sup>71</sup> *Ibid*, *op. cit.*, p. 125.

<sup>72</sup> *Velikie otec i syn Saradzhevy*. [Great father and son Sarajev]. Vne Stroka, 2021, 29 noyabrya. URL: <https://vstrokax.net/imena-lyudi/velikie-otecz-i-syn-saradzhevy/>.

reveals the ontological autonomy of timbre, which, as we noted above, is qualitatively transformed in new music.

## V. The Spatial Transformation as a Criterion of a New Formation

Spectromorphology and chromesthesia concentrate the difference between the techniques of musical-spatial thinking, and, consequently, between musical formations up to the revision of the concept of “music”. In the first lines of our work, the authors' definition of music is formulated, striving to take into account, as far as possible, ontological shifts in the interpretation of the musical phenomenon at the level of paradigms. At the same time philosophic vision of music presented by authors' definition provides the mental scheme corresponding with the symbolic morphology of music piece immanent conceptualization. However, in the key of technocratic tendencies of composition, particularly in the space music, its categorical interpretation leaves the boundaries of the idea about symbolic concentration of immortality collision for the wide notional form adequate to alternative scenario of immortality. As we consider, the integrity by penetration artistic metaphysics and cliché of absolute duration in each other caused to dominance of sound-environmental vision of music functional specificity.

Extensive interpretations of music as “the art of sounds” are characteristic. Thus, John Dyck considers the implications for the ontology of music caused by works of music are partly constituted by the location and motion of their sound sources. Author argues that “music is an art not just of hearing, but of sounds. Musical elements can be located just like sounds are located”<sup>73</sup>. In this ontological version, music is presented as *φαινόμενον* (self-revealing) of a moving, ubiquitous, vibrating area within itself, which is both given and, in order to translate objective qualities into figurative formants, seeks a kind of mediation of the sonic artist. Therefore, it would be a mistake to accept recipes for sound technologies in a status isolated from the symbolism of immortality. Music makers' work, under specific conditions, does not simply activate the resource of acoustics, but deploys a transcendent instrument of sound analysis in the direction of the audience. We are dealing with a universal, with a logical contour of the relationship of primary and secondary qualities recognizable in digital practice in J. Locke, *ἄτομος* in the early Greek nomination. And this universal is expectedly wider than the paradigm of “absolute music”, so that the second can be presented as a transformative quintessence of qualities. Digital artist could be in the role of the

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<sup>73</sup> J. Dyck, *Spatial music*. European journal of philosophy, 2022, 30 (1), p 279. <https://doi.org/10.1111/ejop.12632>.

Dionysian artist in the Nietzschean sense of the word; the one who disavows the practice of doubling-harmonization. However, by mediating, he further ties the knot of complication, as he stands in the way of the dynamics of civilization and does the work of an alternative to the intentions of eternity perse, transforming the qualities of sound in an arbitrary and manipulating manner. Consciousness of such manipulation is justified by the equivalent topological status of perception in subjects-clusters. The public of E. Ansermet, who saw in the disintegration of tonality a break in the cosmic mission of the musical message<sup>74</sup>, is no more. Rudiments of tonal-harmonic work can be observed in the practices of new age, Ambient, appealing to the ease of contact and immersion. But even in them, the subject of perception enters the space of sound and merges with it, as they enter the sound environment of a club, naturally assimilating their internal orders, and not concentrating them in catharsis according to the type of symbolic integrity. The manner of “hiding behind the background”, which is characteristic of the life of a person in headphones in a rhythmically vibrating sound environment, is nevertheless rooted in the constants of Ego-being. The dissolution of the Ego into the non-Ego, as if the vessels of the adept were thought to be open into an ocean of universality, appears as a “priestly” alternative to given by mental specificity of music, logics of musical mind, to technocracy. The oceanic way of spatial being is inspired by the musical “flock” without efforts that the listener of G. Mahler's “The Song of the Earth” made. Digital artist prepares the “elixir of immortality” from the qualities revealed in the sound spectrum and transformed. The dominants of spatial music evoke, in our opinion, an association with a broadly understood pictorialism, being a kind of configuring detection of world connectivity by means of the culture of sound. The alternative in question allows the sonic space to remain both musical and felt by the discoverers. This assumption, at first glance allegorical, is, from our point of view, acceptable in relation to the experimental manner of music makers from Stockhausen to Feiner; this manner is built into the digital *modus vivendi* and produces its transgression, which is completely impossible. Symbolic immortality is transformed into “eternal” stay precisely due to digital universals, which provided a revision of the phenomenon of the subject up to the intersubjective quality by J. Habermas<sup>75</sup>. However, the attributes of magic, affirmations, ubiquity and at the same time unusualness of Ego “tuning” in

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<sup>74</sup> E. Ansermet, *Les fondements de la musique dans la conscience humaine*. 2 v. Neuchâtel: La Baconnière, 1987.

<sup>75</sup> J. Habermas, *Theory of Communicative Action*. Volume One: Reason and the Rationalization of Society. *Transl. by Thomas A. McCarthy*. Boston: Beacon Press, 1984.



the key of the T. Leary' seight-circuit model of consciousness<sup>76</sup> elevates the desired status of sound practice to an epiphany that somehow adapts to perceptual dimensions.

Thus, the “absolute” and electro-acoustic formations in the aspect of spatial and sound design turn out to be evolutionary stages of the appearance of the musical in the technogenic type of structuring and, it would seem, the symbolism of liberation, which is other-dimensional to it. However, the structures of the mind and spirit are closely intertwined in the fabric of the era. Types of thinking and, obviously, irrational – and irrational phenomena diffuse in aesthetic thinking as technology progresses. This, in our opinion, is the virtualization of music, its new artificiality, *la virtu*, in contrast to *τέχνη*.

## **VI. The Phenomenological Vision of Temporality in the Musical-Paradigmatic Differentiation**

It is indicative, in our opinion, to compare the structures of “primary illusion” in “absolute music” and the electro-acoustic paradigm through the analysis of retention – the mechanism for establishing differences and synthesis in the process of thought.

The representativeness of retention for understanding the musical symbolization of movement and space is emphasized by the fact that Husserl turned to melody in his work “The Phenomenology of Internal Time-Consciousness”. It is characteristic that the focus of attention of the founder of modern phenomenology is, therefore, the nature of connection and coherence, which reveals itself through the positing of elements as similarly existent and differently directed. The unit of time in music, in contrast to the “natural” one, is formed by an aesthetically given ratio of tones. The maxim of their relationship in “absolute music” is contrast, which in the most consistent form appears as a derivative contrast. On the example of Beethoven's musical dramaturgy, the affinity of the contrast to the logic of dialectical thinking is obvious (not specifically of G. Hegel, since the melody refers to itself in an order close to the antique type of relationship of “one” and “another”). The convexity and aesthetic character of the contrast for “absolute music” gives it a binding power, but it is precisely it that is resolutely rejected as the “most primitive” form of connection in the logic of A. Schoenberg's dodecaphony, which determined both generations of serialism and, as a result, the key importance of microchromatics and microacoustics for alternative type of connection. We

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<sup>76</sup> T. Leary, *Exo-psychology: a manual on the use of the human nervous system according to the instructions of the manufacturers*. Info-psychology. Los Angeles: Starseed/Peace Press, 1977. Available at:

<https://openlibrary.org/books/OL7141490M/Info-psychology>.

consider it possible to see in this trend the desire to find ontologically primary mental formulas for the relations of tones that correspond to the neo-archaic trend of the 20th century. When comparing contrast with micro-bonding, it is obvious that the marker role of retention is illustrated by such an alternative and allows to see the difference between the forms of constituting sound continuum in “absolute” and electro-acoustic aesthetical paradigms, also rationalistic specificity of such investigation. This matter is primarily evident in the theoretic of dodecaphony and series, the focus of microacoustics on the exploitation of coloristic spatial effects, with their relative autonomy up to sound design vision of music.

Retention is the hold of the given (tone) in the status of “now” by means of a turn, the “ecstasy” of change. “Thanks to the turn of attention and grasping, experience acquires a new mode of being, it becomes differentiated, singled out, and this distinction is precisely grasping, and differentiation is to be ... the subject of turning”<sup>77</sup>.

“Now” in Husserl, unlike the openness of the present-interval, which in itself cuts off guarantees and “quantizes” the quality of “now” in Heidegger, is a relatively closed unity<sup>78</sup>. Retention is internally not homogeneous, since the constitution of the given from difference-synthesis to the figuration of the whole integrates the orders of objectivity into perception. Intentio (flow reel) interacts within intantum with the formation of the modes of time-appearance and time-sensation at the hyletic and figurative levels up to the further appearing teleologically oriented form of time *Zeitgestalt*<sup>79</sup>.

The integral form of *Zeitgestalt* is characterized by the interpenetration of the hierarchical orders of temporal experience and the uniquely inherent music, more and more distinct as it processes the spatial figuration of the sound whole. Those and other phenomena determine the attribution of a symbol – an ambivalent structure of consciousness that removes temporal qualities of sense forming. In the process of music-making, by which we here also understand the work of perception with its creative and participating components, experiences of time pass into signs of time, but in absolute music they do not stop attention by the type of

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<sup>77</sup> E. Gusserl, *Fenomenologiya vnutrennego soznaniya vremeni*. Sbornik sochinenij. T. 1. [Phenomenology of the inner consciousness of time]. Moskva: Gnozis, 1994, s. 154.

<sup>78</sup> M. Heidegger, *Sein Und Zeit*. Tübingen: Max Niemeyer Verlag 1967. Available at: [https://taradajko.org/get/books/sein\\_und\\_zeit.pdf](https://taradajko.org/get/books/sein_und_zeit.pdf).

<sup>79</sup> J.L. Méndez-Martínez, *Sound Ontology and The Brentano-Husserl Analysis Of The Consciousness Of Time*. Horizon, 2020, 9. doi: 10.21638/2226-5260-2020-9-1-184-215. Available at:

[https://www.researchgate.net/publication/342799269\\_SOUND\\_ONTOLOGY\\_AND\\_THE\\_BRENTANO-HUSSERL\\_ANALYSIS\\_OF\\_THE\\_CONSCIOUSNESS\\_OF\\_TIME](https://www.researchgate.net/publication/342799269_SOUND_ONTOLOGY_AND_THE_BRENTANO-HUSSERL_ANALYSIS_OF_THE_CONSCIOUSNESS_OF_TIME).

topological signals, having a passing value in the constitution of a symbol. Behind a clear morpheme is an actual non-definable image of reality, bearing a reminiscence of oceanic “freedom”. The symbol is a fact of consciousness that captures the moment of catharsis in the unity of the spiritual and aesthetic disclosure of subjectivity and the structuredness of its synthesis; it has a hyletic connection, but it is one-time and not doubled. Phenomenologically, the fusion of these properties consists in the identification of the flow and absolute subjectivity (in the nominations of E. Husserl) in the production of over-temporal holistic quality with its probable analogizing to the holism of consciousness – the present without descending into the past. Since in the constitution of the musical form the teleological mode dominates the relative freedom of the flow through spatial intuition that sets the *τέχνη* of the idea at any degree of variability, up to the purposeful non-repetition of the sounds of the series, then stability takes its toll at the level of the uniformity of the mechanism of retention and the isolation of the symbolic fact – at the level of the retentially constructed boundary of the continuum in the “absolute” music. *Die gießende Vegetation* (T. Adorno) of the serial form, from the perspective of the denial of contrast, reveals the moment of schematization of the connection, the overhanging of the aesthetic commentary over the deep intuitions of the connectedness of being. This is another argument in favor of the possibility of understanding the laws of the music continuum in terms of Husserl's phenomenology without illusions about the modification of consciousness.

Actualizing the phenomenon of retention for comparing, conditionally speaking, the products of musical *τέχνη* and *la virtu*, one should, for all its universality, take into account the qualitative differences in the material and the form of connections. It seems informative to compare the connection-contrast and connection-minimum changes (as in meditative music). In the music of the electro-acoustic formation, the play with textures and the effect of removal-approximation of sound create data differentiation to a high degree, induce it by technogenic means. In our opinion, this gives the right to consider the maximum and minimum of data differentiation in the aspect of sound design as mutually represented phenomena. Thus, in the spectral analysis of the sound data found in the “nearest neighborhood”, with their subsequent recombination, getting digitalized, the style of micro-connection, micro-acoustic understanding is the main one. Unlike the contrast, which really primarily (“primitively”) forms musical distinction-synthesis, the basic mental attitude, the primary apperception of as a vision of ontological truth of connections' qualities, meditative-type music complicates grasping already by the effort of concentration, really like meditation, in its confinement to the data of

capturing the changes dispersed in the sound flow. The reverse trend of the providing of listeners' psycho-acoustical illusion in spatial music is only externally polar to statics, despite the techniques of mobile, technologically multidimensional tectonics. We are talking about phenomena of one kind, the microtonal form of specifying polymodal spatial effects.

The distinction between the paradigmatic forms of retention, in our opinion, shows that despite the prerequisites we have mentioned in the form of a serial and, let us add, sonoristic tendency to micro-connection at the level of style, which “naturally” found itself in an electro-acoustic garb and then its transformation into self-sufficient forms of sound statements, – despite the degree of continuity, the divergent spiritual and aesthetic principles are clear. The difference between catharsis and the effect of the flow (consciousness) draws a line between formations as a difference between spontaneous and constructive approaches, as a variability vector of ontological searches for connection. However, the main boundary, in our opinion, runs along the line of the capacity for the tragic. Hence there is the revision of the category of music, which was discussed above. At the level of the phenomena of aesthetic consciousness, catharsis, concentrating the symbolism of immortality in “absolute music”, is an explosive ecstasy and the aftereffect of the spirit in the “halo” of integrity (an archetype of the open); whereas a flow will carry an exposure of the “open”, not accompanied by a conversion of that type. This is an impression that brings to the fore the sound events of the “observer” and the commentator.

### **VII. C. Jung's Typology of Rebirth as a Theoretical Identification Tool in Ontology of Musical-Aesthetic Phenomena of Collision of Immortality**

As it is known, “representation”, in contrast to “experiencing”, is a form of intellectual game “on an equal footing”. How, then, to consider not leaving the mode of existing in the context of the relation of “open”, which genetically belongs to the ideology of metempsychosis? The fact is that the idea of rebirth and, accordingly, communication with the “open” world is being introduced in the order of neo-religious reminiscences, through which the culture of the screen code is nourished by spiritual foundations. For example, the provisions on the “general accessibility” of enlightenment and the uncreated eternally abiding world, brought to the West from the Buddhist worldview, in the context of the scientific and atheistic attitudes of the majority and religiosity transformed by consumption, can give a support to the naive “version” of the eternal soul and an open collision of rebirth.

In the iconic work “Rebirth”<sup>80</sup>, C. Jung identifies five of its forms: “1. *Metempsychosis*. <...> The life of an individual goes on... passing through various bodily existences...; it is a sequence of a single life, interrupted by ... reincarnations. <...> only the continuity of karma can be guaranteed...2. *Reincarnation*. This concept ... necessarily uses the concept of continuity of personality. <...> when someone... is reincarnated or born, he is able to at least potentially remember his journey through previous existences... and identify his ego form with them in this life.<...> 3. *Resurrection*. This means the restoration of human existence after death. New elements appear here: change ... or transformation of the subject of being. The change may be essential, <i.e.> another being will be resurrected; or non-essential ... the ... conditions of existence change when the subject finds himself in another place or in another body. It can be a physical body, as in the Christian idea of resurrection in the former body. It can also be at a higher level, when the process is no longer perceived in a grossly material sense; ... the resurrection from the dead is the restoration of the *corpus glorificationis*, the “*subtle substance*” that is not subject to damage and decay. 4. *Rebirth (renovatio)*. ... in the strict sense, that is ... within the span of individual life. The English word *rebirth* corresponds exactly to the German *Wiedergeburt* <...> its very sounding suggests the idea of renewal... even improvement achieved by magical means... the reborn person does not change in the essential aspect, but only in the functional one. <...> 5. *Participation in the transformation process*. ... transmutation is present, but not explicitly, leading the subject through death and birth, but indirectly, participating in the process of transformation, which ... happens outside the individual. ... Through his participation in the ritual, the individual receives a share of divine grace”<sup>81</sup>.

Before possibly correlating the orders of catharsis and pure continual quality, growing into the management of the effects of spaces, we note that, following C. Jung, we accept the phenomenological identity of mental being – and being per se. Thus, all five forms and the very transition from the material to the spiritual plane of existence turn out to be completely real; it turns out to be possible to see behind the categories of the physical world the names of qualities whose ecstasy in their supersensible aspects is real. From the formulation of the problem of essence to the ideas of antistuff and antimatter, mental forms are connected by the threads of a transcendental process. The ontology of virtual being acts as a formation of real existence in the conceivable world. Thus, the musical principles of both paradigms can be presented as forms of rebirth. In our

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<sup>80</sup> K. Yung, *O pererozhdenii*. [About rebirth]. *Sinhronistichnost*. Kiev, Refl-buk i Vakler, 1997, pp. 137-138.

<sup>81</sup> *Ibid.*

opinion, “absolute music” is logically connected with the Christian model of transfiguration, since catharsis brings the aestheticization of the transition from the existential process, kept by meaning formation through temporal symbolism, into a spiritual surge of aesthetic aftereffect, when infinity is translated into experience, into the “finite” ego-forms, if to use the expression of C. Jung. In our view, the electroacoustic formation is closer to the fifth form of initiating proceeding – it is no coincidence that the authors of spatial music often and in various ways “direct” the location of the performers and the audience. However, the “pretensions” to such an initiation into the matter of musical experiment – into the magic of innovation – are not limited to the exposition of effects and technical possibilities. We are talking about a compensatory form – a performance of rebirth by the type of reincarnation, when all moments of duration are equally guaranteed by subjective-psychological unity, and at the same time they are diverse due to the becoming of the image of being. The moment of rebirth is also characteristic, as an improvement in the emotional background in the course of the work of the perceiving consciousness with spatial-figurative effects, which is based on a direct appeal to the bodily-affective sphere. In our opinion, the sphere of coincidence, into which the possibilities of technology have turned tradition, demonstrates the selective integration of strategies of symbolic immortality acceptable in the modern world by means of the culture of sound. “Absolute” music is symbolically the content of being, which in an electro-acoustic formation becomes the motive of an incantation.

The moment of paradigmatic differences is the change of the code of culture. At the level of retention, the differentiation of codes reveals the transition of the material captured in the “turn of experience” into signs of time and, hence, the spatialization of figurative-semantic integrity, or the “myth” of existence, marked in perception by images of movement, climax, “disappearance”. The signs of time are integrated into the signs of motion in space – “kinesthesia” (E. Husserl). In music, this phenomenon carries the unity of apperception of a spiritual and aesthetic order. It seems to us that the most representative category is the “phenomenal body” of M. Merleau-Ponty<sup>82</sup>. The “primary illusion” of movement, step, dance and flight is formed in a hierarchy of dynamic antitheses, in “absolute music” represented by contrasts. The unity of stability and variability is axiomatically accepted in terms of connections and relations of space in the hierarchy of syntheses ascending to *Zeitgestalt*. The variability of the material against the background of the logical and aesthetic uniformity of the potential series tends to the status of a special one. As S. Beyst

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<sup>82</sup> M.J.J. Merleau-Ponty, *Le Visible et l'invisible, suivi de notes de travail*. Paris: Gallimard, 1964; M.J.J. Merleau-Ponty, *L'Œil et l'esprit*. Paris: Gallimard, 1961.

considers<sup>83</sup>, illusion of movement in musical space produces by kind of phenomena named “*wills*” and formed by concentration and imaginary transformation of spatial interactions' experience. The theorist provides a notion “soundscape” to mark the phenomena of acoustic aspects as an “areal” for listeners' experience structuring. However the imagine qualities don't tie straightly with the sound matters, so S. Beyst interprets the space in music as an imaginary subject. Spatial music as a gradation of soundscape metamorphose is characterized by straight manage intention towards listeners' emotional and aesthetic reaction.

The transformation of the experience of space by spatial music is the use of the mechanisms of the bodily-affective sphere and somatic memory to create the effects of movement, soaring over land or sea, space navigation. “One of the general techniques is to represent the perceptual dissimilarities as distances in a spatial configuration”<sup>84</sup>. So “two-dimensional timbre space was produced by the multidimensional scaling program”<sup>85</sup>.

We see an alternative way to stay in reality as the main content of the “revolution of sound”. *Web-compositions*, as a kind of maxim of this kind, demonstrate the mutual product of the musical phenomenon and perceiving subjectivity according to the laws of the *quasi-accessibility* of the cosmic landscape. The space is “measurable” by instantaneous communications that make any distance tangible. The topology of the technogenic *modus vivendi* makes it possible to encode apocalyptic events. According to the calculation of D. Tymozhko, composer of Princeton University, on the basis of his recreation of the “universe of chords”, the consonances of the major-minor system occupy much less space in the space of sound phenomena than the “screechy”, unusual combinations of tones of the newest series<sup>86</sup>. It should be noted that as the very essence of the musical is revised, an ontological possibility opens up. Probably, according to the unity of conscious being and its universality, possible worlds and the fullness of conceivable space can be fulfilled by sound connections.

The essence of this hope is expressed in the words of the bright modern master Horatiu Radulescu: “Nature and art in their highest degree of purity merge together. Therefore, sound plasma as the music of the sign of the future must reach the abstract nature created by us, which, like nature, hides both cause and effect, and thereby surpasses its original state

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<sup>83</sup> S. Beyst, *Musical space and its inhabitants: an inquiry into three kinds of audible space*. Available at: <http://d-sites.net/english/musicalspace.html>.

<sup>84</sup> Wessel, *op. cit.*, p. 47.

<sup>85</sup> Wessel, *op. cit.*, p. 49.

<sup>86</sup> D. Lemonick, *The Geometry of Music. A composer has taken equations from string theory to explain why Bach and bebop aren't so different*. Time, Jan. 26, 2007. Available at: <https://content.time.com/time/magazine/article/0,9171,1582330,00.html>.

(“man-made”), becoming a complex phenomenon<...> Clouds change color, the shape and position of the sky is mostly imperceptible. Gaining and losing stars in the late evening and before dawn, we cannot determine the precise instant for it, and we enjoy a 'trembling time' feeling”<sup>87</sup>.

## Conclusion

The psycho-emotional ambivalence of numinous experience concentrates by the phenomenon of non-anthropomorphic being named *ganz Andere*<sup>88</sup>. Joy and fear of losing the Ego associated with this kind of ecstatic experience constitute a paradox, the symbolic expression of which can be seen in the perpendicular figure of the cross. The symbol – the form of the hypostasis of the subject – is the quintessence of the aporia of spirit and flesh. The image of immortality, figurative or musical, is essentially the same as the unprovability of death due inability to establish the mind's boundaries in the teachings of R. Descartes.

The reality of the paradox is alternative to continuity of the mythological type, which does not form a break and unity with the ego-form as immanent and transcendent. In modern culture, this scenario of universality is provided by the images of an impersonal global instance, the knowing reach of distances and by penetrating of *hardware* and *software* into each other. The Ambient genre is characteristic as a phenomenon of the functional spectrum of rebirth (according to C. Jung): the aesthetic healing of the recipient through the harmonization of the sound environment suggests natural-cosmic allusions; but in some way this form of electro-acoustic “mythology” differs significantly from its main, in our opinion, direction. In our opinion, the universal mutual representation that collects the myth is restored by spectral, hyper-spectral, digital, post-digital practices recreating inner connections of *natura naturata* while the role of *natura naturans* belongs to the non-personal complot of cultural anthropological and technologically generated thinking orders. Recreation in such format is not imitation per se but technologically doubled space in natural and cosmic meaning of the term. Listeners’ quasi-natural being in the fairy landscape can avail by reconstruction of multidimensional reality to recombine its formants.

If the symbolic form is centered around the “transition”, which is expressed by catharsis, then the image of the performative presence corresponds to the cloudy movement, the internal differentiation of the

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<sup>87</sup> Wild Ocean: an interview with Horatiu Radulescu. Contemporary Music Review, 2003, 22 nos. 1-2, pp. 105-122. Available at:

<https://www.horatiuradulescu.com/writings/interviews/2-wild-ocean/>.

<sup>88</sup> R. Otto, *Das Heilige. Über das Irrationale in der Idee des Göttlichen und sein Verhältnis zum Rationalen*. Nördlingen: C.H. Beck, 2014.



flow; localization of space dimensions and the illusion of movement between them. Using the H. Haas's effect in the music practice (for example exploitation of sound timing to reach echo effect) and complex spatial constructions that combine different dimensions, through a quasi-mythological continuity, at the same time bring to the surface of sound phenomena a more radical than irony, inventive transformation of a symbolic phenomenon into phantasmagoria, if you like, compatible with the grotesque. Spatial-figurative sound effects introduce the bodily-affective sphere of the audience into the figurative field of art practices from urban environment design to cinema. Anything and any action can take on a numinous meaning; it is an alternative form of ontological truth. The mutual representation of phenomena and processes according to the mythological scenario turns out, due to the holistic effect of figurative-sound expression of moving spaces, not to be the content of this truth, but a conductor; so that, not localized aesthetically and, moreover, gnostically, this truth belongs to the non-discursive metaphysics of gesture and body and is guaranteed by the minits not falsehood.

Gesture and body in concrete music such as “Symphony for one person” by P. Schaeffer and P. Henri and in more abstract structures with psycho-acoustical effects appeal to the unity of the “secondary image” through somatic memory and perception. Therefore, the spontaneous evidence of space is at the same time the complexity of its conversion into the artlessness of the virtual experience in the broad sense of the term, which preserves real authenticity. The image of space is reformatted in the logic of revising the pair relationship, which defined the definition of music as “the meonal hyletic spontaneous condition of eidos”<sup>89</sup>. The logic of the hypostatic eidos is replaced by the binary code of the organization of sound qualities as such a multiplicity, the interpretive possibility of which is its realization directly through literally rendered forms of multidimensional being. Kinesthetic effects, echo and various other forms of “behavior” of sound “exploring” space, reflected from quasi-objects, carry the semantics of action, body and gesture.

The bodily-sensory truth is open to chthonic feelings, not articulated by culture, and thus, to the connections of manifested being with the being of non-living, or meaningless, flesh. The figure of the microcosm is in this way equated with them – as a body deprived of normal functioning is replaceable by a dead one in the logic of the history of madness in M. Foucault<sup>90</sup>. All facets of being in the world and the mutual imposition of spiritual-spatial trajectories are spontaneously understandable through

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<sup>89</sup> A.F. Losev, *Forma. Stil. Vyirazhenie*. [Form. Style. Expression.]. Moskva: Myisl, 1995, p. 146.

<sup>90</sup> M. Foucault, *Histoire de la folie à l'âge classique*. Paris: Gallimard, 1976.

technologically verified forms of playing with the body and affects. The authenticity of this understanding, accessible to a mass audience, redeems its extraterritoriality – the musician's betrayal of music. The space revealed by music is simultaneously transformed into worlds of thought, the virtual multidimensionality of which becomes a pure game, which means a certain power of sonic artist over the public. The unsigned ontology of the body is also manifested in the specifics of the notation. The “phenomenal body” through kinestheses sets both the generalization through the genre and the disintegration of the dynamics; is a conductor of hybridization of being.

Post-digital music making is characterized by ontological techniques, reminiscent of the techniques of “deconstruction” and “grammatology” by J. Derrida<sup>91</sup>; the phenomenon of “gap”, – absolute randomness, – in the “archeology” of M. Foucault<sup>92</sup>. Such techniques include the glitch and the failure rising to the aesthetical principle<sup>93</sup>. Musical thinking is likened, in the premeditation of ontological searches, to the discourse on the phenomena of difference.

The mental field of integration of diverse phenomena is cyberspace in the socio-cultural conceptualization of the notion. We are talking about the continuum formation, which brings additional specifics to the organization of artistic means. The ontologically “naturalness” of such modification is ensured by the fact that “cyberspace presupposes the existence of a certain world, characterized by the length and metrics represented in consciousness. [...] cyberspace is artificially maintained and developed by real space”<sup>94</sup>.

An essential characteristic of space is the change of text with an interactive message that realizes being-mediator. The performative modification of the metaphysics of space concentrates the virtual structure of the transformation of music, the means of which are noise techniques and interactive effects. Sound technology is not a principle of virtual existence; the digital revolution is a concept of an instrumental order,

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<sup>91</sup> J. Derrida, *Margins of philosophy*. Chicago: The University of Chicago Press, 1982. Available at: <https://www.vu.centrumethos.nl/wp-content/uploads/2017/05/Derrida-J.-1972.-Diffe%CC%81rance.pdf>.

<sup>92</sup> M. Foucault, *The archaeology of knowledge*. New York: Pantheon Books, 1972. Available at: [https://monoskop.org/images/9/90/Foucault\\_Michel\\_Archaeology\\_of\\_Knowledge.pdf](https://monoskop.org/images/9/90/Foucault_Michel_Archaeology_of_Knowledge.pdf).

<sup>93</sup> K. Cascone, *The Aesthetics of Failure: “Post-Digital” Tendencies in Contemporary Computer Music*. *Computer Music Journal*, 2000, vol. 24, №4, pp.12-18. Available at: <https://www.mitpressjournals.org/doi/10.1162/014892600559489>.

<sup>94</sup> A.P. Getman, O.G. Danilyan, A.P. Dzeban, Y.Yu. Kalynovskyi, *Modern ontology: reflection on the continuity of cyberspace and virtual reality*. *Revista de Filosofia (Venezuela)*, 2022, 39 (102), pp. 78-94.

which, however, carries the general patterns of the ontology of the virtual. Key notion to characterize the specifics of virtual transmutation of space in music making is the Tele-immersion which allows users in different geographic locations to come together in a simulated environment to interact feeling like they are really meeting with one another. The digital artist works with invisible drivers of musical perception in order of performance sound art where the whole piece of music is a process of generation of bodily receipted sound. Thus, ontologically, the composition represents a hybrid of technology and an aesthetic phenomenon, and, more broadly, the phenomenon of the fusion of unreal and “natural” spatial modes of human presence.

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# DIVINE ACTION AND QUANTUM MECHANICS: TOWARDS A PHILOSOPHICO-THEOLOGICAL SYNTHESIS

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**Abstract:** *Many people have previously claimed that divine intervention violates recognized physical laws, rendering any belief in separate divine intervention logically incoherent. Hence, theological and scientific components should, in principle, be not only cohesive but also mutually reinforcing in this manner. For this reason, theological consequences are restricted to theories that embrace the law-and-chance explanation of how reality is formed. Scholars have argued that conventional beliefs that God is active in the cosmos cannot be reconciled with scientific conceptions of the world as a rational natural order. Therefore, this paper examined the relationship between divine activity and science, particularly as it applies to quantum physics and other similar ideas. The purpose was to integrate a theology of divine intervention with scientific ideas in order to uncover potential places of interaction, concord, and tension, rather than to prove that God interacts with the world or to constrain divine activity to what is scientifically conceivable. The research showed how divine intervention may be achieved within the constraints of post-modern science while remaining coherent or nonsensical within philosophical and theological postulations. Based on what Nancey Murphy, John Polkinghorne, Alvin Plantinga, and Bob Russell have written about divine action, the paper suggested a shared model of causation as a way to bring science and religion together.*

**Keywords:** *Divine Action, Quantum Mechanics, Philosophy, Theology, Religion.*

## Introduction

Religion, science, and philosophy have had long decades of relationships arising from debates on some universal issues of interest.

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Such issues include "Divine Action" (DA), "Quantum Mechanics" (QM), "Logical coherence" (LC) and "Illogical Incoherence" (IC). This discourse is a philosophical and theological investigation of divine action, quantum mechanics and logical incoherence. This debate is important for the coherence or incoherence of many Christian rituals, such as prayer; if God does not objectively intervene in the world, praying to God to take specific action is nonsensical. Many have accused objective divine intervention with breaking established laws of physics in the past, thus, making any belief in unique divine action unreasonable in the scientific age.

If viable theories of non-interventionist special divine activity exist, it is therefore possible to argue that supporting the natural order while believing in God's interaction with the universe is not inconsistent. This weakens the scientific evidence against divine activity. If non-interventionist divine activity is possible, it may offer light on other concerns, such as God's involvement in directing creation throughout its evolutionary history but not predicting every conclusion.<sup>1</sup> A successful non-interventionist plan may also be a means for science and religion to be in sync with one another. In this sense, theological and scientific elements should, in theory, not only be coherent, but also mutually reinforcing. Hence, it can also be posited that quantum mechanics and other theories of the same order are accurate descriptions of physical systems within their respective areas.

On the issue of divine action (AC), there are still concerns that divide theologians and philosophers, such as whether conventional ideas regarding divine action are consistent with the techniques and findings of natural science. Is it possible to be well-informed and intellectually responsible and yet believe that God moves in the world in unexpected and wonderful ways? This paper tries to investigate and respond to these issues in a scholarly way, in conversation with current science, religion, and philosophy. This paper looked at the connection between divine action and science, especially as it relates to quantum physics and other theories of like manner. The goal is not to show that God interacts with the world or to confine divine activity to what is scientifically possible, rather, it attempted to connect a theology of divine intervention with scientific conceptions in order to discover potential points of interaction, concord, and tension. The discoverable synthesis gives a minimalist image of God's connection with the world at its best; as a full model of divine activity, it is considered imperfect. As a major issue at the crossroads of science and religion, this

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<sup>1</sup> D. Preslar, "Consistent Histories Quantum Divine Action: A Constructive Proposal In Conversation with John Polkinghorne, Robert Russell, and Alvin Plantinga", Dissertations and Theses, 2020, <https://scholarwork.harding.edu/hst-etd/13> (Accessed May 13, 2022).

research is significant because it aimed to bring science and a theology of divine activity together.

### **Divine Action**

Divine action (DA) is a comprehensive process in which God-as-transcendent and God-as-living work together to choose from the numerous possibilities contained in reality what will become possible. It is via this process that reality is created. There is no overpowering supernaturalism since every occurrence is planned within the fullness of God's thought for this world. Reality is created and progresses in accordance with divine purposes. The limited freedom of God-as-living is included in those purposes, so the divine narrative's outcomes remain open.<sup>2</sup> God as transcendent wants certain things to happen, like the creation of love, beauty, and meaning, but this is not a sure thing, at least for now. Two broad categories of divine action (DA) can be identified: "Broad Divine Action" (BDA) and "Specific Divine Action" (SDA). The BDA explains the genesis and conservation of the cosmos, but the SDA accounts for particular acts that serve God's goals.<sup>3</sup> This distinction always results in unique supernatural interventions in the natural world.

The concept of divine action or activity (DA) is important to theistic religions, particularly in the Christian faith, which is the subject of this page. Both Testaments' God is always intervening in the world in order to achieve his salvific intentions. The belief in an idle God was considered a type of atheism in the early Church. Theologically and philosophically, divine action aims to understand the connection between natural science and the idea of God functioning in the cosmos.<sup>4</sup> It is of particular relevance to scientifically oriented theologians and scientists. Many scientists and theologians feel that the notion of divine intervention is irreconcilable with the scientific framework of natural laws. Traditional theism, on the other hand, is not fundamentally incompatible with science, according to some theologians. For example, Plantinga believes that the idea of a religion-science conflict is false.<sup>5</sup> When properly understood, neither the classical (e.g. Newtonian) nor the more contemporary quantum mechanical understandings of natural principles exclude divine involvement. Science

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<sup>2</sup> D.J. Bartholomew, *God, Chance and Purpose. Can God Have It Both Ways?* Cambridge: Cambridge University Press, 2008. 28.

<sup>3</sup> J. Sanchez-Canizares, "Entropy, Quantum Mechanics, and Information in Complex Systems: A Plea for Ontological Pluralism," *European Journal of Science and Theology* Vol. 12, no. 1, 2016, pp. 17-37.

<sup>4</sup> Ian. Barbour, *When Science Meets Religion*, London: Society for Promoting Christian Knowledge, 2000, p. 101.

<sup>5</sup> A. Plantinga, "Divine Action in the World (Synopsis)." *Ratio, An International Journal of Analytic Philosophy*, Vol. 19, no. 4, 2006, pp. 495-504.

from the past or the present does not contradict or even question unique supernatural events like miracles.

### **Theologizing Divine Action with Christian Context**

Long-established ways of thinking about God and God's relationship to the world, according to one popular and contentious response to the growth of scientific knowledge, can no longer be sustained if humans take seriously emerging new understandings of the world. There are several ways for contemporary theologians to think about divine action, including the following:

1. God is the cause of every event, so he is the absolute ontological ground for every event.
2. God will act through the order of created causes in an indirect manner (natural law).
3. God acting indirectly through free agents' actions.
4. God to take special action to decide some or all of what is still up in the air about the order of things he made.
5. God intervening in world history to cause effects that alter or exceed the causal powers of creatures (interventionist).

The God of Israel, for example, is revealed as the God who acts throughout Christian Scripture. Unlike the nations' idols, Israel's God is a living God with intellect and will, who sees and hears, and who intends and acts on behalf of his people in his mighty acts of creation, redemption, and covenant. Christians from various confessional traditions have agreed on the importance of God's acts in history, even if they disagree on the nature of God's intentions and actions.<sup>6</sup> However, critical historical and scientific inquiry in the modern era has called these assertions into question. It criticized traditional philosophical explanatory systems for understanding the nature of divine action and proposed scientific theories that painted a compelling picture of the world that appeared to contradict Christian affirmations.

For Christians today, the question of how God can do anything (divine activity) in our world is crucial. Humans will not have a plausible defense of a God who is truly capable of doing anything without a thorough explanation of God's behaviour, and we will not have the God depicted in Scripture, for example. God may engage with humankind via revelation and other supernatural actions, in addition to being the creator and sustainer of all natural processes. According to Lameter common belief, science has

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<sup>6</sup> T.F. Tracy, "Divine Action," *Encyclopedia of Science and Religion*, 2022, <https://www.encyclopedia.com/education/encyclopedias-almanacs-transcripts-and-maps/divine-action> (Accessed June 3, 2022).

discovered the rules of the universe, and it is claimed that these laws govern everything.<sup>7</sup> Something unknown merely leads to the conclusion that the process's guiding law has yet to be identified. It is common in theology to avoid giving a detailed explanation of how God may function within the framework of science, which explains our current understanding of the fundamental building components of our reality (Polkinghorne 1989). Religion is considered to talk in a different language about the same truths that the scientific sciences explain. They are complimentary, with complementarily defined as two separate but not directly similar spheres of knowing.<sup>8</sup> Complementarily and effectively separates both domains, preventing constructive interaction between them. This approach, in my opinion, is incompatible with the Christian tradition.

Christianity began by adapting an early Jewish-Hebrew idea of God, altering that understanding and society, and attracting its earliest followers from that culture. Later, Christianity harnessed the dominant ideas of the Graeco-Roman civilization to deliver its message, transforming the culture once again.<sup>9</sup> Similarly, in today's engagement with the secular world, we cannot continue to insist on our own frame of reference.<sup>10</sup> To explain Christian essential principles, we must employ the cultural thinking of our historical period. Today's thinking is primarily influenced by science, so it is only natural to use the greatest science available to convey and express essential Christian ideas. If Christianity really is the superior paradigm, it will be able to manifest itself in inferior constrained systems such as the natural sciences and modify them to increase their explanatory power.<sup>11</sup> It is worth noting, though, that God is more than merely causality in this case. The ability of God to act as a human agent is one of the intended consequences of a scientific model of divine causality.

The biblical narratives of God's mighty deeds serve as classic examples of this kind of divine activity. There are ways in which certain events can be classified as acts of God in some way. The revelatory, or disclosures, importance of an event may set it apart from others. As a consequence of specific situations, individuals and communities may be able to recognize God's presence and objectives with greater clarity. Many modern theologians have tried to stay away from making this third and most

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<sup>7</sup> C. Lameter, "Divine Action in the Context of Modern Scientific Thinking." *Melita Theologica*, Vol. 52, no. 1, 2001, pp. 25-41.

<sup>8</sup> *Ibidem*, p. 32.

<sup>9</sup> *Ibidem*, p. 34

<sup>10</sup> T.F. Tracy, "Theologies of Divine Action", *The Oxford Handbook of Religion and Science*, ed. Philip Clayton, Oxford: Oxford University Press, 2009, p. 10.

<sup>11</sup> John Templeton Foundation, "Divine Action in Historical and Contemporary Context", Creation Project Conference, 2022, <https://henrycenter.tiu.edu/events/divine-action-in-historical-and-contemporary-context/> (Accessed May 24, 2022).

important claim about how God works. Schleiermacher said that God has the same connection with all events, despite the fact that certain circumstances play a unique role in human awakening.<sup>12</sup> Bultmann responded by arguing that God's work should be viewed as a dialogue with the human ego, with the natural order unaffected.<sup>13</sup> Miracles are supernatural happenings that contradict natural principles, such as altering the course of events or causing them to occur. According to Hume, it is always more reasonable to believe that a miraculous witness is false or fraudulent than to believe that a well-established natural rule has been overturned.<sup>14</sup> According to a classical account of creation, there is no theological reason to deny that the universe's creator is free to interfere in ways that go beyond the causal powers of animals.

Several theologians have sought to envisage particular supernatural actions that do not cause natural systems to be disrupted. One approach is to propose whole-part as a paradigm for God's behavior. If the order of nature involves components of under determination rather than deterministic rule, God may be able to function in the cosmos without disrupting its essential patterns. The study of chaotic systems provides a glimpse into natures potentially more supple and flexible network of connections. God might interfere by altering the conditioning environment in which these adaptive systems operate. Pollard was the first to propose the idea, although it has subsequently been researched and improved by a number of others.<sup>15</sup> If the Copenhagen Interpretation of quantum physics is correct, nature's deepest structures are indeterministically open, and religious contemplation must take this into account.<sup>16</sup> By endowing created things with their own causal capacities, God may be considered to interfere indirectly via the natural order by endowing them with certain events that may be classified as extraordinary acts of God, at least in the sense that they serve a special epistemic or causal purpose.

Creation has been interpreted in a number of ways throughout the history of theistic religions. According to one popular viewpoint, creation has been considered a free and purposeful divine act. God creates not because he requires the creature, but because it benefits the creature. There is no pre-existing unformed "material" that constrains or shapes God's creative choice. For Aquinas, God endows created things with active and passive causal powers, i.e., the capacity to impact and be affected by

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<sup>12</sup> F. Schleiermacher, *The Christian Faith*, Edinburgh: PK, 1999, p. 102.

<sup>13</sup> Bultmann cited in J. Polkinghorne, *Faith, Science and Understanding*. London: Yale University Press, 2000, p. 64.

<sup>14</sup> D. Hume, *An Enquiry Concerning Human Understanding*, Oxford: OUP., 1999, 25.

<sup>15</sup> Pollard cited in M. Schlosshauer, "Quantum Decoherence", *Physics Reports*, no. 831, 2019, pp. 1-857.

<sup>16</sup> J. Sanchez-Canizares, *cited works*, p. 34.

other things.<sup>17</sup> God is always the primary cause, directly maintaining all creations, yet he also chooses to interfere indirectly via created, or secondary, causes. This kind of heavenly activity is similar to human indirect action, in which a variety of methods are used to achieve one's objectives. Neo-classical theologies are a contemporary alternative that has different consequences for divine action. In various ways, they build on the theories of Alfred North Whitehead and Charles Hartshorne.<sup>18</sup> God is not the ultimate source of the world's existence; rather, God and the world, as a creative becoming process, make up reality's essential structure. God has a significant influence on the direction of each entity's development, and God recognizes and celebrates each individual's achievements as part of the ongoing divine experience.

### **Divine Action in Scientific Thinking**

The physical characteristics of matter particles and subatomic particles are explained by quantum mechanics, a fundamental physics concept. One of the most important aspects of the theory is that it can seldom forecast what will happen with certainty, instead depending on probabilities. Interventionism is problematic because it jeopardizes the integrity of the natural order and generates theodicy issues, yet these are adequate arguments to prohibit interventionist conduct.

### ***Quantum mechanics and divine action***

Quantum mechanics (QM) is a fundamental physics concept that describes the physical characteristics of particles of matter and smaller parts of an atom<sup>19</sup>. One of the most important aspects of the theory is that it can seldom predict what will happen with certainty, instead depending on probabilities. It has been shown that it raises philosophical concerns. When light is fired via a double slit, it is absorbed as individual particles rather than waves at different points on the screen. This kind of action is known as wave–particle duality. Quantum tunneling is another strange quantum mechanics prediction. Nuclear fusion and scanning tunneling microscopy are two of its most important uses. According to Schrodinger, entanglement is "the distinguishing property of quantum physics."<sup>20</sup> Many

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<sup>17</sup> N. Saunders, *Divine Action and Modern Science*, Cambridge: Cambridge University Press, 2002, p. 61.

<sup>18</sup> J.M. Lozano-Gotor, "Divine Action", *Encyclopedia of Sciences and Religions*, eds. Runehov, A.L.C., Oviedo, L. Dordrecht: Springer, 2013, p. 77.

<sup>19</sup> J. Barrett, "Everett's Relative-State Formulation of Quantum Mechanics," *The Stanford Encyclopedia of Philosophy*, ed. Zalta, E.N. 2018,

<https://plato.stanford.edu/archives/win2018/entries/qm-everett/> (Accessed May 2, 2022).

<sup>20</sup> E. Schrodinger, "Discussion of Probability Relations between Separated Systems," *Mathematical Proceedings of the Cambridge Philosophical Society*, Vol. 31, no. 4, 1935,

entangled particle Bell tests have produced results that are incompatible with the constraints imposed by local hidden variables.

Quantum Mechanics (QM) has philosophical and theological ramifications that are still being researched. There are difficulties however, in comprehending the epistemic and ontological significance, which has an impact on human conceptions of the cosmos in connection to human profound knowledge of nature and human beings. As a result, QM is a fertile ground for deep meditation on the links between science and religion.<sup>21</sup> It is a common practice to differentiate between "Broad Divine Action" (BDA) and "Specific Divine Action" (SDA). The BDA explains the universe's origin and conservation, while the SDA accounts for specific activities that further God's objectives.<sup>22</sup> This differentiation inevitably leads to particular divine interventions in the natural world.

Some theologians have tried to define SDA in a non-interventionist way, with "Quantum Mechanics" (QM) standing out as a strong contender.<sup>23</sup> On the one hand, SDA becomes episodic because the quantum image is partially deterministic (process U) and partly probabilistic (process R). Because it deals with probabilities, the concept is debatable. It does, however, seem to set some kind of general restriction on God's acts; hence, probabilities might have objective or subjective interpretations. SDA clarifies what is implied in GDA or, better still, in God's creation. Silva makes the epistemic part of one's understanding of divine intervention in nature apparent. QM may provide a partial understanding of reality while also introducing new explanatory logic. Even if maintained pacifically in the theological realm, the articulation of God's activity as GDA or SDA is contentious in and of itself. However, not all theologians are happy with an interventionist interpretation of SDA. For Plantinga, God's involvement does not contradict the cosmos's causal closure since the universe is an "open system".<sup>24</sup>

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pp. 559; cf. A. Bassi, et al., "Models of Wave-Function Collapse, Underlying Theories, and Experimental Tests," *Review of Modern Physics*, Vol. 85, 2013, p. 478; J. Bub, "In defense of a 'single-world' interpretation of quantum mechanics", *Studies in History and Philosophy of Modern Physics*, Vol. XXX, 2018, p. 3.

<sup>21</sup> A. Einstein and I. Teorisi, *Reality, The Special And The General Theory*, Trans. Gülen Akta, London: Lsrnbul, 2021, p. 119.

<sup>22</sup> J. Sanchez-Canizares, "Classicality First. Why Zurek's Existential Interpretation of Quantum Mechanics Implies Copenhagen," *Foundations of Science*, Vol. 24, no. 2, 2019, p. 279.

<sup>23</sup> R. J. Russell, W.R. Stoeger and N. Murphy, eds. *Scientific Perspectives in Divine Action: Twenty Years of Challenge and Progress*, Vatican City: Vatican Observatory Publications, 2008, p. 232.

<sup>24</sup> A. Plantinga, "What is Intervention?" *Theology and Science*, Vol. 6, no. 4, 2008, p. 378.



God interacts with the world, yet he does not have complete control over its operations. The act of creation entails divine acceptance of the danger of the other's existence, resulting in a kenosis of God's omnipotence. This restriction of divine might is, of course, due to his self-limiting rather than any inherent resistance in the creature. It stems from the logic of love, which necessitates the beloved's liberty. Every event contains God's acquiescent will, for there would be no such occurrence if he did not keep the universe in existence.<sup>25</sup> Yet his purposive will is not realized in everything that occurs. But God is still omnipotent in the sense that he can accomplish anything he wants, but insisting on ultimate control is contrary to his will and nature. It could also be conceived therefore; that by bestowing actual becoming power on his creation, God has allowed a kenosis of his omniscience, which is equivalent to the kenosis of his omnipotence.<sup>26</sup> Even he is unaware of the unformed future, which is not a flaw in the divine nature since the future is not yet there to be known. Adopting this viewpoint necessitates a comprehensive consideration of God's temporality.

### ***Chaos theory, determinism and indeterminism***

Chaos theory deals with deterministic systems whose behavior may be predicted theoretically. Some elements affect the length of time it takes to accurately predict the behaviour of a chaotic system: the level of uncertainty that can be allowed in the prediction, the precision with which its present state can be observed, and a time scale depending on the system's dynamics.<sup>27</sup> Because the equations are technically deterministic, chaos theory is usually interpreted deterministically. Chaotic systems' epistemic unpredictability is not always a sign of indeterminism, but it is a required feature of the deterministic nonlinear equations that represent them. In other words, the deterministic properties of these equations entail the observed unpredictability in theory, even if a better understanding of the beginning circumstances might potentially increase

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<sup>25</sup> J. Koperski, "Theism, Naturalism, and Scientific Realism," *Epistemology & Philosophy of Science*, Vol. 53, no. 3, 2017, p. 158; A. Plantinga, *Where the Conflict Really Lies: Science, Religion, and Naturalism*, Oxford: Oxford University Press, 2011, p. 88; A. Plantinga, "Law, Cause, and Occasionalism," eds. Michael Bergmann and Jeffrey E. Brower, *Reason and Faith: Themes from Swinburne*, New York: Oxford University Press, 2016, p. 130.

<sup>26</sup> J. Polkinghorne, *Science and Providence: God's Interaction with the World*, London: Templeton Foundation Press, 2005, p. 46; J. Polkinghorne, "The Metaphysics of Divine Action" eds. F. Leron Shults, Nancy Murphy, and Robert John Russell, *Philosophy, Science and Divine Action*. Boston: Brill, 2009, p. 99; J. Polkinghorne, *Science and Religion in Quest of Truth*. London: Yale University Press, 2011, p. 47.

<sup>27</sup> K. Ward, *Divine Action*, New York: Templeton Foundation Press, 2008, p. 16.

predictability.<sup>28</sup> However, the mathematical aspects of dynamical systems, such as their deterministic nature, provide a significant challenge to this line of reasoning. Our mathematical models of chaos, which serve as ontic representations of chaotic systems, seem to maintain determinism as a unique development.

According to Crain,<sup>29</sup> Polkinghorne's<sup>30</sup> assumptions and approach are theologically flawed. He thinks interventionism is problematic because it compromises the natural order's integrity and presents theodicy concerns, but Crain does not feel these are sufficient grounds to reject interventionist activity. According to Crain, science can only apply to the universe's overall behaviour; it does not need to be able to explain every particular occurrence.<sup>31</sup> If one occurrence (e.g. a miracle) cannot be explained by science, the scientific enterprise as a whole is not jeopardized.<sup>32</sup> Only when supernatural intervention occurs regularly and on a significant scale does a conflict with science emerge. Polkinghorne's concept suggests a divine incarnation in or emerging from the corporeal world.<sup>33</sup> Crain's view of Polkinghorne's quest to establish divine intervention in a scientifically discoverable physical theory that allows for indeterministic processes is likewise a source of contention for Crain.<sup>34</sup> If this search is considered a required criterion for the plausibility of divine activity, faith in divine action is jeopardized.

The most frequent criticism leveled against Polkinghorne's proposition is that he interprets chaos theory to imply ontological indeterminism. Because the equations are technically deterministic, chaos theory is usually interpreted deterministically in physics. Chaotic systems' epistemic unpredictability is not always a sign of indeterminism, but it is a required feature of the deterministic nonlinear equations that represent them.<sup>35</sup> In other words, the fact that these equations are deterministic means that the observed unpredictability is a theoretical consequence,

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<sup>28</sup> R. Bishop, "Chaos", ed. Zalta, Edward N., *The Stanford Encyclopedia of Philosophy*, Stanford: Metaphysics Research Lab, Stanford University, 2017, p. 53; D. Preslar, *cited work*, p. 34.

<sup>29</sup> S.D. Crain, "Divine Action in a World Chaos: An Evaluation of John Polkinghorne's Model of Special Divine Action," *Faith and Philosophy*, Vol. 14, no. 1, 1997, p. 50.

<sup>30</sup> J. Polkinghorne, *Quantum Theory: A Very Short Introduction. Very Short Introductions*, New York: Oxford University Press, 2002, p. 15.

<sup>31</sup> S.D. Crain, *cited works*, p. 58

<sup>32</sup> Y. A. Okulov, "Structured light entities, chaos and nonlocal maps". *Chaos, Solitons & Fractals*, Vol. 133, no. 4, 2020, p. 109638.

<sup>33</sup> J. Polkinghorne, *Belief in God in an Age of Science*, New Haven, CT: Yale University Press, 1998, p. 26.

<sup>34</sup> S.D. Crain, *cited works*, p.59; J. Polkinghorne, *cited works*, p. 15.

<sup>35</sup> J. Polkinghorne, *cited works*, p. 16.

even if a better understanding of how things started could make them more predictable.

### **Divine Action and Quantum Mechanics: The Question of Logical Coherence**

Robert Russell and John Polkinghorne's arguments on divine activity is found in their identification of a "causal joint" in the natural order within which God might operate and affect the course of events without overriding natural law.<sup>36</sup> Christians who believe the natural world is God's creation begin their investigation of divine activity from a different perspective. Christians who think that God made the natural world have a different way of looking at what God does. The notion that God operates in the world is not only essential to theistic religions, but it also raises a number of difficult questions. To go from sacred stories to theological declarations about divine involvement, subtle interpretive judgments are necessary.<sup>37</sup> The biblical scriptures, for example, represent God in a variety of ways rather than speaking in a single voice. For Gilkey, how can we reconcile the traditional view that God is active in the universe with scientific depictions of the world as a logical natural order?<sup>38</sup> He claims that the sciences have steadily eliminated any residual explicit religious explanations from their concepts, notwithstanding the tight historical link between science and religion. The biblical theology movement was headed by theologians who believed that God is revealed through the great actions of history but who refused to take biblical descriptions of such events at face value.

The chance of one event happening is described by a distribution in quantum mechanics. The probability density is estimated using the Born-rule, which applies not just to tiny quantum systems but also to larger ones, most likely up to and including the cosmos. Because this rule has been confirmed several times, it signifies that God has committed to creating reality (the story) within specific restrictions. Not simply because anything is acceptable. Remember that this distribution refers to the likelihood of certain occurrences occurring. The narrative's progression has an element of indeterminism to it.<sup>39</sup> Furthermore, since reality is

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<sup>36</sup> *Ibidem*, p. 32; R. J. Russell, W.R. Stoeger and N. Murphy, *cited works*, p. 232.

<sup>37</sup> J. Sanchez-Canizares, "Mechanics: Philosophical and Theological Implications", eds. G. Tanzella-Nitti, I. Colage and A. Strumia, *Quantum, Inters – Interdisciplinary Encyclopedia of Religion and Science*, 2019b. <https://inters.org/quantum-mechanics-philosophical-implications> (Accessed May 13, 2022).

<sup>38</sup> Gilkey cited in D. Edwards, *How God Acts: Creation, Redemption, and Special Action*, Minneapolis: Fortress Press, 2010, p12.

<sup>39</sup> A. Bassi, et al., *cited works*, p. 480.

constructed entirely on purpose, this openness to the future implies that decisions are being made. There is a degree of autonomy involved.

In quantum physics, Schrödinger's equation has subsequently become a basic equation. It shows the progression of the so-called wave-function, which is predictable and time-independent yet, represents likely outcomes. Although the wave-function may depict the evolution of multiple outcomes, it cannot predict what will happen in a particular measurement. Indeterminism is inherent in the way reality is built, not due to a lack of comprehension. Theories that accept the law-and-chance account of how reality is generated (deism and overriding supernaturalism) have limited theological implications at best. Teleology (goals and purpose) is at work if idealism maintains that everything in God's mind is predestined. Options mean that there are living choices available, which implies that there is freedom. God created a dynamic and unpredictable cosmos, full of possibilities that may or may not come true.

According to Aslaman, there will be no gaps between "A" and "B" in a determinist universe and what happens after "B" will always be known in advance.<sup>40</sup> The allegation of being anti-science leveled against the three monotheistic religions is based on this. Theist philosophers have always seen miracles as violations of natural laws. According to materialist atheist thinkers, religion and science are irreconcilable. The laws of nature, according to Spinoza (1997), are a result of God's nature, not his laws. Spinoza<sup>41</sup> and Schleiermacher<sup>42</sup> were two philosophers who felt that the transition between divine nature and natural laws was seamless and that miracles were incompatible with both divine nature and natural laws. Although he viewed every occurrence in the universe as God's work, Spinoza felt that these happenings should be assessed from the perspective of natural law. Spinoza also said that miracles should not be seen as breaking the rules of science because they are religious.

These include discussions of Kant's philosophy, Laplace's monster, the issue of free will, and challenges to the divine viewpoint. Intervention, as defined by Spinoza and Schleiermacher, is a violation of nature's norms based on a naturalistic perspective of science or religion. On the other hand, the unanticipated challenge was based on quantum theory, which is concerned with the subatomic realm. According to Aslaman, many philosophical and theological issues are formed by the impact of a deterministic vision of the cosmos that needs to be revisited.<sup>43</sup> Two

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<sup>40</sup> C.T. Aslaman, "Determinism, Indeterminism, Quantum Theory and Divine Action", *M.U. Ilahiyat Fakültesi Dergisi*, Vol. 32, no. 1, 2007, p. 179.

<sup>41</sup> B. Spinoza, *Theologico-Politicus*, Trans. Samuel Shirley, Leiden, 1997, p. 6.

<sup>42</sup> F. Schleiermacher, *cited works*, p. 78.

<sup>43</sup> C.T. Aslaman, *cited works*, p. 180.

assumptions are involved in Spinoza's rejection of miracles and the premise that God does not break natural laws. Theological arguments like how strange it would be for God to set rules and then violate them would lose their importance if one assumes that divine laws or wisdom have a greater scope than physical laws.

The appeal to causal language and the argument that "God," interpreted as the cause of causes, gives the greatest account of existence *per se* is one philosophical technique with special relevance for discourse about divine activity. This is mirrored theologically in the Genesis creation myths and the first chapter of John's gospel, but recent advances in basic physics and cosmology underline the persistent existence of what we now term "transcendent" issues concerning causes: questions that impact on science. The appeal to divine self-disclosure via revelation is an alternative to intellectual knowledge of God. Plantinga's reformed epistemology, for example, maintains that revelatory belief is appropriately fundamental and does not need extra premises or reasons.<sup>44</sup> In response to criticisms that, if such is the case, then anything goes epistemologically, as shown by Dawkins'<sup>45</sup> polemically illustrated Flying Spaghetti Monster, Plantinga argues that "theory must conform itself to humans' practical judgments, not the other way around".<sup>46</sup> Thus, even if the specific substance of that depiction turns out to be imperfect, talking about divine intervention is legitimate. Plantinga's explanation argues that, as Wood puts it, talking about God reflects a belief that is similar to perceptual beliefs.<sup>47</sup>

### **A Synthetic Unity**

Many people have accused objective divine intervention of breaching known physics rules in the past, rendering any belief in unique divine activity in the scientific age illogical. Supporting the natural order and believing in God's engagement with the cosmos is not incompatible, if plausible explanations of non-interventionist special divine activity exist. Hence, theological and scientific aspects should, in principle, not only be cohesive but also mutually reinforcing in this regard. Divine action (DA) is a thorough process in which God as transcendent and God as living collaborate to select what will become feasible from the many possibilities inherent in reality. Every event is organized within the entirety of God's

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<sup>44</sup> A. Plantinga, *God and Other Minds: A Study of the Rational Justification of Belief in God*, New York: Cornell University Press, 1990, p. 42.

<sup>45</sup> R. Dawkins, *The God Delusion*, London: Bantam Press, 2006, p. 71.

<sup>46</sup> J. Polkinghorne, *Science and Providence: God's Interaction with the World*, London: Spck Press, 1989, p. 31.

<sup>47</sup> J.W. Wood, *Epistemology: Becoming Intellectually Virtuous*, Leicester: Apollos, 1998, p. 27.

thinking for this world, thus there is no overwhelming supernaturalism. Reality is formed and developed according to heavenly intentions. In Christian conception, God is constantly interfering in the world in order to carry out his salvific goals. The issue of how God can accomplish anything in human world is vital for Christians today. Therefore, divine action seeks to describe the connection that exists between natural science and the concept of God operating in the universe from a theological and philosophical standpoint. Many scientists and theologians believe that the concept of divine intervention is incompatible with natural law science.

Throughout Christian Scripture, the God of Israel, for example, is shown as a God who acts. Common view, according to Lameter, is that science has found the laws of the cosmos, and that these laws regulate everything.<sup>48</sup> Christianity started by adopting an early Jewish-Hebrew concept of God, changing that understanding and society, and gaining its first adherents from that culture. One of the expected outcomes of a scientific account of divine causation is God's capacity to act like a human actor. There are at least three different ways that some occurrences might be classed as acts of God. Neo-classical theologies are a more recent option with various implications for divine activity. God is not the ultimate source of the world's existence; rather, God and the world make up reality's basic structure as a creative becoming process. Religious contemplation must take this into consideration if nature's deepest systems are indeterministically open. Quantum mechanics (QM) is a basic physics concept that explains the physical properties of matter particles and subatomic particles.

QM provides excellent ground for in-depth contemplation of science-religion connections. SDA defines what GDA or, better still, God's creation, implies. Some theologians have attempted a non-interventionist definition of SDA. Silva draws attention to the epistemic component of one's understanding of divine action in nature.<sup>49</sup> Adopting this perspective involves a thorough examination of God's temporality. Chaos theory is concerned with deterministic systems whose behavior is theoretically predictable. Unpredictability is not necessarily an indication of indeterminism in chaotic systems, but it is a need of the deterministic nonlinear equations that describe them.<sup>50</sup> Polkinghorne's desire for divine

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<sup>48</sup> C. Lameter, *cited works*, p. 28.

<sup>49</sup> , I. Silva, "Revisiting Aquinas on Providence and Rising to the Challenge of Divine Action in Nature," *The Journal of Religion*, Vol. 94, no. 3, 2014, p. 288.

<sup>50</sup> N. Muller and S. Saunders, "Discerning Fermions." *The British Journal for the Philosophy of Science*, Vol. 59, no. 3, 2008, p. 501.

involvement in a scientifically discoverable physical theory that allows for indeterministic processes is also a point of disagreement.<sup>51</sup>

The argument for divine activity advanced by John Polkinghorne is based on the discovery of a "causal joint" in the natural order via which God may influence the path of events. Unpredictability is not necessarily an indication of indeterminism in chaotic systems, but it is a need of the deterministic nonlinear equations that describe them. There cannot be a traditional belief that God is active in the cosmos without been reconciled with scientific descriptions of the world as a rational natural order. Schrodinger's equation has a fundamental equation in quantum physics shows the emergence of the so-called wave-function, which is predictable and time-independent while predicting probable events.<sup>52</sup> Theological implications of theories that embrace the law-and-chance explanation of how reality is formed are at best limited. Then, if idealism holds that everything in God's mind is predetermined, teleology is at work. This is the basis of the anti-science charge hurled against the three monotheistic faiths – Judaism, Christianity and Islam. Miracles have long been seen as breaches of natural rules by theist thinkers, thus showing that religion and science are incompatible in the views of materialist atheist philosophers.

Many philosophical and theological concerns are shaped by the effect of a determinist view of the universe that has to be reconsidered.<sup>53</sup> Recent scientific discoveries in cosmology and physics highlight the persistence of what human beings now refer to as "transcendent" causation concerns. In this sense, an alternative to intellectual understanding of God is to resort to divine self-disclosure via revelation. Plantinga's theory contends that talking about God represents a belief akin to perceptual beliefs, as Wood also puts it.<sup>54</sup> The question of how God might intervene or not act while monitoring the universe has long been debated at the intersection of science, philosophy, and religion. Many individuals believe that determinism forbids God from interfering since doing so would violate natural laws. When strong interpretations of natural principles are joined with the sort of determinism now used in dynamics, a new picture of divine activity emerges.

## Conclusion

Based on what may be gained from quantum physics, chaos theory, evolutionary history, and relativity theory, theological studies have proven

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<sup>51</sup> J. Polkinghorne, *Science and Creation: The Search for Understanding*, London: Templeton Foundation Press, 2006, p. 63.

<sup>52</sup> E. Schrodinger, *cited works*, p. 556.

<sup>53</sup> C.T. Aslaman, *cited works*, p. 182.

<sup>54</sup> J.W. Wood, *cited works*, p. 74.

that the cosmos is not determined in the manner that Newtonian physics presents it. Cooperation between science and religion produces a theology of nature: a view of reality in which human and divine actors are free, the fate of the universe is unclear, and God is free to carry out his will. According to John Polkinghorne's perception concerning mechanism of God's unique activity, a personal account of God, understanding the cosmos as a chaotic system, ontological monism, and a critical realist epistemology are some of the presuppositions that drive his formulation. The world would not be as it is today if divine intervention had not occurred. It would be exceedingly unlikely for that chaotic system, that so-called cosmic soup, to go through an evolutionary process that culminated in its present state without the involvement of a conscious external element in the first seconds following the big bang, directly after the great bang. As a result, believing in God as the world's creator and preserver makes perfect sense, and considering the world's continuity to be a chaotic system from that time to today, it also makes perfect sense to perceive God as the ultimate actor with particular activities.

How God could behave, or not act, while overseeing the cosmos is a long-standing topic at the crossroads of science, philosophy, and religion. Many people feel that determinism would forbid God from intervening at all, since doing so would mean breaking natural rules. A new model of divine activity develops when a strong interpretation of these rules is combined with the type of determinism presently utilized in dynamics. Beyond the current focus on quantum physics and arcane gaps in the causal order, this research has provided a new perspective on divine activity. This strategy is founded on two broad principles: To begin with, the existence of natural laws is not only a metaphor. Second, rules and physical determinism are now mathematically exact, which has significant metaphysical consequences. The explanation of these two statements demonstrates not only that nonviolent divine intervention is feasible but also that God has far more flexibility to intervene than current models allow. This work has made the conversation about divine activity more balanced by adding a philosophical point of view to a subject that theologians and scientists usually talk about most. Denying interventions in the sense described above entails rejecting a key part of Christian theism, which accepts some assertions about divine activity as empirical. Traditional Christian theism accepts particular assertions characterizing nature's ontology and regularity claims describing the natural-supernatural relationship. Such generalizations about nature's ontology are incompatible with current science's naturalistic assumptions. However, naturalistic theism's acceptance of such assumptions leads to a non-empirical conception and incoherence of divine action.



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# SOCIAL EXCLUSION AND POVERTY IN THE EUROPEAN UNION AND CANDIDATE COUNTRIES

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**Abstract:** *Social exclusion and poverty are the research subject, and the main goal is to develop recommendations and solutions for social inclusion. Without assessing the risk of poverty and social exclusion in the member states of the European Union and the candidate countries and identifying the causes of poverty and social exclusion, it is impossible to develop solutions to reduce poverty, ensure social inclusion, and strengthen the targeted social policy. The analysis of the components of the AROPE indicator showed that the highest risk is monetary poverty, and the poverty rate directly depends on the level of economic development. The Granger causality test showed that in two candidate countries (Moldova and Montenegro) inequality leads to poverty with the probability of 5% and 10%. At the end of the study, recommendations are presented to combat poverty and ensure social inclusion.*

**Keywords:** *social exclusion, social inclusion, poverty, risk of poverty or social exclusion (AROPE), deprivation, low work intensity.*

## Introduction

Poverty and social exclusion represent the vices of society. There is a significant gap in the provision of resources for different population groups. The number of socially excluded vulnerable groups differs from country to country and at various stages of state development. Even in countries with

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advanced economies, there are vulnerable groups, which are not only poor but also marginalized in society, that is, socially excluded. The research and assessment of poverty and social exclusion are relevant because they allow the monitoring of government programs and strategies to reduce poverty and ensure the social inclusion of the population.

Social exclusion represents a relatively new paradigm. It has a link not only with poverty but also with depression, stigmatization, and discrimination. Assessing the socialization of an individual or social group is very difficult, theoretically and empirically. In world practice, there are a few indicators of social exclusion, and the set of indicators differs from country to country. The research subject of the study is the assessment of poverty and social exclusion in European Union (EU) member countries and candidate countries, taking into account the availability of statistical data. The main goal is to identify gaps and develop recommendations to combat poverty and social exclusion. This study's relevance is indisputable since the policies of the candidate countries must conform to the European one and achieve one of the objectives: strengthening the inclusion and unity of society and giving all people equal access to opportunities and resources.

### **The evolution of the concept of social exclusion**

There is no general view on the definition and estimation of social exclusion. Sociologists began using this term in the 1960s. The founders of this concept are French sociologists. One of the first studies in this area was carried out by Jules Klanfer, and the results were published in 1965 in the book “L'Exclusion sociale: étude de la marginalité dans les sociétés occidentales.”<sup>1</sup> But most of the academic community believes that the term “social exclusion” was first used by René Lenoir in 1974<sup>2</sup> in “Les exclus: un Français sur dix.”<sup>3</sup> It is due to the fact that in the first works on this topic, the emphasis is on poverty and not social exclusion. The French sociologist Lenoir believes that the main criterion for the social exclusion of a part of the population is their lack of social insurance.

The concept of social exclusion is closely related to other concepts such as poverty, deprivation, and isolation. The opinions of sociologists are very different, but still, three approaches can be distinguished. Some researchers believe that social exclusion and poverty are not identical, although these terms have similar features, and poverty is the principal cause of exclusion. The British sociologist Peter Townsend considers that poverty should not be

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<sup>1</sup> Jules Klanfer, *L'Exclusion Sociale: Etude de la Marginalité dans les Sociétés Occidentales*, Paris, Bureau de Recherches Sociales Rouen, 1965.

<sup>2</sup> Hilary Silver, Social Exclusion and Social Solidarity: Three Paradigms, *International Labour Review*, 1994, 133(5-6), p. 532.

<sup>3</sup> René Lenoir, *Les Exclus: Un Français sur Dix*, Paris, Edition du Seuil, 1974.

seen as a lack of money for subsistence because “The ‘subsistence’ approach ignores major spheres of life in which deprivation can arise.”<sup>4</sup> Poverty is the result of inequality and deprivation; it leads to the exclusion of the individual from the life of society. The authors share this view. The same methods are used in calculating social exclusion as in assessing deprivation. It is the proof of the correctness of the opinion above.

Duncan Gallie, Serge Paugam & Sheila Jacobs denote that unemployment “leads to poverty and social isolation, as a result, it contributes to a vicious circle of exclusion.”<sup>5</sup> But it is necessary to note that even the employed can be socially excluded, as low wages, against the background of high inflation and reduced solvency, may prevent access to resources such as education, housing, healthcare. In the current period of economic recession and global energy crisis, the process of social exclusion will expand.

Professor of sociology and social policy Mary Daly argues that social exclusion is more than poverty and allows for the conceptualization of deprivation, which is horizontal. Exclusion is multidimensional, distinct from inequality, and is more of a social term than an economic one. Social exclusion is composed of situations originating from an interaction of economic, social, and political conditions<sup>6</sup>.

The second approach to the causal relationship between social exclusion and poverty is opposed to the first. Proponents of this approach argue that exclusion leads directly to poverty. Carrying out cause-effect analysis is relevant because it determines the content of state policies and the actions taken by public institutions to combat poverty and social exclusion. Amartya Kumar Sen states that “social exclusion may be directly a part of capability poverty.”<sup>7</sup> The Indian economist compares the situation of exploited and socially excluded indigenous peoples to a poverty trap.

According to the third approach, it is a mistake to think that social exclusion is a component of poverty or that poverty is a component of exclusion because they are two different terms; poverty is an economic term, while exclusion is a sociological term. This view is shared by Jonathan Bradshaw, Christina Pantazis, Llúcia González, Marisa Estarlich, and others. Representatives of this approach argue that poverty is the lack of sufficient resources for a decent life, and social exclusion blocks the path

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<sup>4</sup> Peter Townsend, *Poverty in the United Kingdom. A Survey of Household Resources and Standards of Living*, London, Allen Lane and Penguin Books, 1979, p. 915.

<sup>5</sup> Duncan Gallie, Serge Paugam & Sheila Jacobs, Unemployment, Poverty and Social Isolation: Is There a Vicious Circle of Social Exclusion?, *European Societies*, 2003, 5(1), p. 1.

<sup>6</sup> Mary Daly, Social Exclusion as Concept and Policy Template in the European Union, *Center for European Studies Working Paper Series*, 2006, 135, p. 4.

<sup>7</sup> Amartya Sen, *Social Exclusion: Concept, Application, and Scrutiny*, Mandaluyong, Asian Development Bank, 2000, p. 4.

to governance and is “impeding access to higher education, employment opportunities, and a regular income.”<sup>8</sup> D. Gordon doesn’t explore these two terms separately; he introduces a new one that combines both concepts. “The Poverty and Social Exclusion Survey distinguishes four dimensions of exclusion.”<sup>9</sup> The first dimension refers to poverty (impoverishment), and the next three refer to social exclusion (exclusion from the labor market, service, and social relations).

The authors are adherents of the first approach. Social exclusion is a broader term than poverty, as it reflects not only the material and financial aspects but also others social, political and cultural ones.

Depending on the types of approach and applied research methods, scientists developed different definitions of the term social exclusion. The authors believe that from the series of conceptual delimitations of this term proposed by foreign and local scholars, there are three main ideas:

- Social exclusion includes groups of people at risk of exclusion<sup>10</sup>;
- Social exclusion represents a set of processes and factors that lead to the emergence of marginalized groups<sup>11</sup>;
- Social exclusion is the inability of the individual and groups of individuals to participate fully in society and the reasons why they are denied access to resources<sup>12</sup>.

Although Irish scientists, Patrick O'Donnell et al., do not deny that social exclusion has close links with the concept of poverty, however, adhere to the opinion that “Social exclusion is the inability to use available opportunities that prevent full participation in society.”<sup>13</sup> They elaborated a new model of social exclusion containing “three elements:

- Opportunities (employment, finances, health care, education, housing);
- Influencing factors (intergenerationally, life experience, agency, identity);
- Social outcomes (social acceptance, social participation).”<sup>14</sup>

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<sup>8</sup> Llúcia González, et al., Risk of Child Poverty and Social Exclusion in Two Spanish Regions: Social and Family Determinants, *Gaceta Sanitaria*, 2021, 35(3), p. 217.

<sup>9</sup> David Gordon, et al., *Poverty and Social Exclusion in Britain*, York, Joseph Rowntree Foundation, 2000, p. 69.

<sup>10</sup> René Lenoir, *op. cit.*

<sup>11</sup> Ruth Levitas, et al., *The Multi-Dimensional Analysis of Social Exclusion*, Bristol, University of Bristol, 2007.

<sup>12</sup> Patrick O'Donnell, et al., Developing a Tool for the Measurement of Social Exclusion in Healthcare Settings, *International Journal for Equity in Health*, 2022, 21(1).

<sup>13</sup> *Ibidem*, p. 3.

<sup>14</sup> Patrick O'Donnell, et al., ‘There is people like us and there is people like them, and we are not like them.’ Understating Social Exclusion – a Qualitative Study, *PLoS ONE*, 2021, 16(6), p. 14.

For more than half a century, the concept of social exclusion has been developed in sociological science. Initially, European sociologists viewed social exclusion as a problem of an individual, not as a systemic problem. The main reasons for exclusion were considered that a person was insufficient motivation, its weakness of character, and inability to independently secure means of existence. René Lenoir was the first who changed the focus from the problem of the individual to the problem of society, in which a part of the population encounters obstacles in accessing medical services, education, and others.

The crisis in the labor market at the end of the 20th century led to a new round of development of the concept of social exclusion. Sociologists have begun to consider this concept considering the risks to which members of society are exposed, especially in times of crisis. Martina Althoff et al. suggested that even a successful person can be subject to social exclusion because he lost his job and found himself in a difficult life situation<sup>15</sup>.

The loss of a source of income leads to the situation that many benefits are no longer available, and ultimately there is marginalization and isolation. The authors share this point of view. Indeed, the availability of financial savings for citizens who have lost their jobs will allow them to survive for some time. But in the end, if they do not find a new source of income, they will move into the category of socially isolated citizens, especially in the condition of inflation increase, recession, and economic and political instability in the country.

The concept of social exclusion has moved to a new stage of development against the background of digitalization. Scientific and technological progress leads to a change in the criteria for assessing social exclusion. In addition, various perturbations in society and the economy will also lead to modification of the evaluation criteria of exclusion. For example, the COVID-19 pandemic, especially during the lockdown, showed how important it is for every citizen to have the Internet. COVID has not gone away, other pandemics cannot be excluded, and making an appointment with a doctor over the Internet is much easier and faster than by phone. So, the presence of the Internet becomes vital. Javier Barbero and Ernesto Rodríguez-Crespo conducted research and demonstrated that there is a negative relationship between regional social exclusion and the share of the information and communication technologies sector in the economy, so one of the tools to reduce the risk of social exclusion is access

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<sup>15</sup> Martina Althoff, et al., *Integration und Ausschließung. Kriminalpolitik und Kriminalität in Zeiten Gesellschaftlicher Transformation*, Baden-Baden, Nomos-Verl.-Ges., 2001, p. 29.



to the Internet<sup>16</sup>. Thus, it is necessary to include this criterion in the algorithm for calculating the index of social exclusion.

### **Methodology for assessing social exclusion and poverty**

One of the universal methods for assessing poverty and social exclusion is monetary. In the current period, many countries are moving to more sophisticated methods, including non-monetary assessment of poverty and social exclusion. One of these indicators is the AROPE (At Risk of Poverty or Social Exclusion). The EPSCO (Employment, Social Policy, Health, and Consumer Affairs) Council has elaborated the AROPE indicator, which is used to monitor the promotion of the policy to reduce poverty and social exclusion in line with the targets of the Europe 2020 Strategy<sup>17</sup>.

Components of the AROPE indicator:

- AROP - monetary poverty (persons with disposable income below 60% of the national median);
- Material deprivation (persons who experience at least 4 out of the nine deprivations listed below; persons which not being able to pay on time utility bills, rent payments, and loan payments, not deal with unexpected expenses, not eat at least once every two days food containing protein, not afford one week's annual holiday, not keep the house adequately warm, not buy a phone, a TV, a washing machine, a car);
- Severe low work intensity (persons (age 0-59) who live in households where working-age members (age 18–59, excluding students aged 18-24) worked less than 20% of the full-time).

The current period is the period of digitization, and access to the Internet has become a vital necessity not only in advanced economies but also in emerging economies. This feature was taken into account when modifying the calculation methodology of the AROPE indicator, and new deprivations were included, such as the lack of internet connection. During the COVID-19 pandemic, the number of people using the net to register with a doctor, make necessary purchases, and pay for services has increased. For example, in Moldova, “the proportion of people surveyed who had never bought food online decreased by 5 percentage points in 2020 compared to 2019<sup>18</sup>.”

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<sup>16</sup> Javier Barbero & Ernesto Rodríguez-Crespo, Technological, Institutional, and Geographical Peripheries: Regional Development and Risk of Poverty in the European Regions, *The Annals of Regional Science*, 2022, p. 18.

<sup>17</sup> United Nations Economic Commission for Europe (UNECE), The measurement of poverty and social inclusion in the EU: achievements and further improvements, *Working paper* 25, 2013, p. 3.

<sup>18</sup> Gutium, T., Ciobanu, M., *The new paradigm of consumer behavior during the Covid-19 pandemic, (Noua paradigmă a comportamentului consumatorilor în perioada pandemiei COVID-19)*, *Economica*, 2021, 2(116), p. 43.

In the previous year (2021), the AROPE indicator has been adapted to the objectives of the Europe 2030 Strategy. Under this strategy, the number of people at risk of poverty or social exclusion has to be reduced by at least 15 million by 2030, of which 10 million are adults and 5 million are children. The AROPE indicator, adapted to the new strategy, differs from the previous version. The sub-indicators “Material deprivation” and “Low labor intensity” have changed. These modifications are presented in Table 1.

**Table 1: The differences in the calculation methodology of the AROPE indicator according to the Europe 2020 Strategy and the Europe 2030 Strategy**

Sub-indicators	Europe 2020 Strategy	Europe 2030 Strategy
<i>Material (and social) deprivation</i>	People who face at least 4 out of 9 material deprivations.	People who face at least 7 out of 13 material and social deprivations (7 related to the household and 6 - the individual). <i>Seven new deprivations were included (“don't have the financial possibility to replace worn-out furniture”, “don't have two pairs of shoes”, “cannot spend a small amount of money each week on him/herself”, “unable to replace worn-out clothes by new ones”, “don't have internet connection”, “don't have regular leisure activities”, “unable to get together with friends/family to drink/eat at least once a month”), three were excluded, and the deprivation “inability to keep the house adequately warm” was replaced by another “inability to maintain the home adequately.”</i>
<i>Severe low work intensity</i>	Persons (age 0–59) living in households where adults aged 18–59 (except students aged 18–24 years), worked less than 20% of the full-time.	Persons (age 0–64) living in households where adults aged 18–64 (except students aged 18–24 years, <i>persons receiving various pensions (excluding survivors pension), inactive persons aged 60–64, who live in households where the base source of income is the pension</i> ) worked less than 20% of the full-time.

Replacing the deprivation “inability to keep the house adequately warm” with “inability to maintain the home adequately” is logical. Due to the energy crisis, new stricter energy-saving rules have been introduced in

some (but not all) European countries. According to these rules, the maximum temperature for room heating is 19°C (Germany, Hungary, Italy, etc.).

At the national level, the rate of risk of poverty or social exclusion is calculated according to the formula:

$$AROPE = \frac{\sum_i^N (MON\_POV_i = 1) \cdot DEPR_i \cdot LWI_i}{r} \cdot 100\% \quad (1)$$

where: *MON\_POV<sub>i</sub>* – the risk of monetary poverty of a person *i*;  
*DEPR<sub>i</sub>* – significant material and social deprivations of a person *i*;  
*LWI<sub>i</sub>* – exclusion of a person *i* from the labor market (severely low work intensity);  
*N* – number of country's population.

The EU-SILC (European Union Statistics on Income and Living Conditions) database is used to calculate the AROPE indicator. As mentioned by the authors above, the EU Member States have moved to calculate the AROPE indicator adjusted for the new Europe 2030 Strategy. As the candidate countries have not yet switched, the statistical institutions of these countries have not calculated the risk of poverty or social exclusion for the year 2021. For this reason, the analysis of poverty and social inclusion for the EU countries is carried out for 2015-2021 and the candidate countries - for the period 2015-2020. It should be noted that statistics on candidate countries are not available for all analyzed years.

In the candidate country Moldova, the analysis of poverty is carried out based on the “poverty rate” indicator, which represents the proportion of people whose consumption expenses are below an established poverty threshold (absolute (2016) and extreme (2006)). The National Bureau of Statistics (NBS) of Moldova plans to change the poverty calculation methodology, to switch to assessing the Multidimensional Poverty Index (MSI) based on the Alkire-Foster methodology. In Ukraine, the poverty level is calculated according to different definition criteria (75% of average expenses, subsistence minimum, below \$5.05, others).

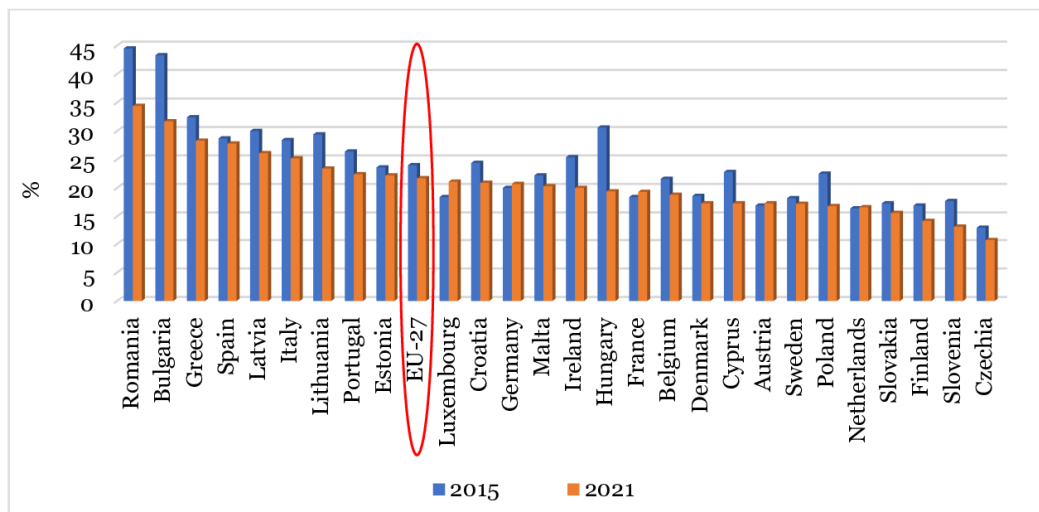
The authors believe that in the case of the candidate countries it is necessary to use the AROPE indicator and to expand the number of deprivations at the household level by one (don't have access to drinking water from safe sources and sanitation) and at the individual level by three (cannot buy a computer; cannot buy a mobile phone with internet connection; cannot buy a washing machine). For countries with frosty winters, such as the Republic of Moldova, it is recommended the deprivation “don't have two pairs of shoes” be replaced by “don't have three of shoes” since summer shoes and spring/autumn shoes cannot be

used in winter. The authors suggest that materially deprived people are persons face at least 9 out of 17 deprivations (8 related to the household and 9 - the individual).

### The risk of poverty or social exclusion in the European Union and some candidate countries

The European Union includes 27 member states. In the current year (2022), Moldova and Ukraine joined the group of countries with candidate status, among Albania, Montenegro, North Macedonia, Serbia, and Türkiye. According to the 2021 EU-SILC survey, one in five EU citizens is at risk of poverty or social exclusion (21.7%). In 2021, the highest levels of poverty or social exclusion (a third of the population) were recorded in two EU countries: Romania (34.4%) and Bulgaria (31.7%). Among the countries with the lowest level of the AROPE indicator were the Czechia (every tenth citizen), Slovenia, Finland, and Slovakia (every seventh citizen) (Figure 1).

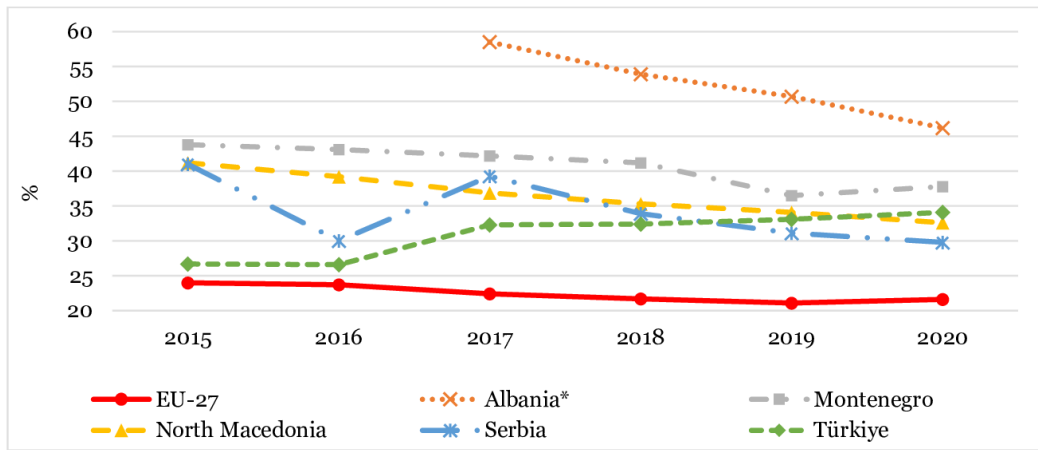
In the period 2015-2021, the most significant decrease in the AROPE indicator was recorded by Bulgaria (by 11.6 percentage points), Hungary (by 11.2 percentage points), and Romania (by 10.1 percentage points). The reductions recorded by Romania and Bulgaria did not allow them to change their placement in the rating of European countries according to the risk of poverty or social exclusion. On the other hand, the results achieved by Hungary in combating poverty and social exclusion allowed it to place in the ranking among the countries with a lower level than the average in the European Union.



**Figure 1. The risk of poverty or social exclusion (AROPE) in the EU countries**

From 2015 to 2021, the situation worsened in 5 EU countries. The risk of poverty or social exclusion increased significantly in Luxembourg (by 2.7 percentage points), rises in this indicator were recorded in France (by 0.9 percentage points), Germany (by 0.7 p.p.), Austria (by 0.4 p.p.), the Netherlands (by 0.2 p.p.).

Figure 2 shows the dynamics of the risk of poverty and social inclusion in some countries which have the status of membership candidates.



**Figure 2. The risk of poverty or social exclusion (AROPE) in candidate countries**

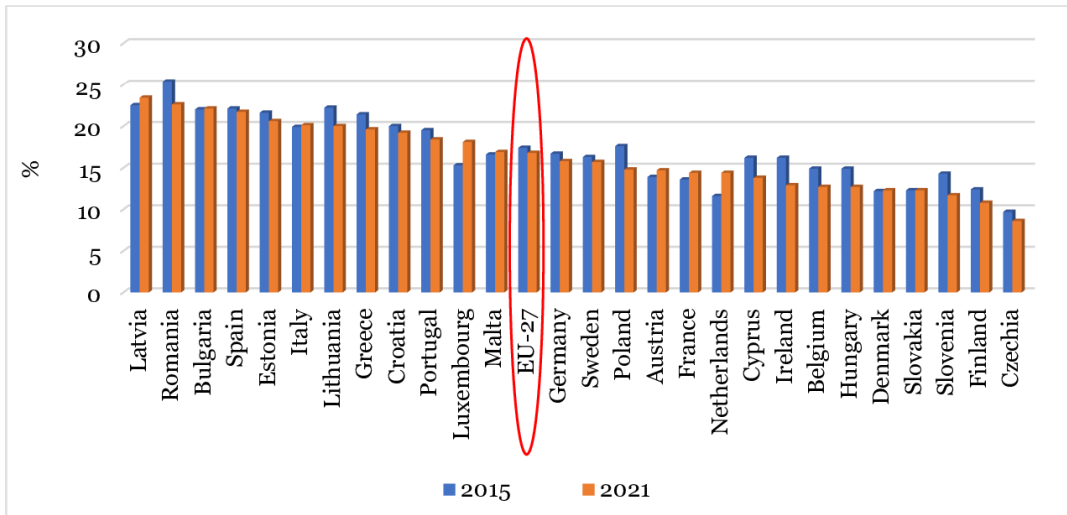
Note: \*) Missing data for Albania 2015-2016.

The analysis of the evolution of the AROPE indicator for all candidate countries is not possible, because the Republic of Moldova and Ukraine recently obtained this status, and the methodology for calculating the mentioned indicator is not applied by the statistical institutions of these countries.

Although the risk of poverty or social exclusion has decreased in most candidate countries (except for Türkiye) over the analyzed period, the recorded level of the AROPE indicator is still higher than the average level in the EU. For a deeper analysis, the dynamics of sub-indicators will be studied: the rate of relative poverty (AROP), the level of severe material and social deprivation due to lack of resources (SMSD), the share of people living in households with very low work intensity (VLWI). This analysis is relevant to identify the EU countries that have promoted effective policies to combat poverty and social exclusion, the implementation of which resulted in tangible results.

The study of the components of the AROPE indicator showed that 16.8% of the population of European countries was affected by the risk of monetary poverty (Figure 3), 11.9% - by severe material and social

deprivation, and 8.9% lived in households with low work intensity in 2021. Analysis of the risk of monetary poverty breakdown by EU countries shows that the highest at-risk-of-poverty rate in 2021 was in Latvia (23.4%) and Romania (22.6%), while the lowest rate was recorded in the Czechia (8.6%) and Finland (10.8%)<sup>19</sup>.



**Figure 3. The risk of monetary poverty (AROP) in the EU countries**

The anti-poverty policy implemented in the European Union has results. The risk of poverty decreased in 2021 compared to 2015 in Ireland by 3.3 percentage points, in Romania and Poland - by 2.8 p.p., in Slovenia - by 2.6 p.p., and in Cyprus - by 2.4 p.p. However, the goal of significantly reducing the at-risk-of-poverty rate has not been achieved in several countries. The AROP indicator increased in Luxembourg (by 2.8 p.p.), in the Netherlands (by 2.8 p.p.), in Latvia (by 0.9 p.p.), and in Austria and France (by 0.8 p.p.).

The analysis of the correlation between the promoted policy and the results obtained showed the following:

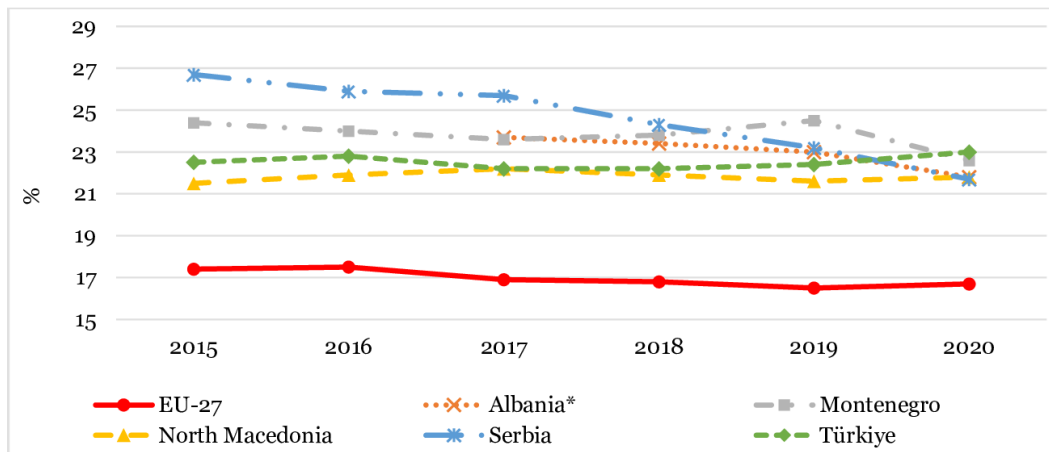
- EU countries that establish a high share of social spending make significant allocations in the social insurance of the population and finally register comparatively low at-risk-of-poverty rates (Finland, Denmark, Belgium, Netherlands, France, Austria, Sweden, and Germany);
- Economies with a sustainable growth rate also register comparatively low risk of monetary poverty (Slovenia, Slovakia);

<sup>19</sup> Eurostat, *People at risk of poverty or social exclusion*, 2021, <https://ec.europa.eu/eurostat/web/main/data/database>.

➤ The countries that managed to conclude contact with the natural gas supplier at a lower price than other EU states<sup>20</sup> recorded a decrease in the risk of poverty (member state Hungary, candidate country Serbia);

➤ In some states from the north of Europe (Czechia, Slovenia, Slovakia), the most equitable income distribution was recorded compared to the Baltic countries and most of the countries from the south (Romania, Bulgaria, Spain, Italy, Greece, Portugal).

At-risk-of-poverty rates in the candidate countries are relatively higher compared to the average level in the EU (Figure 4).



**Figure 4. The risk of monetary poverty (AROP) in candidate countries**

Note: \*) Missing data for Albania 2015-2016.

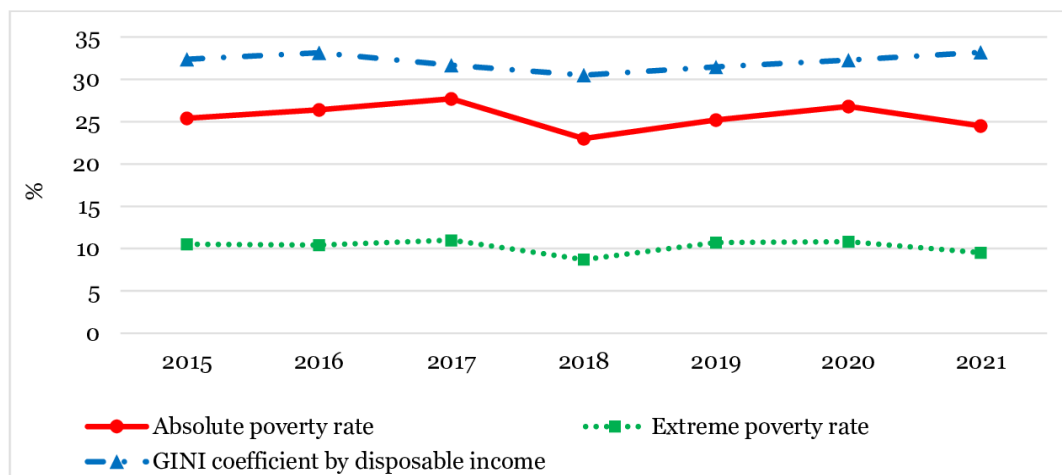
According to data from the National Bureau of Statistics, in Moldova, the absolute poverty rate was 24.5% in 2021 and decreased compared to 2015 (Figure 5). The rural population is exposed to a comparatively higher risk of poverty than the urban population. The risk of poverty rate continues to prevail in rural areas, although the absolute poverty rate increased in 2015-2021 by 0.7 p.p. in urban areas and decreased by 2.8 p.p. in rural areas; in 2021, it was almost three times higher than the level in urban areas.

An analysis of the absolute poverty rate by region showed that the population of the municipality of Chisinau has the lowest risk of poverty (8.6% in 2021). In 2015, the population of the Center region was exposed

<sup>20</sup> Gutium, T., *Gas Pricing Mechanisms: Overview, Comparative Analysis and Recommendations*. 2021 International Conference on Electromechanical and Energy Systems (SIELMEN), 2021, 45-50,

<https://doi.org/10.1109/SIELMEN53755.2021.9600393>.

to a higher risk of poverty (35.6%) than other regions, and in 2021 the situation changed and the highest absolute poverty rate was recorded in the South region (39.6%). Poverty remains an alarming problem for the population of Moldova. *Poverty reduction should become one of the priorities of the national policy of this state.*



**Figure 5. The evolution of poverty indicators and the GINI coefficient in Moldova**

In Moldova, the Gini coefficient increased from 31.48% to 32.26%, and the absolute poverty rate rose from 25.2% to 26.8% during 2019-2020. “The evolution of the absolute poverty rate, calculated using the new poverty threshold established for 2016, is identical to the dynamics of the Gini coefficient on disposable income, except for 2017 when the poverty rate in rural areas increased by 1.7 percentage points.”<sup>21</sup> The Granger test was applied to verify the hypothesis that there is a correlation between inequality and poverty and to detect the causal link. The results obtained using software EViews for the available statistical data series (2012-2021) are presented in Table 2.

**Table 2: Results of the Granger test for causation**

Null hypothesis:	F-Statistic	Probability
<i>AROP_EU-27</i> does not Granger Cause <i>GINI_EU-27</i>	0,1679	0,8529

<sup>21</sup> Gutium, T., *Improving social support for people with disabilities in the Republic of Moldova, Sustainable economic-social development of Euroregions and cross-border areas ( Îmbunătățirea sprijinului social pentru persoanele cu dizabilități în Republica Moldova, Dezvoltarea economico-socială durabilă a Euroregiunilor și a zonelor transfrontaliere)*, Iași, Performantica, (2021), 39, p. 60.

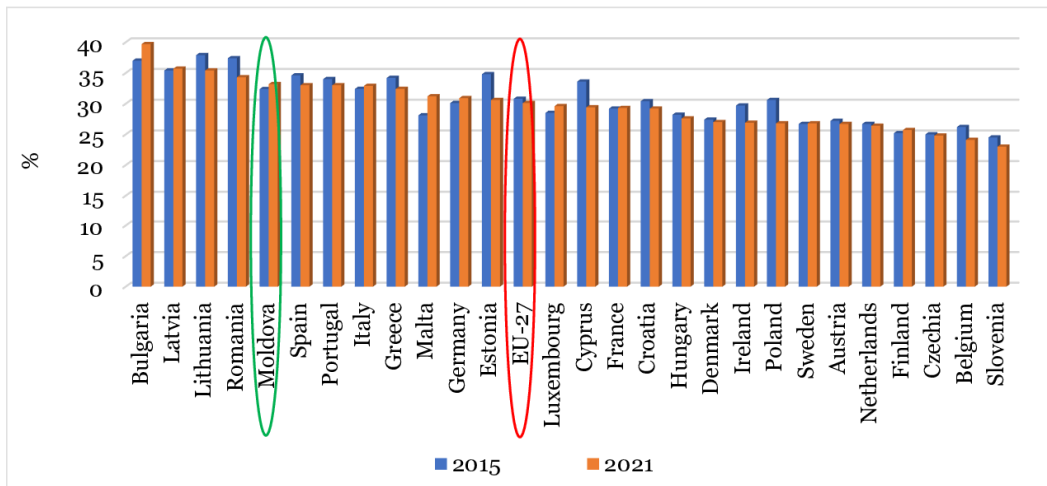


<b><i>GINI_EU-27</i></b> does not Granger Cause <b><i>AROP_EU-27</i></b>	1,8231	0,3033
<b><i>AROP_Macedonia</i></b> does not Granger Cause <b><i>GINI_Macedonia</i></b>	0,4654	0,6824
<b><i>GINI_Macedonia</i></b> does not Granger Cause <b><i>AROP_Macedonia</i></b>	0,7495	0,5716
<b><i>AROP_Montenegro</i></b> does not Granger Cause <b><i>GINI_Montenegro</i></b>	56,4878	0,0937
<b><i>GINI_Montenegro</i></b> does not Granger Cause <b><i>AROP_Montenegro</i></b>	0,4028	0,7442
<b><i>AROP_Serbia</i></b> does not Granger Cause <b><i>GINI_Serbia</i></b>	20,5443	0,1541
<b><i>GINI_Serbia</i></b> does not Granger Cause <b><i>AROP_Serbia</i></b>	14,0222	0,1856
<b><i>AROP_Turkiye</i></b> does not Granger Cause <b><i>GINI_Turkiye</i></b>	0,8888	0,5294
<b><i>GINI_Turkiye</i></b> does not Granger Cause <b><i>AROP_Turkiye</i></b>	0,8976	0,5270
<b><i>POVERTY_Moldova</i></b> does not Granger Cause <b><i>GINI_Moldova</i></b>	98,9624	0,0447
<b><i>GINI_Moldova</i></b> does not Granger Cause <b><i>POVERTY_Moldova</i></b>	4,5913	0,3134

The test result showed a one-way causality between the risk of monetary poverty and the Gini coefficient in Moldova and Montenegro. The authors use lag = 2 for the Granger causality test. At a standard error of 5%, the inequality affects absolute poverty rate in Moldova. At a standard error of 10% (probability of 90%), the Gini coefficient affects the at-risk-of-poverty rate in Montenegro. Therefore, in these countries, efforts to combat inequality will also lead to a reduction in rate of poverty. In 2021, the income inequality of the population of Moldova was higher than in most countries EU (22 countries) and by 3.1 p.p. higher than the average level in the EU-27. Furthermore, the Gini coefficient on disposable income in Moldova is equal to Spain and Portugal. Bulgaria recorded the highest level of income inequality among EU countries<sup>22</sup> (Figure 6).

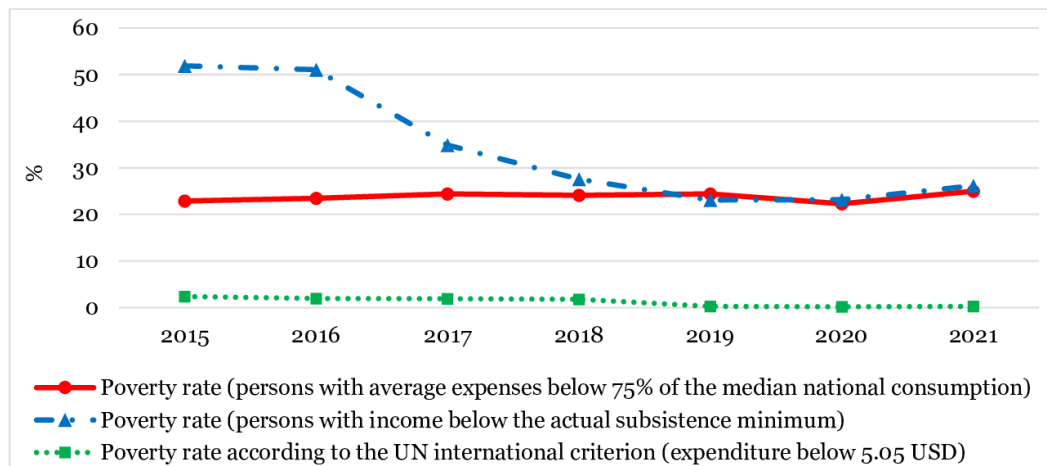
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<sup>22</sup> Ibidem, p. 60.



**Figure 6. GINI coefficient in the EU countries and in Moldova**

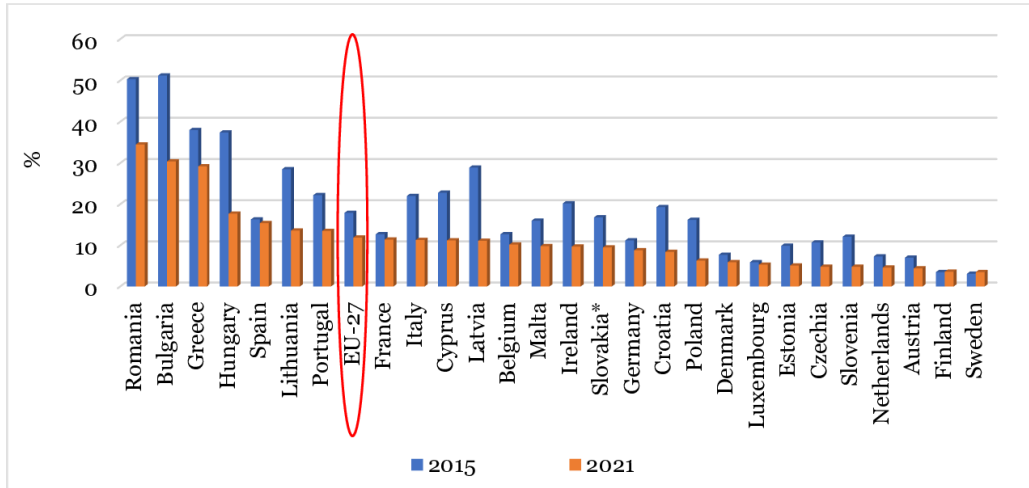
In Ukraine, the poverty rate assessed according to two criteria (the second and the third criteria in Figure 7) decreased from 2015 to 2018. The rate of people with incomes below the actual subsistence minimum increased in 2020-2021, and the rate of people with average expenses below 75% of the median national consumption rose in 2021. The poverty rate calculated according to the UN international criterion (spending below \$5.05) did not record significant changes in 2019-2021.



**Figure 7. The evolution of poverty indicators in Ukraine**

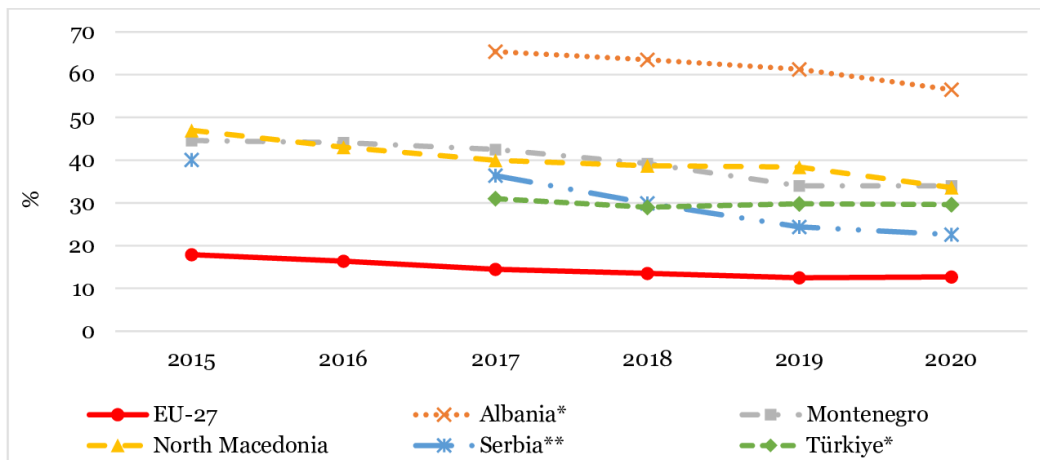
The second component of the AROPE indicator is material and social deprivation, which most affected the population of Romania (34.5%), Bulgaria (30.4%), and Greece (29.2%) in 2021 (Figure 8). At the same time, less than 4% of the population of Sweden and Finland experienced

severe material and social deprivation. In 2015-2021, the material and social deprivation rate decreased in most EU countries (25 out of 27). The most significant decreases were recorded in Bulgaria (by 20.8 p.p.), Hungary (by 19.7 p.p.), Latvia (by 17.8 p.p.), Romania (by 15.8 p.p.), and Lithuania (by 14.9 p.p.).



**Figure 8. Material and social deprivation in the EU countries**

The population of candidate countries faces significant material deprivation. In 2020, every second citizen in Albania experienced material and social deprivation, and in North Macedonia and Montenegro - every third citizen (Figure 9). In 2015-2020 the deprivation rates decreased in all candidate countries.

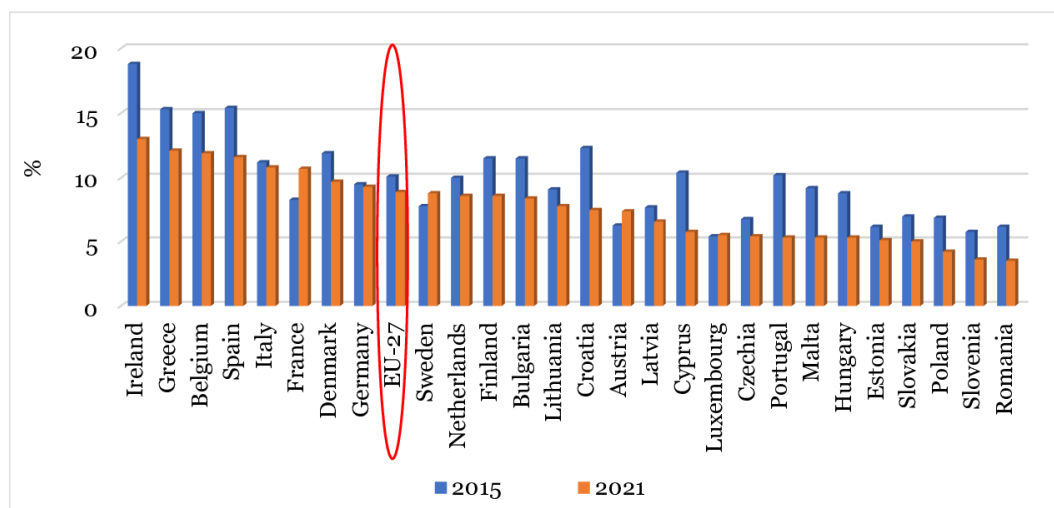


**Figure 9. Material and social deprivation in candidate countries**

Note: \*) Missing data for Albania and Türkiye 2015-2016.

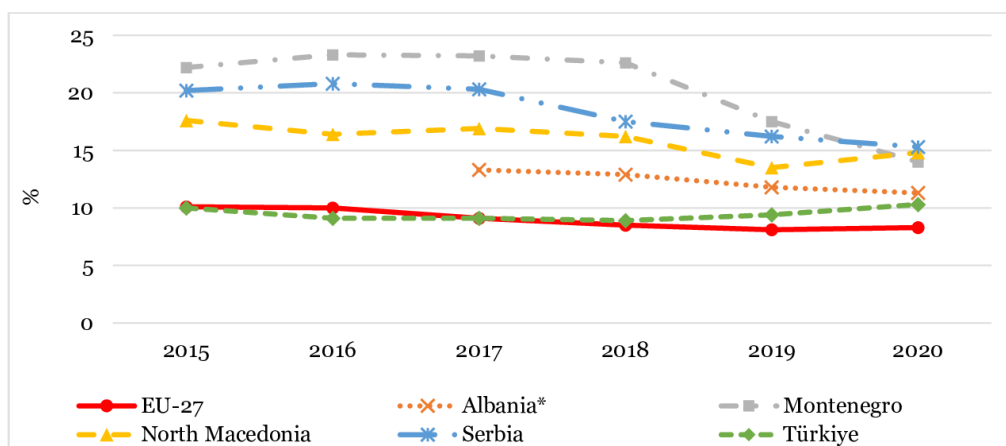
\*\*\*) Missing data for Serbia 2016.

The analysis of the third sub-indicator of the AROPE index showed that in 2021 one in eleven EU citizens (8.9%) lived in a household with reduced work activity. The highest share of people living in households with very low work intensity was in Ireland (13.0%), Greece (12.1%), Belgium (11.9%), and Spain (11.6%). On the contrary, the lowest rate of exclusion from the labor market was in Romania (3.5%), Slovenia (3.6%), Poland (4.2%), and Slovakia (5.0%) (Figure 10). In 2015-2021 the “low labor intensity” indicator decreased in 23 of the 27 EU countries. The leaders in reducing the exclusion from the labor market are Ireland (by 5.8 p.p.), Portugal (by 4.9 p.p.), and Croatia (by 4.8 p.p.).



**Figure 10. Severe low work intensity in the EU countries**

In 2015-2020 the share of people living in households with very low work intensity decreased in Montenegro (by 8.2 p.p.), Serbia (by 4,9 p.p.), and North Macedonia (by 2,8 p.p.) (Figure 11). In Türkiye employment deprivation decreased in 2015-2018 and increased in 2019-2020.



**Figure 11. Severe low work intensity in candidate countries**

Note: \*) Missing data for Albania 2015-2016.

The analysis of the AROPE rate by age group showed that in EU countries, people aged 16 to 24 are most at risk of poverty or social exclusion. Greece, Romania, Luxembourg, Bulgaria, Spain, Denmark, and Germany recorded the highest rate of poverty or social exclusion of young people (16-24 years old) - one in three. The next category at risk is children aged 0-16 years. The problem of child poverty and social exclusion is most acute in Romania, Bulgaria, Spain, and Greece, where approximately one-third of children aged 0-16 are at risk of poverty or social exclusion. The same situation is in candidate countries Türkiye, Albania, and North Macedonia. In these countries, almost every second child and every second young people are at risk. The lowest levels of poverty or social exclusion are seen in Slovenia and Denmark. By gender, women are more at risk of poverty or social exclusion than men. Therefore, when developing a policy to combat poverty and social exclusion, it is necessary to consider these particularities.

The main instruments that EU member countries have applied to combat poverty and social exclusion are increasing employment by creating new jobs and streamlining the social insurance system. European researchers have demonstrated the relevance of the second policy instrument. Studies have shown that spending on social protection of the population represents almost a third of the EU GDP (Gross Domestic Product), and each additional percentage point of GDP spent on social security reduces the risk of poverty by 6%<sup>23</sup>. If social transfers had not been made, the poverty rate would be much higher than it is today.

<sup>23</sup> European Commission, *Employment and Social Situation Quarterly Review: The number of jobless rises and social concerns persist*, 2012, [https://ec.europa.eu/commission/presscorner/detail/en/MEMO\\_12\\_230](https://ec.europa.eu/commission/presscorner/detail/en/MEMO_12_230).

## **Conclusion and recommendations**

The AROPE indicator is an effective methodological tool in the research of poverty, which allows the identification of the most vulnerable categories of the population and makes it possible to carry out a comprehensive study of social exclusion. Socially excluded groups feel the lack of resources they are limited in rights, which leads to a reduction in quality of life and affects society as a whole. The application of the multidimensional index allows for an in-depth investigation of the causes of poverty. It is impossible to develop solutions and strengthen the targeted social policy without identifying the causes of poverty or social exclusion, and population categories in difficulty.

An analysis of multidimensional poverty showed that the risk of poverty or social exclusion in the EU is high - one in five citizens, and in the candidate countries, it is even higher - almost one in three, except for Albania, where one in two citizens is multidimensionally poor. A study of the components of the AROPE index in the EU showed that monetary poverty is the highest - one in six citizens of the EU and every fifth citizen of candidate countries is at risk of poverty. The 'low labor intensity' component of the AROPE indicator recorded the lowest values in EU member states and candidate countries. The use of additional non-monetary criteria in determining the level of poverty and social exclusion makes it possible to increase the accuracy of determining the categories of citizens experiencing life difficulties and in need of social protection.

The authors recommend using the AROPE index to assess poverty or social exclusion in Moldova. In addition, they have suggested studying the level of energy poverty. For example, in Moldova in 2022, according to preliminary data, 60% of the population live in energy poverty. The Multidimensional Poverty Index could be used to monitor policies to combat poverty and social exclusion. In the case of candidate countries, the authors recommend using the AROPE indicator and increasing the number of deprivations studied at the household level by one deprivation and at the individual level by three deprivations.

An increase in funding for programs to combat poverty is possible only through the development of the national economy because, with the growth of the economy and entrepreneurship, the number of jobs rises, and deductions to the state budget increase too. As a result, the opportunities for increasing social assistance for people exposed to the risk of poverty or social exclusion growth.

The general recommendations for combating poverty and ensuring social inclusion are:

➤ To reduce the risk of poverty and social exclusion, first of all, it is necessary to solve the problems of employment, especially for young people and women;

- It is necessary to solve the problem of long-term unemployment;
- Countries have to estimate energy poverty. The results of the calculations can be used to decide the amount or share by which the real wage should be increased in the context of combating poverty caused by the energy crisis;
- Countries have to develop and promote programs or strategies aimed at reducing the number of young people who are not employed or in the educational process;
- The polarization of the wage system in some areas is excessively high, so it is necessary to reduce the polarization of wages and segmentation of the labor market;
- It is necessary to find financial resources to increase the salary of people who work in the fields with the lowest wage level (for example, agricultural workers, social workers);
- It is necessary to perfect the existing social protection system to strengthen the targeting of social payments. This system should protect people at risk of poverty and social exclusion: young people, families with three or more children, the unemployed, and migrants.

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# TRANSFORMATION OF GENDER ROLE AND IMAGE OF WOMEN IN UKRAINIAN MEDIA: HISTORICAL AND SOCIOPOLITICAL ASPECTS

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**Abstract:** *Issues of gender balance in Ukrainian media as a reflection of an urgent social problem remain relevant and require the study of new aspects – historical, sociopolitical, philosophical and many others – in the conditions of a full-scale war. Current epistemological and ontological approaches challenge established concepts and sex/gender dichotomy, the traditional representation of men and women in the media. The paper attempts to analyze how women are represented in the Ukrainian media, which involves not only studying the statistics of the presence of female experts and heroines but also analyzing the image of women in media, the historical prerequisites for its formation, and the socio-political reasons that led to its transformation. The material for the study are results of Ukrainian national and hyperlocal media monitoring, data from a survey of participants of Gender Media Forum, archival materials of the oldest continuously operating metropolitan newspaper "Vechirniy Kyiv". The research findings show that Ukrainian women have historically been underrepresented or misrepresented in stereotypical roles in media content. At the same time, we note the positive changes regarding the destruction of gender stereotypes and transformation of gender roles in Ukrainian society, reflected in changing representations of women in modern media.*

**Keywords:** *society, history, woman, gender role, stereotype, representation, media*

## Introduction

The report “Progress on the Sustainable Development Goals: The gender snapshot 2022”, indicates that “structural and systemic discrimination against women persists throughout the world”<sup>1</sup>. 511 million women and girls live in fragile and conflict-affected countries in 2022. Vulnerable groups of women and girls, including migrants, refugees and internally displaced people, are bearing the brunt of the social ills that

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<sup>1</sup> Progress on the Sustainable Development Goals: The gender snapshot 2022, *UN Women and United Nations Department of Economic and Social Affairs*, 2022. Available at: <https://bit.ly/gender-snapshot-2022>, p. 16.

plague today's world, including climate change, war, conflict and human rights violations<sup>2</sup>.

UN Secretary-General Antonio Guterres said in a statement on the 66th session of the Commission on the Status of Women in 2022, “the challenges we face today – the COVID-19 pandemic, the climate crisis, the growth and spread of conflicts – are largely the result of our male-dominated world and male-dominated culture”<sup>3</sup>. He explained that the “perilous state” of world peace cannot be separated from “millennia of patriarchy and the suppression of women’s voices and cited that as the reason why gender equality and parity are “fundamental prerequisites for a safer, more peaceful, more sustainable world for all”<sup>4</sup>.

UN experts emphasize that equal representation is a goal and a conduit for more just, peaceful societies yet has not been attained. At the current pace of change, parity will not be achieved for another 140 years<sup>5</sup>. Gender equality means “equal visibility, empowerment, responsibility and participation of women and men in all spheres of public and private life”<sup>6</sup>. Close to this concept is gender balance, which means “an equitable distribution of life's opportunities and resources between women and men, and/or the equal representation of women and men”<sup>7</sup>.

It is on the principles of gender balance in journalistic materials, the inadmissibility of discrimination and sexism that democratic mass media around the world should work<sup>8</sup>. However, behind the results of the latest Global Media Monitoring Project (GMMP 2020), based on the News Media Gender Equality Index, despite some progress on some indicators, the “invisibility” of women as subjects and sources in the news still remains the norm. The result of women's underrepresentation is an unbalanced picture of the world in which women are largely absent. A monitoring study found a lack of female voices in news journalism, resulting in content that reflects a male-focused worldview. WACC General Secretary Ph. Lee emphasizes the need to study gender issues in the world media:

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<sup>2</sup> Ibidem, p. 17-19.

<sup>3</sup> Gender equality ‘fundamental prerequisite’ for peaceful, sustainable world, *United Nation News*, March 16, 2022. Available at:

<https://news.un.org/en/story/2022/03/1114072>

<sup>4</sup> Ibidem.

<sup>5</sup> Progress on the Sustainable Development Goals..., p.11.

<sup>6</sup> *Equality between Women and Men*, Council of Europe, 2015. Available at: <https://rm.coe.int/168064f51b>, p. 2.

<sup>7</sup> *Gender Balance Guide. Actions for UAE Organisations*, Paris, OECD Publishing, 2017, p. 13.

<sup>8</sup> O. Balalaieva, “The problem of gender balance in Ukrainian media: outlines of a solution”, *Euromentor*, vol. X, no. 3, 2019, p. 79.

Studying how women and men are represented in the news is important because often what people see is what they believe. And when it comes to gender, rectifying the mistaken assumptions caused by discrimination, misogyny, and patriarchal beliefs can only be done through a clear-sighted reappraisal and revision of news policies and practices<sup>9</sup>.

Studying the problem of gender and media has a strong scientific tradition. At the same time, current epistemological and ontological approaches, theoretical and practical developments, based on the latest data of the Global Media Monitoring Project, challenge established concepts, rethinking the postulates of media production, content and consumption, the sex/gender dichotomy, in particular, in the works K. Ross, I. Bachmann, V. Cardo, S. Murti, K. M. Scarcelli, B. Cassa, C. Knowles, S. Macharia, H. Vandenberghe. In Ukraine, the theoretical and practical aspects of the problems of gender in media are highlighted in the works of A. Volobueva, I. Volovenko, Yu. Gonchar, I. Kiyanka, S. Kushnir, S. Kotova-Oliynyk, M. Mayerchuk, T. Martsenyuk, N. Sydorenko, T. Starchenko, O. Panchenko, O. Plahotnik, V. Suprun, L. Chernyavska, Yu. Shturkhetsky, and others.

However, the gender problem in the Ukrainian media remains relevant and requires the study of new aspects – historical, sociopolitical, philosophical and many others – in the conditions of a full-scale war. It is very important to analyze how women are represented in the Ukrainian media, which involves not only studying the statistics of the presence of female experts and heroines but also analyzing the image of women in Ukrainian media, the historical prerequisites for its formation, and the socio-political reasons that led to its transformation.

We use methods of comparative analysis of all-Ukrainian monitoring data to determine the features of the representations of women's images and analysis of archival materials to trace the evolution of the image of women in Ukrainian newspapers from Soviet times to the present day. The material for the study are results of Ukrainian national and hyperlocal media monitoring 2022, data from a survey of participants of Gender Media Forum 2022, archival materials of the oldest continuously operating metropolitan newspaper in Ukraine “Vechirniy Kyiv”.

### **The image of women in Soviet Ukrainian newspapers**

The representation of women in the Soviet newspapers reflects the official order of the totalitarian state and the Communist party regarding the creation of the image of an ideal woman in the minds of citizens. To carry out the Party's order, many collections about the work of women in

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<sup>9</sup> 6<sup>th</sup> Global Media Monitoring Project Report (GMPP 2020-2021 Final Report), *Who makes the news?* Available at: <https://whomakesthenews.org/>

the Ukrainian Soviet Socialist Republic were released with a focus on women's contribution to the struggle for the implementation of five-year plans, the experience of leadership in the authorities, women's councils. Also, statistics on the number of women in industry, agriculture, transport, science and art, and the number of women among the deputies of the Supreme Soviets of the USSR and Ukrainian SSR, medal holders, Heroes of Socialist Labor, Stalin Prize laureates, and heroine mothers were frequently published in media.

The periodical press also regularly published reports on women's achievements both at the state and regional levels, showing the socially acceptable role models and patterns of thinking offered to Soviet women. Since this topic was intended primarily for a female audience, in two-thirds of the proposed topics, women acted as heroines – the main protagonists in one form or another. First of all, the role of women in building a socialist society was determined, it was emphasized that a woman in the USSR “...is an equal citizen of a socialist society”, “a great power of Soviet society”. Also, the role of women in the development of collective farm was repeatedly emphasized, and the key roles and tasks of women were outlined: “the implementation of the new Stalin's five-year plan”, “... the struggle for a new economic and cultural prosperity of our socialist Fatherland”<sup>10</sup>.

By means of active and planned propaganda through mass media, an effective women's caucus was formed, which engaged in major work on involving less active women in this process. As the researchers noted, the idea that a woman may not work in social production completely disappeared from the Soviet mindset<sup>11</sup>.

At the same time, some aspects of private life and the moral image of a Soviet woman were not overlooked. The State, in need of women's dedication, systematically emphasized the equal rights for men and women enshrined in Soviet legislation.

However, the official ideology of equality masked the actual discrimination of women in all spheres of life. A kind of gender contract, sanctioned by the State, the so-called “working mother's contract” existed in the undeclared form: a woman formally has equal rights with a man, receives any type of education, can work in any position – but at the same time, the family does not cease to be the basis of her activity. The state seemed to refuse to regulate people's private lives, but in fact, it tacitly

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<sup>10</sup> O.Yu. Balalaieva, O.O. Boico, “The evolution of the image of women on the newspaper pages: a gender aspect”, *Humanities studies: Pedagogy, Psychology, Philosophy*, 13 (1), 2022, p. 146.

<sup>11</sup> M. Smolnitskaya, “Woman in Soviet society: the official image and real practice”, *Ukraine XXth century: Culture, Ideology, Politics*, 16, 2011, p. 162.

supported the point of view that everyday life and are the woman's personal matters, where she can rely only on her own strength. To characterize such gender relations, when a woman was assigned two roles – worker and mother – the term “working mother's contract” was used. Despite that the Soviet Constitution guaranteed absolutely equal rights regardless of gender, in real life gender roles were distributed as follows: a woman had to raise children, take care of the well-being, housekeeping and earn money, while the man was engaged in business, finances, administration, could hold a managerial position or be a civil servant.

In order to effectively realize all the possibilities of the available labor resource in the public consciousness, emphasis was placed on the creation of an image of woman as an active and equal “builder of a socialist society”. Since the involvement of women in all spheres of social production was practiced in the USSR as early as the 1920s, the party-state system had the experience of involving women to solve its important strategic tasks. In addition, during the war years, women became an indispensable productive force: men fought at the front, and women tirelessly led their “struggle” in the economy, working to fulfill the tasks of the Communist Party even in the most difficult branches of industrial production, in particular in the Donbas coal mines.

Women continued to play an important role in the production and reconstruction of almost all branches of the national economy, even after the end of the war, until the complete demobilization of the military. Their enthusiasm was supported by active propaganda. Special attention was paid to the formation of a woman as a perfect production worker.

A certain category of women, who chose their life strategy of behavior in the form of active implementation in areas that were previously closed to them, was formed in society. Moreover, in order to survive and reach certain peaks, it was necessary to become successful through hard work and participation in public life. Women showed activity in all production spheres: in the reconstruction of the national economy and industrial training; in the struggle to implement the five-year plan in four years; in the restoration of work in collective farms and their creation in the western regions of Ukraine; participation in numerous unpaid public works, etc.

The image of a Soviet woman as an ally of a man in the daily socialist struggle gradually transformed from a matter of pride into daily practice. And in the 1960s, women worked in production on an equal footing with men, even without a remarkable feat. It was this equality that entered the value orientations of Soviet women.

Based on social research<sup>12</sup>, we come to the conclusion that the Soviet woman was a powerful labor resource mobilized by the state to perform

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<sup>12</sup> M. Smolnitskaya, *op.cit.*, p. 170-174.

various tasks. A variety of role models were offered to women for their full realization on a par with men, but in reality, only a limited number of women could use them. Despite the obvious role models performed according to the stereotypes of “woman-worker”, “woman-mother”, etc., it is possible to observe completely different strategies of survival and behavior modeling, depending on which social stratum the woman belonged to, or which place she took within the framework of social stratification.

Let's consider how Ukrainian newspapers presented the image of a woman on March 8 – International Women's Day, which was honored and celebrated in the USSR.

The oldest continuously operating metropolitan newspaper in Ukraine is “Vechirniy Kyiv” (‘Evening Kyiv’), founded in 1927. From the end of the 1940s to the beginning of the 1980s, there was a mandatory holiday greeting from the Central Committee of the Communist Party on the editorial front page of the newspaper. Sometimes there were photos of the front-rank workers and stories of Soviet women who work in collective farms or factories. The merits of women in working professions were mostly remembered on this day (especially in post-war times, and in the period of the 50s and 70s, when socialism was actively being developed).

In the newspaper “Vechirniy Kyiv”, the image of a woman was initially presented as emancipated and freed from kitchen slavery, working on a par with men in difficult jobs. However, this day was perceived precisely as a symbol of the struggle for rights only until 1965, after which a resolution was adopted to introduce March 8 as a day off. This turned the traditional state commemoration of the struggle for women's rights into a home holiday with presents, flowers and sweets. In addition to the image of a working woman, the image of a mother and a young attractive woman appears in the newspapers.

In the 1980s, on March 8, newspapers began to mention women employed not only in manufacturing and agriculture but also in intellectual professions: teachers, lawyers, artists, doctors, etc.

After 1991, “Vechirniy Kyiv” became an independent edition, and therefore free from the state policy on the coverage of the holiday. March 8, as a women's holiday, was still mentioned on the newspaper pages but did not get the front page so often.

Given the pressure of a centralized totalitarian government, the situation was identical in all regional newspapers. For comparison, the heroines of journalistic reports in the newspaper “Molody Leninets” or “Soviet Volyn” (regional print editions) were women who worked on farms, in the fields, or in plants and factories. The front pages were decorated with women shock-workers. Another image of a Soviet woman,

which year after year was mentioned on this day was the image of a mother-heroine (for example, Yulia Nesteruk, mother of 11 children made the first page of “Molody Leninet” for March 8, 1980). It has become a good tradition to write about women who held the Order “Mother Heroine” or to publish “Mother's Word”, in which a woman-mother thanked the authorities for everything and talked about how her life had changed.

“Tireless workers”, “hardworking”, “shock-workers” – that’s how the media characterizes women, who are good examples to follow. Women who care about their own appearance or private life become the heroines of sexist jokes, satire and feuilletons.

The situation changed almost radically in the 1990s. According to Sushkova<sup>13</sup>, the mass emergence of media for women in Ukraine in the 1990s was an objective consequence of the political and social changes that began in Ukrainian society in the second half of the 1980s. The transformation of the totalitarian system led to public discussion of women's status issues.

The image of women under the influence of Western mass media is also transformed, in the press setting on beauty, attractiveness, extravagance, and success of a woman begins to dominate. In periodicals for a wide female audience, two images became dominant: a housewife and a fashion model. Images of women mainly within the confines of the home while performing household, maternal and marital duties strengthen the public consciousness in general and the consciousness of women in particular stereotypical ideas about the private sphere and domestic duties as the exclusive competence of a housewife. These publications also form the image of a doll, instill models of femininity in Ukrainian women that do not include personality development and creative abilities, etc.

### **The image of women in modern Ukrainian media**

From Ukraine's independence to the present, the replication of the image of a woman with signs of gender stereotypes and sexism occurs in contemporary media. In 2021, the largest percentage of materials containing discrimination in Ukraine was news with sexist headlines and messages.

However, the opposite trend should also be noted. In Ukraine in all spheres of politics, economy, army, education, and culture, a significant role is given to the implementation of gender practices, the process of establishing a public dialogue aimed at eliminating gender discrimination is ongoing, as stated in the “Concept of Communication on Gender Equality”: “An integral element of the formation of Ukraine as a state that

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<sup>13</sup> O.M. Sushkova, *Periodicals for women in Ukraine*, PhD thesis, Lviv, 2005.



adheres to democratic principles and respects human rights and fundamental freedoms is the provision of gender equality in all spheres of social life”<sup>14</sup>.

Let's analyze how the image of women has changed and what the newspaper “Vechirniy Kyiv” wrote about on International Women's Day 2021.

On March 8, the newspaper offered several materials where the image of a woman was presented from the standpoint of gender-sensitive journalism. First of all, the material about the March for Women's Rights, which took place that day on Mykhailivska Square, is attracting attention, where several hundred women and men gathered to demand the ratification of the Istanbul Convention and express their position on women's rights<sup>15</sup>.

At the march, the participants also demanded an end to the reduction of social guarantees for those who lost their jobs, the creation of safe working conditions for women who are employed in areas with a high risk of infection with COVID-19, ensuring access to all medical and preventive services, the opening of state shelters in various regions of Ukraine for women experiencing domestic violence and fair investigation of cases of violence by far-right organizations.

The newspaper emphasizes that the March tried to draw attention to the consequences of the COVID-19 pandemic, which significantly affected the lives of people all over the world, changed the usual rhythm of society's functioning, exacerbated social problems and caused the emergence of new challenges. The negative consequences of the pandemic have had the greatest impact on women: the level of domestic violence in quarantine conditions has increased rapidly, on the other hand, the responsibility of those who commit violence is still not unconditional before the law. 82% of people employed in the field of health care are women. At the same time, female workers in these areas do not receive the necessary resources to create safe working conditions. Women were at the forefront of the fight against the virus and its consequences. Women have been assigned an even greater amount of reproductive and care work. Women have to care for elderly relatives, raise children, monitor health families, and do “household chores” alongside work.

Another article, published on March 8, 2021, deals with the start of an art marathon dedicated to gender equality (HeForShe Arts Week

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<sup>14</sup> On the approval of the Concept of Communication on Gender Equality. Order of the Cabinet of Ministers of Ukraine, September 16, 2020, no 1128. Available at: <https://zakon.rada.gov.ua/laws/show/1128-2020-%D1%80#Text>

<sup>15</sup> The March for Women's Rights was held on Mykhailivska Square, *Vechirniy Kyiv*, March 8, 2021. Available at: <https://vechirniy.kyiv.ua/news/50359>

marathon, which unites museums, galleries, cinemas and other art institutions around the theme of gender equality and human rights). “Vechirnyi Kyiv” reports about the educational art project “Science is She”, designed to restore historical and gender justice for outstanding Ukrainian women scientists, because intelligence, hard work, talent and dedication to work do not depend on gender and age. The project is part of UN Women’s “Generation of Equality” campaign to promote gender parity among young people and ensure women’s leadership in technology and innovation.

There were also traditional portrait sketches. On the occasion of March 8, “Evening Kyiv” made some interviews in which women from Kyiv talked about their professions<sup>16</sup>. Among them: pilot Victoria Ardelyan, tram driver Olga Zabolotna, subway operator Nataliya Maslyanych, racing driver Halyna Almazova (a woman who has the title of “National Hero of Ukraine”, a military volunteer paramedic with the call sign “Viterets”) and other.

It is from such sketches that a new image of Ukrainian women, as seen in pre-war publications, is formed – an active fighter for her own rights, but she fights not against men, but against stereotypes, social roles and behavior patterns established in society. Such a woman does not pretend but has her own place in politics, science, and art, she masters new professions, is not afraid of changes and breaks stereotypes regarding the distribution of gender roles in society.

Let’s consider what the image of a woman is like in the materials of “Evening Kyiv”, published on March 8, 2022. In general, only a few publications were of a congratulatory nature. Such is the essay “March 8: how women are greeted in Kyiv”, which begins with the words “Congratulations on the holiday of our gentle, courageous and brave women! We wish the greatest luxury – a life in peace, tranquility, without war! We work and life goes on!”<sup>17</sup>. On the day of March 8, all green builders of the capital congratulate Ukrainian women and in advance, even before the war, prepared thousands of tulips for the holiday. The employees of Darnytskyi Zelenbud congratulated mothers in labor in hospitals with spring flowers, because life goes on! The men’s collective of the KARS “Kyiv rescue service” also congratulated women on the holiday of March 8 with the words “only you give us hope and faith in the approach of victory”<sup>18</sup>.

And the men of the 72nd OMBR named after The Black Zaporozhians portrayed the following image of Ukrainian women: “Our dear Cossacks –

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<sup>16</sup> Women in modern Kyiv: fascinating stories, *Vechirniy Kyiv*, March 8, 2021. Available at: <https://vechirniy.kyiv.ua/news/50310/>

<sup>17</sup> March 8: How women are greeted in Kyiv, *Vechirniy Kyiv*, March 8, 2022. Available at: <https://vechirniy.kyiv.ua/news/62422/>

<sup>18</sup> Ibidem.

you have become a reliable support and support in this difficult time. You keep our peace of mind. You will find words of support and explanations for children on the difficult question "what is war?". Disregarding your own safety, you are giving your last strength to feed the defender of Ukraine, whom you do not know. You, with a heavy heart and in tears, bless us to fight for our homeland. You, on an equal footing with men, have taken up arms and are destroying the enemy"<sup>19</sup>.

"Evening Kyiv" also published information that the mayor of the capital Vitaliy Klitschko congratulated military women on March 8, presented them with red and yellow tulips and published the greetings of the head of Kyiv: "Happy spring holiday to you, our best, most beautiful and most reliable! And those who defend Ukraine today, and those who provide the rear and hold our children close to their hearts!"<sup>20</sup>.

### **Representation of women in national and hyperlocal media**

In Ukraine, regular monitoring of gender balance in media is carried out by several organizations, including the Institute of Mass Information. The last monitoring was carried out at the end of 2022<sup>21</sup>. The content of 10 national online media was studied, inter alia: "Interfax-Ukraine", "RBK-Ukraine", "Ukrinform", "TSN", "Suspilne. News", "Censor", "ZN.UA" etc. The sample consisted of 1,000 news items (100 news items from the media each).

Russia's full-scale invasion has changed the agenda, the thematic diversity, and the experts pool of the mass media. Since the second quarter of 2022, IMI experts fixed a decline in indicators of the presence of women in the media, and at the same time, the thematic content of the news feeds is changing significantly.

IMI researchers recorded that the average presence of female experts in online media reached 12.5% in the fourth quarter of 2022 (compared to 87.5% of male experts). IMI has not recorded an indicator this low since 2014<sup>22</sup>.

Compared with the data of the previous monitoring conducted by IMI in 2021, this figure decreased by 10.5% – then female experts were cited in 23% of the total number of cases. The largest number of female experts was engaged on the website "Suspilne. News" (43%). In other media, on average, this figure ranges from 5% to 14%.

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<sup>19</sup> Ibidem.

<sup>20</sup> The mayor of Kyiv congratulated the women on the spring holiday, *Vechirniy Kyiv*, March 8, 2022. Available at: <https://vechirniy.kyiv.ua/news/62406/>

<sup>21</sup> Ukrainian media and the war. IMI monitorings 2022 summarized, *Institute of Mass Information*, January 03, 2023. Available at:

<https://imi.org.ua/en/monitorings/ukrainian-media-and-the-war-imi-monitorings-2022-summarized-i49969>

<sup>22</sup> Ibidem.

As for the thematic content, female experts mostly commented on international topics (48.4% of all comments by female experts). Much fewer women were involved as experts in materials about the war – only 10.9% of comments (researchers note that the involvement of women in commenting on the topic of war has significantly decreased; for example, in the third quarter, women commented on the topic of war in almost a third of materials (29.3%).

Also, female experts were cited in topics related to survival, humanitarian disaster and consequences of war (9.4%); economy and business (7.8%) and criminal (6.3%).

If from economic topics, the comments of female experts were quoted regarding forecasts of oil supply, food stocks, theft of Ukrainian grain, rising housing prices, etc., on international topics, representatives of the foreign establishment were most often quoted, who voiced her country's attitude to the war and expressed support for Ukraine in the fight against the Russian aggressor.

On the topic of society, women as experts commented on materials that mentioned displaced people, humanitarian aid, and children.

Female experts also commented on the topics of human rights, weather, health and science, but these mentions in 2021, the media most often cited female experts in materials on political topics (17.2%), international (14.8%), and economic and business topics (13.3%).

Male experts who appear in journalistic materials most often comment on the topic of war (65.1% of all comments from male experts). Much fewer men commented on international topics (17%), business and economy topics (6.4%), political topics (4.6%) and criminal chronicles (1.8%).

Two-thirds of the materials, where men commented expertly, were related to the topic of war (65.1%). All these expert comments related to the advances of the Armed Forces, the shelling of Ukrainian territories by the Russian military, the destruction of infrastructure or the damage caused.

The indicator of the heroines of the materials, compared to the data of the monitoring 2021, increased by 4% – in 2022 women were the heroines of the materials in 33% of cases (This is half the rate of the presence of male heroes in Ukrainian media).

The most mentions of heroines were in UNIAN (51%) and TSN (44%). However, such a high figure does not guarantee the quality of the materials and does not mean that all of them are gender sensitive. The analysis of informational messages of online media, which have high percentages of representation of heroines, also shows signs of sexism and discrimination against women. Most of these references are stereotyped and sexist<sup>23</sup>.

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<sup>23</sup> War and gender balance. Monitoring study for the fourth quarter of 2022, *Institute of Mass Information*, December 13, 2022. Available at:

As in several years in a row, women appear most often in materials about show business: 34% in 2022 (34.9% in 2021). The heroines of these materials are Ukrainian and foreign singers, actresses, bloggers, and celebrities, but the materials about them were often accompanied by sexism or objectification of the female body.

The study showed that since February 24, a “sexist lull” continued in the Ukrainian media for several months<sup>24</sup>. The editors almost did not publish humiliating texts and headlines about women. However, the war has already become a “new reality” and editorial offices are gradually returning to “yellow” practices.

The number of mentions of women in show business more than doubled in the fourth quarter of 2022 compared to the previous quarter (from 16 to 34%).

Almost a fifth of the references to women concerned the criminal chronicle (19.4%). During the monitoring period, there were mentions of heroines as victims of the consequences of war, accidents or as collaborators.

Women as heroines of publications about war and international topics occur in 10.4%. IMI researchers recorded that there were materials about lookism and sexism in relation to famous women in the Ukrainian media. Journalists primarily paid attention not to the professionalism of female characters or their personal qualities. Rather, on their appearance and clothes.

Female athletes are mentioned in 6.9% of publications in the Ukrainian media. And there are significantly fewer heroines in materials about politics, human rights, society, culture and health.

Men as heroes of publications were most often mentioned in posts about crime (26.1%), international news (23.3%), sports (15.3%), war (13.6%) and show business (9.4%).

For hyperlocal media, the same problems and tasks in terms of gender balance are relevant as for national mass media. Volyn Press Club have monitored the content of 215 print and online media from 24 regions of Ukraine, a total of 24,702 materials were analyzed<sup>25</sup>. However, final monitoring of regional media shows a different picture both in terms of the quantitative ratio and the thematic content.

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<https://imi.org.ua/monitorings/vijna-ta-gendernyj-balans-monitoringove-doslidzhennya-za-chetvertyj-kvartal-2022-roku-i49610>

<sup>24</sup> Ibidem.

<sup>25</sup> 50 hyperlocal media of Ukraine have the highest level of gender sensitivity: the final results of the 2022 monitoring, *Volynskyi Press Club*, 2022. Available at: [http://volynpressclub.org.ua/index.php?option=com\\_content&view=article&id=1127:-50-2022-&catid=10:gendermedia&Itemid=21](http://volynpressclub.org.ua/index.php?option=com_content&view=article&id=1127:-50-2022-&catid=10:gendermedia&Itemid=21)

Thus, according to research data, in regional media, women were experts in 35% of cases, heroines – in 34%. The distribution of topics where women present are also different. Thus, in hyperlocal media, women as experts most often comment on social topics (44%), medicine and health care (44%), culture and religion (38%), education and science (38%). Analysts note an increase in the number of female experts in materials about volunteering and charity (37%) and war (22%). As heroines, women are most often mentioned in materials devoted to the topics of education and science (40%), volunteering and charity (37%), culture and religion (36%), war and army (15%).

As the researchers of the Volyn Press Club note, in general, 50% of all publications dealt with the topic of war to one degree or another<sup>26</sup>. Within the framework of military topics, information “sounds” mainly from men and about men, since there are more of them in the Armed Forces, national and international politicians, in regional military administrations and local self-government bodies.

However, women became “more visible” in the Armed Forces of Ukraine and in the front lines of Russia’s war against Ukraine. The percentage of women in the Armed Forces of Ukraine increased to 22% in 2022<sup>27</sup>. Thus Ukrainian society has become used to the presence and the positive image of military women.

The representation of women in print media is greater than in online publications: in a third of cases, women are experts, and in a quarter of cases – the heroines of the materials about war. The key topics within the general military theme, where women appeared, were: volunteering, politics and support of displaced persons. In general, in purely military contexts, both as heroes of publications and as experts, men dominate. However, the percentage of women increased several times: if in February they were experts and to one degree or another commented on issues related to the war/army only in 16% of cases, then in April – in 27% of cases. Moreover, not only mothers or daughters of fallen soldiers but also as active participants in the processes related to the war. The situation is similar with women who appeared in publications but did not comment on events or situations (that is, heroines). The volunteer topic is almost

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<sup>26</sup> War, media and gender... How the situation in the country affects the content (results of the April 2022 monitoring), *Volynskyi Press Club*, April 28, 2022. Available at: [http://volynpressclub.org.ua/index.php?option=com\\_content&view=article&id=1107:-2022&catid=10:gendermedia&Itemid=21](http://volynpressclub.org.ua/index.php?option=com_content&view=article&id=1107:-2022&catid=10:gendermedia&Itemid=21)

<sup>27</sup> T. Martsenyuk, To be or not to be: Attitudes of Ukrainian society about gender equality and diversity after Russia’s invasion of Ukraine, *Forum for Ukrainian Studies*, September 6, 2022. Available at: <https://ukrainian-studies.ca/2022/09/06/to-be-or-not-to-be-attitudes-of-ukrainian-society-about-gender-equality-and-diversity-after-russias-invasion-of-ukraine/>

balanced - there are only a few percent more men than women in publications<sup>28</sup>.

According to a survey conducted at the Gender Media Forum 2022 in Ukraine<sup>29</sup>, for most of the female respondents (54%), war and the threats it contains are the greatest danger today, together with physical and sexual violence, psychological pressure, the threat of enslavement, manipulation and blackmail of children, loss of job, etc.

Risks of exploitation and gender-based violence are exacerbated during the conflict, forced displacement, temporary or shelter accommodation, and increased military presence. Among the serious threats, female respondents single out violence (17%), including domestic ones: sexual, psychological, physical, and economic dependence on a man. Stereotypes about the role of women, the institution of the family, and the noticeable indifference of society to manifestations of violence also contain danger.

The fear of being left without resources and means of livelihood is considered by 9% of female respondents as the main threat, but it is due to the war in Ukraine. So it can be said that in 2/3 of the cases, the war itself caused and deepened a number of dangers that many women in Ukraine now have to face.

14% of respondents see a whole complex of threats (their multiplicity), some of which are related to the war (life under occupation, lack of medical care, loss of property, sexual violence), and some "stretch" for years: the already mentioned domestic violence, harassment, discrimination, etc.

The vision of what needs to be done to make a woman feel safer can be grouped into the following groups:

1) *physical and emotional level* (to defeat the enemy, try to create a safe - ecological - psycho-emotional space; peace, stability, confidence in tomorrow);

2) *economic level* (to provide work);

3) *at the level of the state, institutions, public organizations* (to improve legislation, strengthen control over its observance, state aid to single mothers who have lost their income, available psychological help, to respect women's rights and freedoms, to ensure equal opportunities, to make society more emancipated);

4) *personal level* (elementary skills in self-defense and providing medical assistance, legal literacy, to be able to defend one's own rights, to

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<sup>28</sup> War, media and gender..., cit. op.

<sup>29</sup> War, domestic violence and unemployment are the main threats for Ukrainian women today, *Volynskyi Press Club*, September 30, 2022. Available at: [http://volynpressclub.org.ua/index.php?option=com\\_content&view=article&id=1140:2022-09-30-18-52-16&catid=10:gendermedia&Itemid=21](http://volynpressclub.org.ua/index.php?option=com_content&view=article&id=1140:2022-09-30-18-52-16&catid=10:gendermedia&Itemid=21)

have inner confidence in one's own abilities, financial independence, women's solidarity);

5) *informational and educational level*: (to develop programs, to destroy gender stereotypes; to highlight women's problems and ways to solve them in the media).

But at the same time, many researchers of the situation in Ukraine, including foreign ones, note positive changes in the general gender picture in the media.

Orgeret & Mutsvairo, researching the gender aspects of war coverage in Ukraine, cite the words of J. Goldstein, who believed that the connection between war and gender is the most consistent gender issue in national cultures. This is the result of traits identified with masculinity being consistently portrayed as aggressive and more characteristic during times of war<sup>30</sup>.

Thompson claims, that traditional representations of men have ascribed certain attributes to male characters such as strength, power, control, authority, rationality and lack of emotion. In other words, media representations of men have reinforced hegemonic masculinity: “The media help construct violent masculinity as a cultural norm. Media discourse reveals the assumption that violence is not so much a deviation but an accepted part of masculinity”<sup>31</sup>.

Instead, women are often portrayed as being driven by concern for others and pacifism. At first, glance, reporting on the war in Ukraine seems to reinforce these gender stereotypes: women and children leave the country, while men stay to fight. But, if we take a closer look, a large part of the news about the war in Ukraine shows a change in gender roles during the war. Television reports show crying men, devastated by how life has changed in an instant, saddened by separation from departing families. And in one of her posts, Olena Zelenska published a photo of women soldiers, rescuers, doctors, mothers, writing “that our current resistance also has a particularly feminine face”.

Ukrainian women have always been an active part of the fight of Ukrainians for their independence and recognition. That tradition of resistance also continues at the present times. For example, according to an all-Ukrainian nationally representative poll conducted by InfoSapiens

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<sup>30</sup> K.S. Orgeret & B. Mutsvairo, “Ukraine coverage shows gender roles are changing on the battlefield and in the newsroom”, *The Conversation*, March 22, 2022. Available at: <https://theconversation.com/ukraine-coverage-shows-gender-roles-are-changing-on-the-battlefield-and-in-the-newsroom-179601>

<sup>31</sup> K. Thompson, Representations of men in the media, *ReviseSociology*, November 25, 2019. Available at: <https://revisesociology.com/2019/11/25/representations-of-men-in-the-media/>



for the British Research Agency ORB (3–4 March 2022), 59% of women are ready to personally participate in the armed resistance to end the Russian occupation of Ukraine<sup>32</sup>.

In September 2022, United24 platform posted video about Ukrainian female defenders. President of Ukraine Volodymyr Zelenskyi commented on:

When it is about protecting freedom, it doesn't matter whether you are a man or a woman. And the Ukrainians and our struggle proved it. Ukrainian women, on an equal footing with men, defend their native land and perform the most difficult tasks. Our army was and is one of those having the biggest number of women in its ranks<sup>33</sup>.

Ellner, examining gender stereotypes in media coverage of the war in Ukraine, also considers, that binary picture painted by the current media narrative of traditional gender roles where women do the caring, and men do the protecting, fails to capture the diverse life experiences of Ukrainian women in relative peace and war. Researcher believes that:

When we look beyond stereotypes, we see that the agency of Ukrainian women in the face of extreme challenges and traumatic events is diverse and abundant. Portraying women as helpless victims reduces them to passive recipients, and undermines their dignity. Rendering invisible those women who do not conform to dominant gender stereotypes hurts their dignity just as much. Meaningful public discourse and policy that brings about valuable long-term support, avoids both.

These stories add nuance to the binaries commonly encountered in war reporting: brave vs. coward, active vs. passive, male vs. female. According to the researchers, such posts support new narratives that don't differentiate between fighting and caring as actions of war. Gender shapes media content and is shaped by media content. A more complex and humane portrayal of gender in the media can also influence Ukrainians' understanding and empathy for the danger and, ultimately, affect attitudes toward changes in international security policy <sup>34</sup>.

## Conclusion

The research findings show that Ukrainian women have historically been underrepresented or misrepresented in stereotypical roles in domestic media content. Despite certain differences in the data of national and hyperlocal media monitorings in 2022, the results from both studies

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<sup>32</sup> T. Martsenyuk, *op. cit.*

<sup>33</sup> The official channel of the President of Ukraine Volodymyr Zelenskyi, September 9, 2022. Available at:

[https://t.me/V\\_Zelenskiy\\_official/3184?fbclid=IwARoPGQxhjYvUIFXI4-k4LoWFPXwfmTOMgYIRnHCmWd-rkkbdA8MuXVL2SQo](https://t.me/V_Zelenskiy_official/3184?fbclid=IwARoPGQxhjYvUIFXI4-k4LoWFPXwfmTOMgYIRnHCmWd-rkkbdA8MuXVL2SQo)

<sup>34</sup> K.S. Orgeret & B. Mutsvairo, *cit. op.*

indicate a gender imbalance in Ukrainian media in favor of men. This is partly a consequence of the long-standing situation in society, where gender roles are relatively rigid, partly due to the full-scale war.

At the same time, we note the positive changes regarding the destruction of gender stereotypes and transformation of gender roles in Ukrainian society, reflected in changing representations of women in modern media. We can state that a new woman image – a female citizen of Ukraine – appeared in the media. This is a complex image that integrates different incarnations: mother, wife, housewife, female worker, defender and others, but isn't reducible to each. It is not equal to the sum of stereotypes but is a new integrated image, the key element in the construction of which is national identity. A woman appears as a citizen of a democratic society, a conscious and active voice of national interests and national spirit, who along with men contributes to the common cause, expresses readiness and will to achieve the national goal.

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# CONTRAVENTIONAL LIABILITY VS. ADMINISTRATIVE-CONTRAVENTIONAL LIABILITY–SYNTHETIC AND INTERACTION APPROACHES

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**Abstract:** *This study contains a detailed analysis of the contraventional liability as a form of legal liability, including the use of the attribute „administrative” for the contraventional liability as a social-legal phenomenon. The material reveals the conceptions of the authors in the field of law and our separate opinion regarding the aspects of the contraventional liability and the relevance of the use of the terminological construction „administrative-contraventional liability”. Therefore, we analyzed the legal framework and the practice of the Republic of Moldova and other states, starting our research from the hypothesis that the contraventional liability is a distinct form of legal liability that occurs when an illegal act (contravention) has been committed, violating the rules of the contraventional law, for which contraventional sanctions are applied by the competent authorities, through a legally established procedure.*

**Keywords:** *legal liability, contravention, contraventional liability, administrative-contraventional liability, illicit act, competent authorities, public administration, contraventional procedure.*

## Introduction

The realization of the legal order in a state requires from all recipients of the law a behavior according to its provisions, necessary for the normal development of the relations in society. For those who do not adapt their behavior to the legal provisions and commit illicit acts, the restoration of the legal order occurs through coercive measures.

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The national legal framework, and also the jurisdiction, do not define the notion of legal liability. Our legislator has only established the requirements to hold a person liable, the form of liability depending on the nature of the illicit act, the principles of liability, the coercive measures that can be applied (sanctions, punishments, and others) and their limits of application.

The state adopts legal norms and establishes sanctions as a structural part of them, in order to discipline the human behavior in the main relations in society, ensuring harmony and justice in their coexistence and protecting their crucial rights and freedoms. The individuals are sanctioned by the state for non-compliant deeds, i.e. for those acts that undermine legal order and violate legal norms.

The legal liability intervenes only under the condition that all the circumstances are established by a court with legal competence in the field and only within the limits of the law (principle of legality). It is a social fact and represents the state's attitude towards an act classified as reprehensible. Likewise, the law of retribution is void, just as no one can be a judge in his own case. In this light, legal liability has a normative character and intervenes whenever the demands of society (expressed in the form of imposed rules) are not accomplished. This intervention is possible only if a sanction is provided in the content of the legal norm, because only *the sanction, as a vital condition of existence in society, must restore the faith shaken by the anti-social act.*<sup>1</sup>

The liability and the sanction must not be confused with each other, even though they are parts of the same social mechanism. The sanction pursues only one side of liability, namely the reaction of society, and the purpose of its existence is to control and to keep the masses in check. The liability represents the legal framework for the realization of the sanction, with the aim of resocializing the author of the disruptive act and raising the spirit of responsibility.

### **I. Conceptual approaches and the national legal framework**

Within the forms of legal liability, a special place belongs to the contraventional liability, because the contravention is among the most frequent antisocial deeds.

The contraventional liability is a variety of legal liability, representing the right of the state to prosecute the contravener, as well as the contravener's obligation to bear responsibility for his act and the sanction applied in order to restore the authority of the law.

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<sup>1</sup> P. Fauconnet, *La responsabilité. Étude de sociologie*, Paris: Félix Alcan, 1928, p. 256.

Often, the researchers in the field of law analyze contraventional liability and administrative-contraventional liability on a platform of equality, namely the first one as the main form of liability in the administrative law. Thus, can we generally talk about administrative-contraventional liability?

The Contraventional Code of the Republic of Moldova (hereinafter, the Contraventional Code) was adopted on October 24, 2008, and promulgated by the Decree No. 2046-IV of December 29, 2008. This important legislative achievement generated new directions of research in the field of law, especially the contraventional law, this time „separated” from the administrative law, as an independent branch in the national law system of the Republic of Moldova. This terminological construction „independent branch” is an assumed one, because the national doctrine has not offered a reasoned scientific verdict proving the removal from the guardianship of the administrative law yet. Some authors argue that it is still under the guardianship of the administrative law, others consider that the contraventional law has its own object of research, characteristic features, method of research and its own terminological system, contraventional liability as a distinct modality, even formulating proposals for the establishment of a legal contraventional system, which taken together into consideration, give it the status of an independent branch of law. The positions are different because of the fields of interest of the researchers, the specialists in the administrative law considering it a sub-branch of the administrative law, while the specialists in the contraventional law – as an independent branch of law. We will try to find an answer to this question.

According to article 482 let. a) of the Contraventional Code, on the date of entry into force, the Code regarding administrative contraventions, approved by the Law of the Moldavian S.S.R. of March 29, 1985 was repealed.<sup>2</sup>

The adoption of the Contraventional Code did not end the legislative process in this field. On the contrary, it gave reasons to approach and to analyze the problems arising in connection with its application, accompanied by the creation and approval of the operational processes of application, and the submission of amendments to legislation if required.

With the adoption and implementation of the Contraventional Code, the contraventional law widens its field of action: the legal reality obliges the jurisprudence to develop its functions of interpretation and application of the contraventional norms, doubled by prospecting and forecasting,

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<sup>2</sup> Contraventional Code of the Republic of Moldova of 24.10.2008, published in: Official Monitor No. 3-6, article 15 of 16.01.2009, republished in: Official Monitor No. 78-84, article 100 of 17.03.2017.

gaining the task and obligation to analyze and to research the extremely vast and diversified field of the new legal regime of contraventions in the Republic of Moldova.<sup>3</sup> In fact, the tendency of emancipation of the concept of contraventional liability from the subordination of the administrative law has arisen since then. We must not forget that, in order to determine the forms of legal liability, the criterion of belonging and the form of legal sanctions applicable to the branch of law will be taken into consideration.

From general to particular, Chapter II of the Contraventional Code was dedicated to *the contravention and the contraventional liability*. In this way, the legislator highlights the contraventional liability as a distinct „form” of legal liability. Furthermore, the entire text of the law clarifies in article 10 of the Contraventional Code the notion of „contravention” – the only basis of this new „modality” of liability. We only admit that possibly, in some cases, the contravention could arise from the non-execution or improper execution of the administrative activity, for which the legislator provides contraventional liability. For example, according to article 53 of the Contraventional Code, „Violation of electoral legislation by members of the electoral body”, para. (3): „Unjustified failure to deliver the ballot to the person enlisted on the electoral list or the delivery to a single voter of more ballots than is provided by law”. It is a non-execution or improper execution of an administrative activity. Anyway, this illicit act constitutes a contravention and, accordingly, the contraventional liability must be applied. We will explain this kind of deviations below. Committing any other illicit act (crime, disciplinary offense) will result in a different form of liability than the contraventional one. More than that, in article 10 the legislator specifies exactly the form of the sanctions applied for committing acts of contraventional nature – contraventional sanctions. Articles 8 and 9 of the Contraventional Code refer to two specific principles of the contraventional liability: the principle of personal character of the contraventional liability and the principle of individualization of the contraventional liability and the contraventional sanction. Finally, articles 16 and 17 of the Contraventional Code establish the persons who can be the subject of the contraventional liability: the individual and the legal entity. All these legislative reflections give us the arguments in favor of supporting a separate „modality” of legal liability – the contraventional liability.

## **II. Elements of international doctrinal analysis**

In the doctrine of Western states, the contraventional liability is considered as a form of administrative liability, the contravention being currently a form of administrative illegality, namely its most serious form,

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<sup>3</sup> S. Furdui, *Suggestions and conclusions in relation to the application of the Contraventional Code*, in: National Law Journal, No. 1, January 2010, p. 34.



its legal regime being a predominantly administrative law regime.<sup>4</sup> Moreover, there is another legislative system regarding contraventions, different from the one from the Republic of Moldova. *Lex lata*, three broad categories of illegal administrative acts are identified: proper administrative illicit, contraventional illicit and illicit causing material and moral damages.<sup>5</sup> In accordance with each category, three forms of administrative liability are distinguished, namely two forms of liability characterized by a repressive action, i.e. proper administrative liability and contraventional liability, and another form – of reparative liability, administrative-patrimonial liability.<sup>6</sup> It is worth noting that not all contemporary authors recognize these three forms of liability. The author R. Petrescu<sup>7</sup>, for example, recognizes only two forms of administrative liability, namely the contraventional liability and the patrimonial liability of the public administration authorities, identifying within the liability of public officers the existence of a disciplinary liability specific to them.

The approach to the problem of contraventional liability in the EU states is different. The criterion by which the notions of „liability” are delimited is the legal nature of the illicit acts and their belonging to one branch of law or another. The tendency of the EU states is to transfer the competence of solving cases regarding the commission of illegal acts with a low degree of danger (contraventions) from courts to the administrative authorities (police, financial inspection). It is the case of Portugal, Germany, Switzerland, Belgium, Italy, where such acts are considered as a variety of crimes, the criminal liability being applied for their committing. The sanctions can also be applied by administrative authorities, that’s why they are also called „administrative crimes” and „administrative criminal liability”. The proper notion of „administrative” emerges specifically from the criterion of the competence of the administrative authorities to solve these cases and, at the same time, has no connection with the administrative liability.

In Austria, France, the Netherlands, Spain, Greece, contraventions are legally separated from crimes and are examined on the basis of a separate procedure.

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<sup>4</sup> Al. Țiclea, *Regulation of contraventions. Edition No. 6*, Bucharest: Universul Juridic, 2008, p. 7.

<sup>5</sup> A. Iorgovan, *Treaty of administrative law. Volume II*, Bucharest: All Beck, 2005, 360 p., quoted by M.-E. Mihăilescu, *Contraventional sanctions. Aspects of substantive law in Romanian and comparative law*, Bucharest: Hamangiu, 2013, p. 57.

<sup>6</sup> D. Tofan, *Administrative law. Volume II*, Bucharest: C.H. Beck, 2009, 175 p., quoted by M.-E. Mihăilescu Mădălina-E. *Contraventional sanctions. Aspects of substantive law in Romanian and comparative law*, Bucharest: Hamangiu, 2013, p. 57.

<sup>7</sup> R. Petrescu, *Administrative law*, Bucharest: Hamangiu, 2009, p. 503-504.

The EU states have not developed normative acts that would systemize all the contraventions. They are currently regulated in the normative acts of the authorities that have the competences to solve them. In Belgium and France, but also in Denmark, there are laws that highlight the general principles of establishing the contraventions and applying the contraventional sanctions.

The legislation of the states that joined the European family much later (Poland, Latvia, Lithuania, Bulgaria, Romania) is in the process of continuous reformation and adoption of a new concept regarding contraventions. In most of them, contraventions are delimited from crimes, although criminal law is also applied by analogy.<sup>8</sup>

The opinion of the scientist M.A. Hotca is relevant, referring to the fact that the contraventional liability is susceptible to four meanings: legal institution, legal coercion relationship, passive side of the contraventional coercion relationship, the content of the contraventional coercion relationship.<sup>9</sup> In a broad sense, the contraventional liability means, from the same author's point of view, a form of legal liability, identified with the contraventional coercion relationship, established between the state and the contravener, consisting of the right of the state to impose the sanction to the contravener and the correlative obligation of the contravener to bear this sanction. In a narrow sense, the contraventional liability represents that form of legal liability, which consists of the obligation of the contravener to bear the sanction, because the contraventional liability appears only within a legal relationship, in which the illicit act, the contravener's guilt and the sanction are established accordingly. We note that the author specifically refers to the contraventional legal relationship, which appears between the state and the contravener, and not to the administrative relationship.

Quite interesting, but typical to the legislation of the author's state, the researcher Timoshenko I.V. defines „administrative liability” for contraventions as „a form of state coercion, carried out according to the procedural-administrative legislation, applied to the persons who have committed contraventional acts and which foresee legal consequences of moral, patrimonial, organizational nature”.<sup>10</sup> The authors Rosinkii B.V., Gonciarova N.G., Galagan I.A. and Beliskii K.S. have an analogical

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<sup>8</sup> O.A. Banchuk, Analytical report: „*The law on administrative offenses: the experience of the countries of Western and Eastern Europe, the requirements of the European Court of Human Rights and the standards of the Council of Europe*”. Available at: [https://online.zakon.kz/Document/?doc\\_id=32663250&pos=3;-110#pos=3;-110](https://online.zakon.kz/Document/?doc_id=32663250&pos=3;-110#pos=3;-110) (accessed on 06.03.2023).

<sup>9</sup> M.A. Hotca, *Contraventional law. General part*, Bucharest: Editas, 2003, p. 293.

<sup>10</sup> I.V. Timoshenko, *The concept of administrative liability*, in: North Caucasian Legal Bulletin, 2009, No. 2, p. 79.

approach, highlighting in their definitions the same particularities of the administrative liability: a) it is a measure of state coercion; b) the delinquent bears patrimonial, moral, organizational legal consequences; c) the administrative sanctions are stipulated exhaustively in the legal norms; d) state coercion measures are applied in accordance with the procedural-administrative rules provided by law.<sup>11</sup>

Moreover, we consider that there is an unresolved syntax problem regarding the express translation and recognition of the notions of „contravention” and „contraventional liability” in English, that should be used as distinct terms in the process of applying the law.

### **III. Separate opinion on the reasons for using the term „administrative”**

Analyzing the above-mentioned opinions, it is worth mentioning that the use of the attribute „administrative” for the form of contraventional liability is absolutely *inappropriate* under the legislation of the Republic of Moldova, because the contraventional sanctions are not applied exclusively by the administrative authorities, but also by courts and prosecutors. In this case, the term „administrative sanction” has no longer the same meaning, even though most of the attributions regarding establishing and solving the contraventional cases belong to the public administration authorities.

With reference to the „competence” criterion, the Contraventional Code establishes, in article 393, the exhaustive list of authorities with attributions to establish contraventions and to solve contravention cases:

- a) the court;
- b) the prosecutor;
- c) the administrative commission;
- d) the official examiner (specialized bodies specified in articles 400 – 423 of the Contraventional Code of the Republic of Moldova).<sup>12</sup>

Despite the fact that the authorities provided for by let. c) and d) of the above-mentioned article are parts of the system of public administration authorities, the procedure of establishing the contraventions, examining and solving the contraventional cases is, by its nature, a contraventional one, regulated by the Book Two of the Contraventional Code. In this

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<sup>11</sup> B.V. Rosinskii, N.G. Gonciarova, *Administrative law*, Moscow: Practicum, 2006. K.S. Beliskii, *Administrative liability: genesis, main features, structure*, in: State and Law, 1999, No. 12.

<sup>12</sup> Contraventional Code of the Republic of Moldova of 24.10.2008, published in: Official Monitor No. 3-6, article 15 of 16.01.2009, republished in: Official Monitor No. 78-84, article 100 of 17.03.2017.

context, article 374 of the Contraventional Code clearly defines the *contraventional process* as – the activity carried out by the competent authority (see above, article 393), in order to solve the contraventional case. Thus, the court, the prosecutor and the public administration authorities act in accordance with the contraventional rules and not otherwise.

The contraventional procedure is characterized by the following specific features, which distinguish it from the administrative procedure:

First of all, the contraventional procedure is regulated by special rules provided for by the Contraventional Code, rules for applying the substantive norms of the contraventional law, which are supplemented by the rules of civil procedure and criminal procedure, to the extent that they do not contradict the contraventional relations and the norms of international law and international treaties regarding the fundamental human rights and freedoms which the Republic of Moldova has ratified.

The contraventional process is carried out on the general principles of the contraventional law.

Secondly, these categories of procedural legal norms are applied only in case of legal relations generated by the contravention that was committed. In cases of other illicit deeds, other procedural legal norms are applied: criminal, civil, administrative.

Thirdly, the contraventional procedure involves an activity of the competent bodies concerning the prevention, suppression and coercion of the contravention, the examination of the contraventional case and the issuing of decision regarding the case, the appeal of the decision and the review of the case, as well as the execution of the decision regarding the application of the contraventional sanction.

Fourthly, both the content of this activity and the bodies empowered to examine the case and to issue the decision on the case, as well as other parts of the contraventional process, are strictly established by the contraventional legislation.

Fifthly, the contraventional process also aims to resocialize the contravener, as well as to determine the reasons and conditions in which the contravention was committed.<sup>13</sup>

Sixthly, the official documents drawn up in the process of solving the contraventional cases are procedural-contraventional documents. For example, article 425 para. (2) of the Contraventional Code provides: „ Factual elements established through the following means shall be admitted as evidence: documentation on a contravention, documentation on the seizure of objects and documents, documentation on a search,

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<sup>13</sup> O. Pantea, A. Antoci, *Contraventional law. Course support*, Chişinău: CEP, 2020, p. 97-98.

documentation regarding on-site investigations, documentation on other procedural actions carried out according to this code, statements of the person against whom a proceeding was started, the depositions of the victim and witnesses, written records, audio or video recordings, photographs, corpora delicti, objects and documents seized, technical, scientific and forensic findings and expert reports”<sup>14</sup>. In case of examination by the court, it is also specified that „the contravention case is examined in the court hearing...”. Whereas, in Chapter II of the Administrative Code of the Republic of Moldova, the legislator highlights the list of administrative acts: individual administrative acts and normative administrative acts, administrative contracts, real acts, etc.).

*Administrative procedure*, on the other hand, represents the activity of public authorities with an external effect, aimed for examining the conditions, preparing and issuing an individual administrative act, examining the conditions, preparing and concluding an administrative contract or examining the conditions, preparing and undertaking a strictly public authority measure. Issuing an individual administrative act, concluding an administrative contract or undertaking a strictly public authority measure are parts of the administrative procedure<sup>15</sup>. It is an activity regulated by the administrative-procedural norms.

Then, we cannot deny the legal liability when the public administration authorities, public officers violate the rules of behavior, cause material damages, commit contraventions or crimes during work or in connection with the exercise of their professional duties. Moreover, the administrative misconduct can also have a contraventional character, when culpable violations of the contraventional law occur, which are sanctioned according to the Contraventional Code. A similar example is provided for by article 264 of the Contraventional Code: „Illegal participation of the public officer, of the person with a position of public dignity in the entrepreneurial activity”. We can conceptually admit that this also represents an administrative misconduct. More than that, article 25 para. (2<sup>1</sup>) of the Law of the Republic of Moldova No. 158 of July 04, 2008 regarding the public office and the status of the public officer states that: „The public officer is not entitled to carry out entrepreneurial activity, except as the founder of the commercial company”.<sup>16</sup> *In this context, the*

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<sup>14</sup> Contraventional Code of the Republic of Moldova of 24.10.2008, published in: Official Monitor No. 3-6, article 15 of 16.01.2009, republished in: Official Monitor No. 78-84, article 100 of 17.03.2017.

<sup>15</sup> Administrative Code of the Republic of Moldova of 19.07.2018, published in: Official Monitor No. 309-320, article 466 of 17.08.2018.

<sup>16</sup> Law of the Republic of Moldova No. 158 of 04.07.2008 regarding the public office and the status of the public officer, published in: Official Monitor No. 230-232, article 840 of 23.12.2008.

*administrative misconduct will be used in the stricto sensu, which means only the violation of the material rules of the contraventional law and which entails the contraventional liability for it.*

Generally, the administrative misconducts mean the improper accomplishment or non-accomplishment by public officers of their obligations. Accordingly, the sanctions for the administrative misconducts are various: disciplinary, civil, criminal. Article 35 of the Administrative Code of the Republic of Moldova states that: „The public authorities and the individuals who represent them can be hold *criminally, contraventionally, civilly or disciplinary responsible...*”<sup>17</sup>. In turn, article 16 para. (6) of the Contraventional Code defines the notion of „responsible person” and the conditions for holding them liable – „a person who is granted permanently or temporarily by law or appointment or by virtue of a task certain rights and obligations in view of exercising the functions of a public authority or of an administrative nature or organizational or economic actions in a company, institution, state organization, central or local public authority is contraventionally liable for committing an act provided for by the Contraventional Code of the Republic of Moldova, if he/she:

- a) intentionally used his/her authority contrary to his/her work duties;
- b) clearly exceeded the rights and attributions granted by law;
- c) failed to fulfill or unduly fulfilled his/her work duties”.<sup>18</sup>

Actually, article 56 of the Law on the public office and the status of the public officer still provides the notion of „administrative liability”. It seems that the competent authorities of the state have not complied with article 484 let. b) of the Contraventional Code of the Republic of Moldova, in order „to bring the normative acts into line with the provisions of the code”.

The legislation of the Republic of Moldova also provides some special models of administrative liability, for example, as a result of the investigations carried out into the alleged cases of violation of the competition law, *when individual administrative decisions have been adopted, establishing the violation of the legal provisions and applying the sanction of (administrative) fine*. By way of derogation from the Contraventional Code of the Republic of Moldova, the fines for violation of

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<sup>17</sup> Administrative Code of the Republic of Moldova of 19.07.2018, published in: Official Monitor No. 309-320, article 466 of 17.08.2018.

<sup>18</sup> Contraventional Code of the Republic of Moldova of 24.10.2008, published in: Official Monitor No. 3-6, article 15 of 16.01.2009, republished in: Official Monitor No. 78-84, article 100 of 17.03.2017.

the competition legislation are established according to the Competition law of the Republic of Moldova No. 183 of July 11, 2012.<sup>19</sup> The legislator also establishes the rules for individualization and determination of fines for violations of the competition legislation. It is important to specify that the nature of the deeds that constitute violations of the material norms of the competition legislation is more commercial than administrative. The administrative decisions on the application of the sanction can be contested in the administrative litigation court.

In this context, the national researcher Furdui S. expressed his opinion, stating that: „The contraventional relation also concerns the relations between individuals, which do not form the object of the administrative law, and as a result, it must be differentiated from the administrative relation by the fact that the contraventional relations only partly intersect with the administrative relations, referring only to the relations in the field of activity of the administrative bodies, such as the compartment regarding the established mode of administration”.<sup>20</sup> The Administrative Code of the Republic of Moldova establishes itself that *it does not apply to the legal relations of the public authorities acting on the basis of the Contraventional Code or the Criminal Code of the Republic of Moldova* (article 2 para. (3), let. b) of the Administrative Code).

A particular point of view regarding the contraventional liability belongs to the law professor Iovănaș Il.<sup>21</sup>, who considered that the administrative liability is identified with the contraventional liability, being a creation of the socialist law that instituted the liability of state administration bodies for damages caused by their illegal acts, as a form of autonomous liability, distinct from the civil liability. According to this concept, it was also formulated a proposal to replace the name of „administrative liability” with the name of „contraventional liability”, which would better evoke the character of this type of liability. However, the use of the expressions „contraventional” and „administrative-contraventional” still encourages the idea of a separate normative regulation, independent from the others, such as criminal, civil, disciplinary.

Certainly, many authors, both from our country and abroad, have the same opinion regarding the basis of the contraventional or the administrative-contraventional liability - the contravention. The

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<sup>19</sup> Competition law of the Republic of Moldova No. 183 of 11.07.2012, published in: Official Monitor No. 193-197, article 667 of 14.09.2012.

<sup>20</sup> S. Furdui, *Contraventional Law*, Chișinău: Cartier, 2005, p. 50.

<sup>21</sup> Al. Negoită, *Administrative law and elements of administration science*, Bucharest: T.U., 1981, p. 274, quoted by M.-E. Mihăilescu, *Contraventional sanctions. Aspects of substantive law in Romanian and comparative law*, Bucharest: Hamangiu, 2013, p. 54.

contraventional liability applies for committing illegal acts provided by law as contraventions. Article 10 of the Contraventional Code of the Republic of Moldova defines the contravention – an illicit deed, action or inaction, with a lower degree of social danger than a crime, that is committed with guilt, which violates the social values protected by law, is provided for by the Contraventional Code and is liable to a contraventional sanction. Thereby, as a legal phenomenon, the contravention is characterized by the socially dangerous act and the coercive measure applied, the contraventional sanction. The contravener is aware of the harmful nature of his action or inaction and its harmful consequences. And like any other deed that is contrary to the legal order, the contravention is a manifestation of the human behavior, externalized in the social framework, i.e., a human action carried out under the control of his/her will and reason, because the contravener had the freedom to choose this negative behavior, violating the legal order. The existence of this possibility of choice, as an objective reality, determines the guilt of the person who commits this action or inaction.

In Chapters VI-XX of Title II, Book One, of the Contraventional Code of the Republic of Moldova there are distinguished the varieties of contraventions: ecological, administrative, labor, military, traffic, etc.

The liability for committing contraventions is not a form of repressive administrative liability, but a separate form of liability, called „contraventional liability”, which can take different forms at its turn, according to the examples above.

### **Conclusions**

In the end, we cannot talk about administrative liability itself (perhaps more theoretically), but we can only accept the liability in the administrative law, only in the sphere of the administrative relations and, implicitly, of the participants in these relations, which are based exclusively on non-compliance or improper compliance with their obligations. It is a typical administrative liability, in contrast to the contraventional liability, which is concerning all the individuals (including public officers) and legal entities (excluding public authorities) who have committed contraventions. So, the person is hold contraventionally liable only for acts committed with guilt, provided by the contraventional law.

The use of the expression „administrative-contraventional liability” is also an inappropriate one, because establishing of contraventions and solving the contraventional cases are not exclusively in the competence of the administrative authorities, but also of the courts and the prosecutors.



The contraventional liability is an exclusively separate modality of legal liability in the legislation of the Republic of Moldova, with the following features:

- The basis for the contraventional liability is only the contravention. The only exception to the general rule is the possibility of applying the contraventional liability in the cases provided for by the criminal legislation (article 55 of the Criminal Code of the Republic of Moldova).

- There is a group of authorities empowered by law to establish and to solve the contraventional cases. The persons legally empowered to establish contraventions are called „official examiners”. The contraventional liability is applied, as a rule, extrajudicially, directly by the authorized state bodies (by responsible persons).

- The law establishes a range of contraventional sanctions that are applied for committing contraventions. The types of sanctions that can be applied are provided exhaustively.

- The measures of contraventional liability are applied according to distinct procedures, which form the „contraventional process”.

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# THE NOTION OF “SPORTING EVENT” UNDER THE CRIMINAL CODE OF THE REPUBLIC OF MOLDOVA

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**Abstract:** *The article analyzes the notion of “sporting event”, a notion used to describe some offences (i.e., manipulation in sports competitions, bribery, arranged bets) from the Criminal Code of the Republic of Moldova. In this sense, there were national and international normative provisions, judicial practice and specialized literature. Particular attention was paid to the provisions of the Council of Europe Convention on the manipulation of sports competitions, to the practice of the Court of Justice of the European Union, as well as the European Court of Human Rights. Finally, it is concluded that notion of “sport” is associated with different words, e.g., match, event, competition. The content of these notions may differ from one country to another.*

**Keywords:** *sport, game, match, bets, criminal law, manipulation in sports competitions, bribery.*

## Introduction

In the Criminal Code of the Republic of Moldova the expression “sporting event” is contained in art. 242<sup>1</sup> (manipulation of an event), 242<sup>2</sup> (arranged bets), art. 333 (giving bribery) and art. 334 (taking bribery). This expression is not defined by the said Code. Thus, in this study I will elucidate the meaning of the notion under discussion, considering the normative framework, case-law, and doctrinal approaches.

## Discussion and results

At the outset, it must be noted that in para. (1) and (2) art. 1 of Law no. 330/1999 of the Republic of Moldova regarding physical culture and sport, the definitions of the notions of “physical culture” and “sport” are reproduced. Thus, physical culture is a field of society's culture, oriented towards maintaining and strengthening health, developing the physical, moral and intellectual qualities of man. Sport is seen as a component part of physical culture, a specific sphere of activity, oriented towards the development of extreme human possibilities in competitive conditions and

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in the sports-pedagogical process. According to paragraph (3) of the same article, physical culture and sport include: physical education, sport for all, performance sport, physical exercises practiced with the purpose of strengthening, prophylactic and therapeutic.

Considering these legislative premises, in the legal doctrine it has been shown that by “sporting event” is meant the event in which two or more participants – persons (athletes) or teams – carry out an activity aimed at developing the extreme possibilities of man in competitive conditions or in the sports-pedagogical process<sup>1</sup>. This opinion highlights the following characteristic features of the sports event: 1) it involves the presence of two or more participants - individuals (athletes) or teams; 2) participants must undertake actions aimed at developing the extreme possibilities of man; 3) these actions take shape in competitive conditions or in the sports-pedagogical process.

In comparison with the relevant normative framework of the Republic of Moldova, the Romanian Law no. 4 of January 9, 2008 regarding the prevention and combating of violence during sports competitions and games<sup>2</sup> distinguishes in art. 1 between: a) sports competition – sports competition organized by sports, between several teams or independent competitors, based on a regulation and a schedule, with the aim of establishing a hierarchical order of competitors in the final ranking; and b) sports game – sports competition held within or outside a sports competition, which can be official or friendly, domestic or international and is contested based on a regulation, with the aim of establishing a winner. From this perspective, between the concepts of “sports game” and “sports competition” there is a “part-whole” relationship. Also, both notions imply, *ope legis*, a sporting competition, the purpose of which is to identify the best participant. This confrontation can be official or friendly, domestic or international, and is carried out between two or more athletes or sports teams. Last but not least, from the cited provisions it follows, unequivocally, that the sports game and the sports competition must be conducted on the basis of a regulation. Thus, the sports competition is regulated by “norms” agreed to by the participants.

The problem of defining the notion of sport was also brought before the Court of Justice of the European Union (CJEU). According to the CJEU, for want of any definition of the concept of ‘sport’, the meaning and scope of that term must, as the Court has consistently held, be determined

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<sup>1</sup> Stati Vitalie, *Economic Crimes: Course Notes*, 3<sup>rd</sup> Edition, Chisinau: CEP USM, 2019, p. 213.

<sup>2</sup> Romanian Law no. 4 of January 9, 2008 regarding the prevention and combating of violence during sports competitions and games. In: *Official Monitor of Romania*, 2008, no. 24.

by considering its usual meaning in everyday language, while also considering the context in which it is used and the purposes of the rules of which it is part. Regarding the meaning of the term ‘sport’ in everyday language, it is typically used to refer to an activity of a physical nature or, in other words, an activity characterised by a not negligible physical element<sup>3</sup>. I agree with this interpretation.

The notion of “sporting event” is used, among others, in the European Convention on spectator violence and misbehaviour at sports events and in particular at football matches<sup>4</sup>. But it is not defined. Under the examined aspect, it is useful art. 3 para. (1) of the Council of Europe Convention on the manipulation of sports competitions. According to this article, “sports competition” means any sporting event organized in accordance with the rules established by the sports organization, listed by the Committee for the follow-up of the Convention and recognized by the international sports organizations or, where appropriate, by other competent sports organizations. The merit of this clarification lies in the fact that it emphasizes the fact that the rules by which a sporting event is conducted are dictated by a sporting organization. Subsequently, the sports organization must be recognized by international sports organizations or other competent sports organizations. In this way, the sporting event is given an official character and, therefore, legitimacy.

In an effort to clarify the aforementioned normative text, the Explanatory Report of the nominated Convention states that the term “competition” refers to any event, competition, match, but does not necessarily include the entire tournament (for example, a championship where the winner is determined following a series of competitions) or to all competitions that take place within an event involving several selections or tournaments (e.g., the Olympic Games)<sup>5</sup>.

Thus, it appears that the notion of “sports competition” encompasses the notions of “sporting event”, “game” and “match”. It seems that this detail was not understood by the promoters of Law no. 291/2016 of the Republic of Moldova regarding the organization and conduct of gambling, when they established the rules governing bets for sports competitions/events. The use of the vertical bar to create an “or” condition *prima facie* lends credence to the false notion that, conceptually, the

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<sup>3</sup> *The English Bridge Union Limited v. Commissioners for Her Majesty’s Revenue & Customs*, Judgment of 26 October 2017, Case C-90/16, §§ 18-19. Available at: <https://bit.ly/3iD6Uxf>.

<sup>4</sup> European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches. Strasbourg, 19.VIII.1985. Available at: <https://bit.ly/3U74HZu>.

<sup>5</sup> Explanatory Report to the Council of Europe Convention on the Manipulation of Sports Competitions. Magglingen, 18.IX.2014. Available at: <https://bit.ly/3SzBDJe>

notions of “sporting competition” and “sporting event” have a distinct legal connotation. In fact, as could be noticed, in the sense of art. 3 paragraph (1) of the Council of Europe Convention on manipulation in sports competitions, sports competition means any sporting event. From this derives the natural observation: the phrases confronted have the same legal load<sup>6</sup>.

Synonymy in legislation is likely to create uncertainties and contravenes the rule of legislative technique, according to which the terminology used must be constant, uniform and correspond to that used in other normative acts. For this reason, I advocate for normative coherence, and I suggest the use of only one expression, so that there is a connection between the extra-criminal normative framework and the criminal law. However, what is the most suitable formula? In this regard, in one of the preparatory acts, which formed the basis of the criminalization of the offences of manipulation of an event and arranged bets, it was emphasized that:

At art. 394 (art. 394 “Match-fixing” is being considered, which would have been added to the Criminal Code in accordance with Draft Law no. 1246 of June 8, 2012, promoted by a group of deputies), in the proposed wording, in the title and in the provision of the prescribed rule, the term “match” implies a sports competition contested between two participants or between two teams. This fact will allow the rule to be interpreted as applicable only in the case of a match between two teams (football match, basketball, etc.) or between two people (chess match, tennis, etc.), therefore excluding other sports competitions. [...] [To] not admit the interpretation of the norm according to the pursued interest, we recommend replacing the word “match” with the term “competition”<sup>7</sup>.

However, the Parliament decided to use the phrase “sporting event” in the Criminal Code of the Republic of Moldova.

Through an *obiter dictum*, the Constitutional Court of the Republic of Moldova established, although in a different context, that the term “event” has an ambiguous character; it can involve both the presence of the human factor (demonstrations, meetings, meetings, protests, etc.) and its absence (for example, natural events of man-made origin, etc.)<sup>8</sup>. In other words, it

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<sup>6</sup> Stati Vitalie and Reniță Gheorghe, *The effects of the adoption of the Law of the Republic of Moldova no. 291/2016 on the application of criminal liability for the manipulation of an event and arranged bets*. Available at: <https://bit.ly/2DYNAWT>.

<sup>7</sup> Decision of the Government of the Republic of Moldova no. 850 of November 12, 2012 regarding the approval of the Opinion on the draft law for the amendment and completion of the Criminal Code of the Republic of Moldova no. 985-XV of April 18, 2002. In: *Official Gazette of the Republic of Moldova*, 2012, no. 237-241.

<sup>8</sup> Judgment of the Constitutional Court no. 14 of May 27, 2014 for the control of the constitutionality of Art. II of Law no. 56 of April 4, 2014 for the completion of article 60 of

is a notion liable to turn into a “bottomless sack”. I believe that the same conclusion could not be reached if we juxtaposed the word in question with the term “sport”. This is because there is a legislative notion of the term “sport” (given above).

From the perspective of comparative law, while some legislators (e.g., of Australia, of the Republic of South Africa) have opted, in the context of the offenses of manipulation of an event and fixed bets, for the use of the notion of “sporting event”, others (among which that of Bulgaria, China, Germany, Italy, Lithuania, El Salvador, Turkey, etc.), on the contrary, gave preference to the expression “sports competition”<sup>9</sup>.

Since sports competition means any sporting event, we do not consider it necessary to propose replacing the term “event” with that of “competition” in the criminal law. Instead, the legislator should only operate with the term “event” in Law no. 291/2016.

In the sense of the offences provided for in art. 242<sup>1</sup> (manipulation of an event), 242<sup>2</sup> (arranged bets), art. 333 (giving bribery) and art. 334 (taking bribery) of the Criminal Code of the Republic of Moldova, the sports event may have an official character (scheduled in a championship or other competition held under the auspices of a sports organization; the result of the game counts in terms of gaining points in the ranking or qualifying in the following phases) or friendly (organized by a club, sports association or authorized persons between athletes or teams chosen by the organizer; the score has effect only with regard to the respective game or, as the case may be, the tournament), domestic or international (it is made between two teams belonging to two national federations, two clubs, one club and one national team or two national teams). The logical substratum of this finding derives from the rule *ubi lex non distinguit, nec nos distinguere debemus*.

Regarding the official nature of the sporting event (which, moreover, is expressly mentioned, for example, in art. 369<sup>3</sup> of the Criminal Code of Ukraine, etc.), I specify that, according to the Sports Classification Unique of the Republic of Moldova, by “official competitions” it is understood: competitions included annually in the Calendar of international sports actions of the specialized central public administrative authorities, the calendars of international sports organizations, the calendars of structures in the Republic of Moldova coordinated with sports federations national specialty<sup>10</sup>.

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the Criminal Code of the Republic of Moldova (prescription of criminal liability). In: *Official Gazette of the Republic of Moldova*, 2014, no. 364-365.

<sup>9</sup> UNODC IOC Study on Criminal Law Provisions for the Prosecution of Competition Manipulation. Available at: <https://bit.ly/2WKcvG5>

<sup>10</sup> *The Sports Classification of the Republic of Moldova*. Available at: <https://bit.ly/2GQ5g4O>

In the same document, the following levels are established for the official competitions: Olympic Games, Paralympic Games, world championships, world cups, European championships, European cups, World Summer Universiade, university world championships, international competitions according to the list approved by the Republican Commission for conferring sports titles and categories, universiades and cups of the Republic of Moldova, local republican competitions.

The level of the official contest to which the sporting event can be considered when individualizing the criminal penalty<sup>11</sup> according to art. 242<sup>1</sup> (manipulation of an event), 242<sup>2</sup> (arranged bets), art. 333 (giving bribery) and art. 334 (taking bribery) of the Criminal Code of the Republic of Moldova. For example, in the case of *Periasamy and Keong*, in order to argue the necessity of applying the prison sentence for a term of four years and four months with execution, the Chisinau Court of Appeal emphasized, *inter alia*, that “the first court [that imposed the sentence on the perpetrators (two citizens of Singapore) the fine in the amount of 14,000 MDL, approximately 7,000 euros] did not appreciate the fact that it was not a simple football match that was rigged, but one in which the national team was involved, a fact that directly leads to the denigration of the Moldovan Football Federation, of football teams and, as a whole, of the image of the Republic of Moldova in front of international sports organizations”<sup>12</sup>. The decision of the Court of Appeal was not appealed to the Supreme Court. Although this argumentative speech is advanced in the context of the crime of bribery, it can easily be extrapolated to the offences of manipulation of an event and fixed bets.

A special problem that needs to be put under the magnifying glass of the analysis resides in whether, in the context of the offences provided in art. 242<sup>1</sup> (manipulation of an event), 242<sup>2</sup> (arranged bets), art. 333 (giving bribery) and art. 334 (taking bribery) of the Criminal Code of the Republic of Moldova, the sporting event must be one in which amateur and/or professional athletes participate. In this regard, according to para. (8) art. 16 of Law no. 330/1999 of the Republic of Moldova regarding physical culture and sport, amateur athletes are those who do not earn income from practicing sports. Scholarships and sports allowances, travel allowances, allowances for food, medicine and exercise support, as well as sports prizes are not considered income. In opposition, according to para. (2) art. 17 of the same law, professional athletes are people who practice sports as a profession and obtain income based on the employment contract concluded with the sports association or club of which they are members.

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<sup>11</sup> Stati Vitalie, *op. cit.*, p. 213.

<sup>12</sup> Decision of the Chisinau Court of Appeal of December 15, 2015. File no. 1a-1537/15. Available at: <https://bit.ly/3nIJbhH>



Giving effect to the rule of interpretation according to which where the law does not distinguish, I must not distinguish either, I believe that, for the purposes of the offenses in question, the sporting event susceptible to manipulation and which would provide opportunities to bet may participate amateur athletes and /or professionals.

But is such a conception justified? In search of the answer to the stated question, I note that in the legal doctrine there are voices that claim that both the manipulation of a sporting event in which professional athletes participate, and the manipulation of a sporting event in which amateur athletes participate must come under the criminal law. This opinion is based on the fact that there are a number of sporting events in which amateur athletes participate, including the Olympic Games (generally, until 1988, professional athletes were prohibited from participating in the Olympic Games). By way of comparative law, according to § 265d of the German Criminal Code, as well as according to art. 286 bis of the Spanish Criminal Code, criminal liability can only be applied in the event that a professional sports competition is manipulated<sup>13</sup>. Probably, the German and Spanish legislators appreciated, from the perspective of the *ultima ratio* principle<sup>14</sup>, that it is not necessary to intervene with the repressive means of criminal law for the manipulation of a sporting event in which amateur athletes participate. However, Helmut Satzger considers the concept of the German legislator to exempt sports events in which amateurs participate from the protection of the criminal law incorrect<sup>15</sup>, emphasizing that the manipulation can target sports in which performance athletes or amateurs are involved<sup>16</sup>.

Indeed, it is known that sport policy must be developed in such a way as to promote and support both the aims and objectives of professional

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<sup>13</sup> Pascual Antoni Gili, La tipificación penal del fraude en competiciones deportivas. Problemas técnicos y aplicativos, *Revista de Derecho Penal y Criminología*, 2012, no. 8, p. 13-70.

<sup>14</sup> Kempen Piet Hein, Criminal Justice and the *Ultima Ratio* Principle: need for limitation, exploration and consideration, in Kempen Piet Hein & Jendly Manon (eds.), *Overuse in the Criminal Justice System: On Criminalization, Prosecution and Imprisonment*, Cambridge: Intersentia, 2019, pp. 3-22; Husak Douglas, The Criminal Law as Last Resort, *Oxford Journal of Legal Studies*, 2004, vol. 24, no. 2, pp. 207-235; Husak Douglas, *Overcriminalization. The Limits of the Criminal Law*, New York: Oxford University Press, 2008, pp. 33-34; Jareborg Nils, Criminalization as Last Resort (*Ultima Ratio*), *Ohio State Journal of Criminal Law*, 2004, vol. 2, pp. 521-534; Melander Sakari, *Ultima Ratio* in European Criminal Law, *Oñati Socio-Legal Series*, 2013, vol. 3, no. 1, Available at: <https://ssrn.com/abstract=2200871>.

<sup>15</sup> Satzger Helmut, »Sportwettbetrug« und »Manipulation von berufssportlichen Wettbewerben« – zwei neue Tatbestände mit zweifelhafter Existenzberechtigung, *Juristische Ausbildung*, 2016, Band 38, Heft 10, p. 1151.

<sup>16</sup> *Ibidem*, p. 1148.

sport and those of amateur sport. It is also true that volunteering is the cornerstone of most amateur sports around the world. Even so, there is no rational and reasonable legal argument that only social relations regarding the integrity and unpredictability of the sporting event involving professional athletes should be protected against manipulation. And those watching a sporting event in which amateur athletes participate have a reasonable expectation that the principle of fair play will be respected. Amateur sporting events can be manipulated. At the same time, you can bet on these events. It is axiomatic that any type of discrimination is prohibited in the field of professional and amateur sports. If we admit, arguendo, that there are sporting events in which only amateurs participate and which do not involve a social resonance (e.g., the matches held in the compulsory school discipline of physical education, which only have a pedagogical and recreational aspect), then the prosecution in the case of encouraging, influencing or instructing a participant in that event to undertake actions that would produce a vitiated effect on that event, with the aim of obtaining goods, services, privileges or advantages in any form, which are not due to him, for himself or to another person, it may seem disproportionate to the intended purpose. In such cases, the application of art. 14 para. (2) Criminal Code of the Republic of Moldova, according to which the action or inaction which, although formally, contains the signs of an act provided for by the Criminal Code, but being unimportant, does not present the prejudicial degree of a crime does not constitute a crime. Thus, it is possible to bet on a sports event in which both amateur athletes participate, and on a sports event in which professional athletes participate.

The sporting event must involve the performance of an economic activity. This condition results implicitly from the place where the crimes of manipulation of an event and arranged bets are placed in the Special Part of the Criminal Code of the Republic of Moldova – Chapter X “Economic crimes”. In this sense, does the “sporting test” circumscribe the concept of “sporting event”? Answering this question, I note that, according to the Sports Classification of the Republic of Moldova, by “sports test” is meant the set of complex physical exercises, specialized through a dedicated technique and a specific effort profile, which is part of a branch of sport, having specific contest rules and a performance of a certain kind, evaluated according to a certain code and through a system of its own measurement units. For example, from the same act we learn that in the 100-meter running events, the title of master of sports is conferred on the condition that the manually timed norm is fulfilled twice during the year. A sports test can involve the “testing” of only one athlete, not involving competitive conditions. At the same time, it is possible that a

sports test is not aimed at carrying out economic activities. For these reasons, it seems that the sporting event does not lend itself to the notion of a “sporting event”. This conclusion is implicitly confirmed by some regulations from the perimeter of comparative law. Thus, we note that art. 286 bis. 4 of the Spanish Penal Code in addition to the formula “professional sports competitions” also contains the term “test” (i.e., “sports test”).

Regarding the scope of the notion of “sporting event”, the Explanatory Report of the Council of Europe Convention on Manipulation in Sports Competitions states that “the process of drawing lots of opponents or appointing the referee must be regarded as an integral part of the sports competition”. Establishing the opponents, appointing the referee, choosing the state that will be the host of a sporting event, etc. is relevant for the smooth running of a sporting event. Moreover, it is not excluded that such “events” could be bet on. However, viewed individually, these cannot constitute sports events in the sense of the Criminal Code of the Republic of Moldova, but can be perceived as organizational actions, the assurance and implementation of which falls on the shoulders of sports organizations. As a parenthesis, in the European Parliament resolution of 11 June 2015 on recent revelations on high-level corruption cases in FIFA, it is emphasized, *inter alia*, that FIFA has operated for many years as an unaccountable, opaque and notoriously corrupt organisation; whereas the recent arrests confirm that the fraud and corruption in FIFA are systemic, widespread and persistent rather than involving isolated cases of misconduct; transparency, accountability and democracy – in other words, good governance – in sports organisations are prerequisites for such a self-regulatory regime, and for the sports movement to prevent and fight fraud and corruption in sport effectively and at a structural level; finally, the European Parliament emphasized that the utmost importance of the investigation by the Swiss and US justice authorities into the decision by FIFA’s Executive Committee to award the World Cup for 1998, 2010, 2018 and 2022 to France, South Africa, Russia and Qatar respectively<sup>17</sup>. Thus, the European Parliament questioned the correctness of the vote given by FIFA in favor of France, South Africa, Russia and Qatar, respectively, for the organization of the World Cup in 1998, 2010, 2018 and 2022. Of course, people could make predictions and bet on the fact which country will be designated as the winner for organizing the World Cup, but this selection process, by definition, cannot be considered a sporting event.

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<sup>17</sup> European Parliament resolution of 11 June 2015 on recent revelations on high-level corruption cases in FIFA. Available at: <https://goo.gl/1p7xja>

In another context, according to the Gaming Regulations for remote fixed-odds betting of a gambling operator<sup>18</sup>, bets are accepted for the following categories of sports events: soccer, beach soccer, indoor soccer, basketball, handball, hockey, field hockey, tennis, baseball, American football, snooker, darts, volleyball, polo, Formula-1 [even and “Formula-1” competitions can be manipulated<sup>19</sup>], golf, contact sports, athletics, cycling, rugby, winter sports, motor and motorcycle racing, bandy, Australian rules football, beach volleyball, cricket, in-line hockey, table tennis, chess, curling, bowls, badminton, floorball, etc. In short, practically any sport in the world can offer an opportunity to bet.

Law no. 439/1995 of the Republic of Moldova regarding the protection of animals defines in art. 2 the notions of “sport and amateur fishing” (i.e., acquiring fish for private use), as well as “sport and amateur hunting” (i.e., the search, detection and tracking of animals by humans in order to hunt them for use particular).

Therefore, bets could be placed on these events as well. Regarding hunting as a “sport”, in the case of *Friend and others v. the United Kingdom*<sup>20</sup> concerned statutory bans introduced in the United Kingdom by the Protection of Wild Mammals (Scotland) Act 2002 and the Hunting Act 2004 on the traditional practice of hunting with dogs. The applicants, a non-governmental organisation, and eleven private individuals, challenged the legislation in the domestic courts but their appeals to the House of Lords were dismissed. The applicants complained in particular of a violation of their right to respect for their private life and, in some instances, of their homes.

The Strasbourg Court declared the applicants complaints under art. 8 (right to respect for private life and home) of the European Convention of Human Rights (ECHR) inadmissible as being manifestly ill-founded. It observed in particular that, although private life was a broad concept, that did not mean that it protected every activity a person might seek to engage in with other human beings in order to establish and develop relationships with them. Despite the obvious sense of enjoyment and personal fulfilment the applicants derived from it and the interpersonal relations they developed through it, hunting was too far removed from the applicants’ personal autonomy and the interpersonal relations they relied on were too broad and indeterminate in scope for the hunting bans to amount to an

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<sup>18</sup> *Rules of the game for distance fixed odds betting*. Available at: <https://goo.gl/SGixwQ>

<sup>19</sup> Zaksaitė Salomėja & Raduševičius Karolis, Manipulation of competitions in Formula-1: where policy ends and cheating begins, *The International Sports Law Journal*, 2017, vol. 16, pp. 240-246.

<sup>20</sup> Case of *Friend and Others v. the United Kingdom* (dec.), nos. 16072/06 and 27809/08, 24 November 2009, §§ 40-46, ECHR. Available at: <https://bit.ly/2WWfdXG>

interference with their rights under art. 8 ECHR. As further regards those applicants who had alleged that the inability to hunt on their land amounted to interference with their homes, the Court noted in particular that the concept of home did not include land over which the owner permitted or caused a sport to be conducted and it would strain the meaning of home to extend it in that way.

In another case – *Herrmann v. Germany* –, the ECtHR was called upon to examine the complaint of a landowner, who was forced to accept hunting on his land, even though he objected to hunting on moral grounds. In his view such obligation amounted in particular to a violation of his right to the peaceful enjoyment of his possessions. The ECtHR held that there had been a violation of art. 1 (protection of property) of Protocol No. 1 to the Convention, finding that the obligation to tolerate hunting on their property imposed a disproportionate burden on landowners who were opposed to hunting for ethical reasons.<sup>21</sup> The Strasbourg Court confirmed the approach from its previous cases, i.e.: *Chassagnou and others v. France*<sup>22</sup> and *Schneider v. Luxemburg*<sup>23</sup>.

Thus, it seems that hunting, viewed as a “sport”, does not have a heavy weight from the perspective of the provisions of the ECHR. Moreover, the doctrine contests the idea that hunting could be considered a sport. It has been shown that, at best, the use of the term “sport” to refer to hunting is a euphemism<sup>24</sup>.

Lately, the so-called “electronic sports events” have gained momentum. At the international level, the World Cyber Games video game competition is organized (by the South Korean company World Cyber Games, with the financial support of Samsung and Microsoft). In the year 2019, Team USA won this Counter Strike competition and won one million US dollars. The grand final, contested between the team of the United States of America and that of France, was watched by about 15,000 spectators<sup>25</sup>. By the way, the seventh Olympic Summit in Lausanne of the International Olympic Committee had as the main topic of discussion the inclusion of electronic games in the catalog of the Olympics. Following the discussions, it was concluded that this is possible in the near future,

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<sup>21</sup> Case of *Herrmann v. Germany* [GC], no. 9300/07, 26 June 2012, §§ 93-94, ECHR. Available at: <https://bit.ly/2WYLPQH>

<sup>22</sup> Case of *Chassagnou and Others v. France* [GC], nos. 25088/94, 28331/95 and 28443/95, 29 April 1999, §§ 80-85, ECHR. Available: <https://bit.ly/3e90obo>

<sup>23</sup> Case of *Schneider v. Luxembourg*, no. 2113/04, 10 July 2007, §§ 53-55, ECHR. Available at: <https://bit.ly/3dbWFZj>

<sup>24</sup> Cohan John Alan, Is Hunting a “Sport”?, in Caplan Arthur & Parent Brendan, *The Ethics of Sport: Essential Readings*. New York: Oxford University Press, 2017, p. 445.

<sup>25</sup> *Team USA is the new Conuter Strike World Champion and has won one million dollars*. Available at: <https://bit.ly/2A2OnnR>

probably even in 2024, at the Paris Olympics. However, several voices expressed their reservations about esports that include violence, calling them “games that are not in line with Olympic values” and considered their inclusion in the Olympics premature. The International Olympic Committee expressed its support for video games imitating different sports disciplines and called for accelerated cooperation with these virtual games, asking sports federation members to actively research the potential benefits of electronic and virtual versions<sup>26</sup>. From a legal-criminal perspective, Helmut Satzger notes that it is up to the legislator to determine whether certain electronic games can be assigned to the category of “sports competitions”<sup>27</sup>. I support this view, except that sometimes the legislator's choices might seem odd, to say the least. For example, in the Republic of Moldova, a normative act that considered “poker” (including online) a branch of sport produced its legal effects approximately two years ago<sup>28</sup>.

Therefore, to the extent that certain video games will be considered, *ope legis*, as “sport”, then the possible manipulation and, respectively, betting on them could fall under the Criminal Code of the Republic of Moldova.

## Conclusions

The notion of “sporting event” is contained in art. 242<sup>1</sup> (manipulation of an event), 242<sup>2</sup> (arranged bets), art. 333 (giving bribery) and art. 334 (taking bribery) of the Criminal Code of the Republic of Moldova. However, the Criminal Code does not explain what is meant by the notion of “sporting event”. This task falls to the judges, as well as the scholars.

Criminal law cannot excel in explanatory texts. Conversely, a non-criminal law may contain certain definitions and, therefore, contribute to the predictable application of a criminal law, e.g., Law on sport, Law on gambling.

Under the examined aspect, it is useful also art. 3 para. (1) of the Council of Europe Convention on the manipulation of sports competitions. According to this article, “sports competition” means any sporting event organized in accordance with the rules established by the sports organization, listed by the Committee for the follow-up of the Convention and recognized by the international sports organizations or, where

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<sup>26</sup> *How soon could we bet on Olympic eSports? 5 new sports at Tokyo 2020*. Available at: <https://bit.ly/3c2oHoo>

<sup>27</sup> Satzger Helmut, *Op. cit.*, p. 1148.

<sup>28</sup> Order of the Ministry of Youth and Sports no. 321 of June 8, 2010 regarding the recognition of the sports branch “Poker” (repealed). In: *Official Gazette of the Republic of Moldova*, 2010, no. 252-253.

appropriate, by other competent sports organizations. The merit of this clarification lies in the fact that it emphasizes the fact that the rules by which a sporting event is conducted are dictated by a sporting organization. Subsequently, the sports organization must be recognized by international sports organizations or other competent sports organizations. In this way, the sporting event is given an official character and, therefore, legitimacy.

Establishing the opponents, appointing the referee, choosing the state that will be the host of a sporting event, etc. is relevant for the smooth running of a sporting event. Moreover, it is not excluded that such “events” could be bet on. However, viewed individually, these cannot constitute sports events in the sense of the Criminal Code of the Republic of Moldova, but can be perceived as organizational actions, the assurance and implementation of which falls on the shoulders of sports organizations.

So, in the sense of the offences provided for in art. 242<sup>1</sup> (manipulation of an event), 242<sup>2</sup> (arranged bets), art. 333 (giving bribery) and art. 334 (taking bribery) of the Criminal Code of the Republic of Moldova, the sports event may have an official character (scheduled in a championship or other competition held under the auspices of a sports organization; the result of the game counts in terms of gaining points in the ranking or qualifying in the following phases) or friendly (organized by a club, sports association or authorized persons between athletes or teams chosen by the organizer; the score has effect only with regard to the respective game or, as the case may be, the tournament), domestic or international (it is made between two teams belonging to two national federations, two clubs, one club and one national team or two national teams).

The notion of “sport” is associated with different words, *e.g.*, match, event, competition. The content of these notions may differ from one country to another. Lately, the concept of e-sports has also been promoted. At the same time, discussions referring to hunting as a sport are problematic. I am sure that the debates on this topic will continue.

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# DISCURSIVE PRAGMATICS VIA CLASSICAL RHETORIC IN THE EUROPEAN DISCOURSE OF ASSISTENCE TO UKRAINE (BASED ON ENGLISH-LANGUAGE SPEECHES OF GERMAN POLITICIANS)

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**Abstract:** *The specificity and conjugation of discursive pragmatics and classical rhetoric manifests itself when politicians are faced with the need for evasive formulations to mitigate a potential threat to their face. To substantiate the conceptual basis of discursive argumentation, the article differentiates between “topoi-integrators” and “topoi-arguments”. The topoi-integrator “responsibility”, actualized at the local and global discursive levels, appeal to ethos, supporting the logos-based argumentation by involving the ethos-based moral foundations of the speaker's position. Topoi-arguments “responsibility”, “threat”, “reliability” and “law” are rhetorically based on enthymeme as figures of reasoning that appeal to logos as well as on auxiliary figures of digressio, Past Fact / Future Fact, exergasia, climax, congeries, hyperbole and apagogesis, appealing to logos, ethos, and pathos. Pragmatically, the restoration of implicit premises and conclusions of enthymemes corresponds to explicatures, which become the basis for the generation of implicatures, provided that the speakers flout cooperative maxims. Disobeying the maxim of quantity of information is based on the figures of exergasia, climax, congeries, the maxim of relevance - on digressio, Past Fact / Future Fact, and the maxim of quality - on hyperbole and apagogesis. Through rhetorical figures and the corresponding pragmatics, the speakers implement the strategies of transferring and reducing responsibility,*

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*substitution of arguments, mitigation, partial distortion by exaggeration, simplification, etc.*

**Keywords:** *political discourse, pragmatics, topoi-integrators, topoi-arguments, rhetorical figures, explication, conversational implicature.*

## **Introduction**

The impetus for writing this article was N. Fairclough's "soft" objection to Sauer's conclusion about the need to use classical rhetorical analysis in the analysis of political discourse along with critical discursive analysis based on the heterogeneity of political discourse, combining rhetoric and modern political communication. While polemizing with this point of view, Fairclough nevertheless agrees that "orientation to the specifics of discursive events includes an orientation to how it processes the social resources of the existing discursive order", which involves the use, among other things, pragmatic and rhetorical analysis<sup>1</sup>.

As far as we know, no attempt has yet been made to establish a methodological framework within which classical rhetorical techniques can be integrated into modern discourse analysis. This article attempts to partially fill this gap by focusing on a set of classical rhetorical devices that underpins the discursive pragmatics of political speech.

The choice for the analysis of the discourse of assistance to Ukraine is motivated by the complexity of the discursive construction of a policy based on the ambivalent interpretation of the topos "responsibility", balancing between caution (protection of "one's own" group) and justice (protection of the victim of injustice, which determines the special relationship between rhetorical models and pragmatics).

**The purpose of the article** is to clarify the specifics and correlations of discursive pragmatics and classical rhetoric in the actualization of topos "responsibility", arguing the discourse of circumspect assistance to Ukraine.

## **Materials and methods of research**

The research material includes contemporary English-language discourse of German politicians associated with assistance to Ukraine, including the speech by Foreign Minister Baerbock in the German Bundestag<sup>2</sup>, a DER SPIEGEL Interview with German Chancellor Olaf

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<sup>1</sup> N. Fairclough, 'Rhetoric and Critical Discourse Analysis: A Reply to Titus Ensink and Christoph Sauer', *Current Issues in Language and Society*, vol. 3, no. 3, p. 286.

<sup>2</sup> Speech by Foreign Minister Baerbock in the German Bundestag on the situation in Ukraine in the light of Russia's illegal war of aggression and its impact on Germany and Europe, 16.03.2022.

Scholz<sup>3</sup>, and Policy Speech by Christine Lambrecht<sup>4</sup> and relating to different periods of the ongoing Russian-Ukrainian war. The underlying in the article is the classical rhetorical analysis<sup>5</sup> combined with the method of analysis of implicatures<sup>6</sup> and explicatures<sup>7</sup>, and elements of pragmatic analysis of discursive mitigators<sup>8</sup>.

### Literature Review

Considering the purpose of the article, its theoretical and methodological basis covers rhetorical and pragmatic approaches, which contributed to the development of the conceptual and methodological framework of the study.

In the perspective of classical rhetoric, the article relies on the one hand, (a) on the rhetorical categories of ethos, logos, and pathos<sup>9</sup>, to which pragmatic means appeal, and on the other hand, (b) on rhetorical figures that implement these categories and correlate with discursive pragmatics<sup>10</sup>.

Logos, which refers to the logical content and explication of the ideas of politicians, is considered in the article in several figures of reasoning. Primarily, it is an enthymeme or “truncated syllogism” as an informal way of reasoning, in which either a major or minor premise is presented in an implicit form. Enthymeme is used for analysis as the most frequent figure in the discourse under consideration as its implicit premises and inferences contain implicit motives-arguments of unpopular ideas or actions that could potentially damage the speaker's face if explained. In other words, enthymeme form non-preferred, structurally complex speech moves, offering the addressees to “complete” the missing components of the propositional form and clarify the propositional attitude. The restoration of the complete syllogism coincides with the decoding of the explicature, which, in the appropriate context, can become the basis for the inference of the discursive implicature.

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<sup>3</sup> a Der Spiegel Interview with German Chancellor Olaf Scholz, conducted by Melanie Amann and Martine Knobbe, April 22, 2022.

<sup>4</sup> Policy Speech by Christine Lambrecht Federal Minister of Defense on the National Security Strategy of the Federal Republic of Germany, 12 September 2022.

<sup>5</sup> Aristotle, *The Art of Rhetoric*, (Transl. by J. H. Freese). Loeb Classical Library XXII, no. 193, Cambridge, MA: *Harvard University Press*, 1982.

<sup>6</sup> H.P. Grice, ‘Logic and Conversation’, In *Syntax and Semantics*, vol. 3, Speech Acts, P. Cole and J. L. Morgan (eds.). Morgan. New York: Academic Press, 1975, p. 32-33.

<sup>7</sup> R. Carston, *Thoughts and Utterances: The Pragmatics of Explicit Communication*. Hoboken: Wiley-Blackwell, 2002.

<sup>8</sup> C. Caffi, Mitigation, In K. Brown (Ed.), *Encyclopedia of language and linguistics*. Oxford: Elsevier, 2006, pp. 171–175.

<sup>9</sup> William M.A. Grimaldi, *Aristotle: Rhetoric II: A Commentary*, NY: Fordham University Press, 1993.

<sup>10</sup> Aristotle, *op. cit.*

In turn, the actualization of the implicit premises of the enthymeme in the analyzed political speech often relies on other rhetorical figures, including digression – departure from logical progression in a speech, exergasia – repetition of the same idea, changing either its words or its delivery, the figure of past fact / future fact, when reference to the past enables to predict what will happen in the future, apagogesis as an argument against a certain action, which demonstrates its negative future, consequences. etc.

Ethos, which refers to the trustworthiness of the speaker, his reliability and respect for the values of the audience, is explored in the article in two groups of means that are frequent in the analyzed texts. To this end, to clarify ethos-based argumentation, the article involves, on the one hand, the rhetorical figures of Authorities, Witnesses, Maxims (in rhetorical sense), Law, etc. subcategorized into the concept of Testimony. On the other hand, Ethos involves the actualization by the speaker of common values with the audience such as justice, democracy, reliability, the shared ideas of good and evil that are acceptable for any argument. In this sense, the use of concepts associated with ethos is a manipulative technique of replacing the logical argumentation of actions and decisions by transferring them into the sphere of ethical values.

Since such concepts are very close both to the *topoi* identified in critical discourse analysis and to Aristotle's *Special Topics*, an important methodological aspect of the article is the distinction between these concepts in relation to the objectives of our study.

The concept of *topos* we understand in two planes – not only as ready-made argument that sets the audience in a favorite frame of mind<sup>11</sup> and appeals to “universal values or normative reference points (the idea of God, law, justice, morality)”, which function as “the components in the argumentative models”<sup>12</sup>, providing the transition from argument to conclusion<sup>13</sup>, but also as signifiers, modeling the way events and decisions are understood in the public mind.

In the first sense, the understanding of *topos* is consistent both with Aristotle's special *topoi* as “premises of a very general kind”<sup>14</sup>, on which most preferences and choices are based, and with a notion of *topoi* in

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<sup>11</sup> Sara Rubinelli, *Ars Topica. The Classical Technique of Constructing Arguments from Aristotle to Cicero*, Berlin: Springer, 2009, p. 148.

<sup>12</sup> N. Kravchenko, ‘Manipulative Argumentation in Anti-Ukrainian Discourse of Russian Politicians: Integration of Discourse-Analytical and Classical Rhetorical Approaches’. *Cogito: Multidisciplinary Research Journal*, vol. XIV, no 3, 2022, p. 227.

<sup>13</sup> M. Kienpointner, *Alltagslogik*. Stuttgart-Bad Cannstatt: Frommann-holzboog, 1992, p. 194.

<sup>14</sup> C. Perelman, L. Olbrechts-Tyteca, *The new rhetoric: A treatise on argumentation*. Notre Dame: University of Notre Dame Press, 1969, p. 84.

discursive-historical approach of CDA<sup>15</sup> that emphasizes the study of argumentation when considering discursive practices<sup>16</sup>.

In the second, broader sense, we use the notion of topoi to denote values, beliefs, which are (a) a discursive construct, (b) means of the global conceptual and semantic coherence of discourse, which integrate heterogeneous elements into a relatively stable whole, and (c) means of construction and maintenance public opinions, ideologies, and identities. It can be assumed that the discourse of military assistance to Ukraine will be integrated by the topoi “responsibility”, “caution”, and “threat”. From this viewpoint, topoi correspond to the privileged signifiers or nodal points<sup>17</sup>, which provide articulation and unification of discourse, binding together initially disparate moments<sup>18</sup> because any “discourse is constituted as an attempt ... to arrest the flow of differences”.<sup>19</sup>

Such an approach to understanding topoi not only as part of an argumentative model, but also as key concepts-ideas that model social consciousness through discourse, is in turn consistent with critical discourse-analysis in its socio-semiotic framework<sup>20</sup>, considering discourse “as a cognitive-semiotic integrity with world-modeling properties in the identification, construction and transformation” of values<sup>21</sup>. Values-based topoi construct the ideational stratum of discourse and determine the way of further signification in discursive semiosis.

In this vein, the topoi determine both the argumentative strategies and the pragmatics of discourse and are also projected onto pragmatics of “out-of-discursive” actions in support of the OWN group. They are

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<sup>15</sup> Ch. Hart, P. Cap, *Contemporary Critical Discourse Studies*. London; New York: Bloomsbury, 2014; R. Wodak, *The Discourse of Politics in Action*. Basingstoke: Palgrave Macmillan, 2009.

<sup>16</sup> M. Reisigl, R. Wodak, The Discourse-Historical Approach (DHA). In R. Wodak & M. Meyer (eds), *Methods of Critical Discourse Analysis*. New Delhi: SAGE Publications, 2008, p. 112.

<sup>17</sup> E. Laclau, C. Mouffe, *Hegemony and Socialist Strategy: Towards a Radical Democratic Politics*. London: Verso, 1985, p. 106.

<sup>18</sup> M.W. Jorgensen, L. PHILLIPS, *Discourse Analysis as Theory and Method*. London: Sage, 2002, p. 26; J. Torfing, *New Theories of Discourse: Laclau, Mouffe, and Žižek*. Oxford: Blackwell, 1999, p. 98.

<sup>19</sup> E. Laclau, C. Mouffe, Op. cit., p. 112.

<sup>20</sup> K.C. Dunn, I.B. Neumann, *Undertaking Discourse Analysis for Social Research*. Ann Arbor: University of Michigan Press, 2016; T. Van Leeuwen, *Introducing Social Semiotics. An Introductory Textbook*. London: Routledge, 2005; N. Kravchenko, M. Goltsova, I. Kryknitska, ‘Politics as Art: The Creation of a Successful Political Brand’, *Journal of History, Culture and Art Research*, vol. 9, no 3, 2020, pp. 314-323.

<sup>21</sup> N. Kravchenko, T. Pasternak, Institutional Eco-pragmatics vs. Anthropo-pragmatics: Problems, Challenges, Research Perspectives. *Cogito: Multidisciplinary Research Journal*, vol. 12 no. 2, 2020, p. 21.

communicatively oriented and sets the model for the development of events.<sup>22</sup>

Since the article uses *topoi* in both above meanings - on the one hand, as rhetorical devices, and, on the other hand, as ideologemes that determine the way of designating reality in discourses and through discourses, we propose to introduce two different terms to distinguish between these two types: *topoi*- arguments and *topoi*-integrators.

Pathos is aimed at evoking the audience's emotional response and relies on such rhetorical devices as climax – the arrangement of words, phrases, or sentences in ascending order of importance and emotional tension, congeries – the accumulation of words of differing meaning but with the same emotional effect, rhetorical questions, etc.

Given that classical rhetorical devices are studied in the article in their relationships with pragmatic techniques and manipulative strategies, the methodological basis of the study includes some fundamental pragmatic concepts for establishing such an interface.

In particular, the article uses the concepts of explicature and discursive implicature. A comparison of the definitions of explicature and enthymeme allows us to assume a certain correlation between these pragmatic and rhetorical phenomena as, respectively, the content and form of its expression. Thus, Aristotle defines an enthymeme as a syllogism derived from a probable or from an attribute<sup>23</sup>, seeing the criterion for the acceptability of premises in the hearer's experience: if any of the premises is known, then it does not need to be provided, as the listener himself adds it. This definition is consistent, in our opinion, with the understanding of explicature as the communicated assumption which is inferentially developed from one of the incomplete conceptual representations (logical forms) encoded by the utterance<sup>24</sup>.

Comparison of such an understanding of the explicature with the definition of the enthymeme enables to see a correlation of these concepts, since “incomplete conceptual representations” are actually premises related to particular or obvious / general knowledge, which is restored in the communicated assumption – the conclusion from the enthymeme. Both in enthymeme and in explicature, the restoration of completed meaning is based on semantic and pragmatic premises that are common to communicators and provide the listener with information intended by the speaker.

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<sup>22</sup> N. Kravchenko, *op. cit.*, p.228.

<sup>23</sup> M. Burnyeat, *Enthymeme: Aristotle on the Rationality of Rhetoric*, in A.O. Rorty (ed.), *Essays on Aristotle's Rhetoric*. Berkeley, Los Angeles, London: University of California Press, 1996, pp. 88–115.

<sup>24</sup> R. Carston, *op. cit.*, p. 377,

In addition to explicature, the article uses the concept of conversational / discursive implicature as a contextual assumption intended (implicitly communicated) by the speaker and usually marked by his / her disregard for cooperative maxims<sup>25</sup>.

In contrast to explicature, which is the "filling in" of a propositional form with missing elements (similar to restoring a complete syllogism from an enthymeme), an implicature is a meaning that can come from an explicature, but does not coincide with it, since its inference depends on various optimally relevant contexts – background knowledge, interviewer questions, presuppositions formed by previous texts, textual context, etc.

Considering that rhetorical figures cover a wide range of strategies by which interlocutors soften the interactional parameters of their speech, one of the aspects of the theoretical basis of the study is the concept of mitigation, understood as a “comprehensive category used in pragmatics” aimed at reducing the “vulnerability” of the speaker and saving his face<sup>26</sup>. In particular, the article uses the classification of mitigators presented by C. Caffi<sup>27</sup>, who distinguishes three types of mitigating devices, including bushes, which “hide” the true meaning of an utterance, thus affecting its propositional content, hedges that show the speaker's lack of commitment to the truth of the proposition, thus affecting the illocutionary force of the utterance, and shields, which “defocuses” the speaker and his/her intentions by means of deictic markers of agent, time or place<sup>28</sup>.

## Discussion

From a pragmatic perspective, the specificity of the analyzed discourses is resulted from the desire of speakers to mitigate refusals, uncertainty, and other non-preferential acts. For this purpose, they use strategies for distancing from one's own discourse, which, as a rule, are accompanied by a structural complication of utterances, deviations from the topic, numerous mitigation devices thus flouting the maxims of quantity, transparency, and relevance of information. Disregard of maxims triggers, in its turn, discursive implicatures that implicitly either formulate an unpopular measure or contain its motivation-argument. The data under consideration has shown that in the rhetoric perspective, deviations from cooperative maxims with updating of implicatures often correspond to various rhetorical figures. Thus, the flouting the maxim of relevance relies on digression – a departure from logical progression as in (1) and in (2).

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<sup>25</sup> H.P. Grice, *op. cit.*

<sup>26</sup> C. Caffi, Mitigation, In K. Brown (Ed.), *Encyclopedia of language and linguistics*. Oxford: Elsevier, 2006, pp. 171–175.

<sup>27</sup> C. Caffi, ‘On mitigation’, *Journal of Pragmatics*, vol. 31, no. 7, 1999, pp. 881-909.

<sup>28</sup> *Op. cit.*, p. 882.



(1) *When it comes to an issue as contentious as arms deliveries, there are, of course, many who have a different opinion than mine and also express that publicly. That is part and parcel of a good democracy*<sup>29</sup> (answer to the question “You have dismissed critics who are calling for the delivery of heavy weapons as “boys and girls” who have googled their knowledge”).

(2) *Permit me a quick digression, for this question has moved me, too. I've also wondered whether we should react tomorrow or not. We watched a video message from [Ukrainian Foreign Minister] Kuleba at the NATO Foreign Ministers meeting and afterwards debated whether we should or not. Of course, we are racking our brains. I think that at a time like this, being able to listen is a true strength. Listening and letting what has been said stand, even letting the reproaches which will come stand. I think at such a moment it is a truly great achievement – being aware of our strength, which also lies in diplomacy*<sup>30</sup>.

In (1), the digressio implements the strategy of avoiding a direct answer by transferring the topic from the realm of actions and promises to the realm of values marked by the idiom *part and parcel* and the nomination with diffuse semantics (empty signifier) *a good democracy* – as semantic bushes, aimed at mitigating the speaker's face-protecting refusal to respond to the journalist's remark. From manipulative perspective both means are persuasive devices because they provide agreement, unity of opinion between the speaker and his audience, referring to their shared knowledge – human values and the idiom-based universal wisdom. Drawing on topos-argument (or a special topos, in Aristotle's terms) “democracy”, the speaker not only lends credibility to his words but also implements the manipulative tactics of the “argument substitution”. The persuasive function of the idiom (as well as the proverbs, gnomes, aphorisms, apothegms, sententia, similar in functions) was mentioned by Aristotle, when he said that they always seem to be correct, as if everyone agrees with them”<sup>31</sup>.

In (2) the speaker explicates his intention to use digression (*Permit me a quick digression*), which expresses an ethos-based tactic of approaching the audience with the establishment of sincere and trusting relations with it. As in (1), the politician implements the strategy of

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<sup>29</sup> DER SPIEGEL Interview with German Chancellor Olaf Scholz, conducted by Melanie Amann and Martine Knobbe, April 22, 2022.

<sup>30</sup> Speech by Foreign Minister Baerbock in the German Bundestag on the situation in Ukraine in the light of Russia's illegal war of aggression and its impact on Germany and Europe, 16.03. 2022.

<sup>31</sup> D. DiLeo, ‘Aristotle's Manipulative Maxims’, *The Review of Politics*, vol. 82, no 3, 2020, pp. 371 – 392.

avoiding "ticklish" direct answers by moving from the realm of decision-making to the safer topic of "listening and accepting criticism" by replacing action verbs with non-agent mental state verbs. The "active" aspect is further mitigated by the "mental" metaphor *we are racking our brains* and the axiom-like argument *being able to listen is a true strength*, translating the interpretation of the concept of "strength" from the sphere of military assistance to the sphere of diplomacy and mental abilities.

In a pragmatic sense, the use of digression, which implements the strategy of evasion, violates the maxim of the relevance of information, triggering an implicature aimed at restoring the logical-semantic coherence and contextualized with the interviewer's question in (1) and with the call for military support in (2). In (1) the implicature is that the speaker simply does not have an answer about the need and timing for the delivery of heavy weapons and (2) contains an implicit refusal of military assistance in favor of diplomatic methods.

In (1) and (2) the speakers use an ethos-related persuasion model as they demonstrate commitment to universal human values / wisdom and a reasonable style of behavior, inspiring the trust and disposition of the audience.

At the same time, the political discourse under consideration is most characterized by logos-based rhetorical model that relates to logical argumentation based on enthymeme or a "truncated syllogism", in which either a major or a minor premise or even the conclusion remain implied.

The features of the correlation between enthymeme and pragmatic devices in the development of the argumentation model are displayed by (3).

(3) *For Germany, it was a profound change of course when I announced that we would supply weapons to this war zone. (...). But in this situation, we need a cool head and carefully considered decisions, because our country bears responsibility for peace and security throughout Europe. I do not think it is justifiable for Germany and NATO to become parties to the war in Ukraine<sup>32</sup>.*

In (3), the speaker uses a disclaimer – manipulative move of "disagreement under the guise of agreement", in which the apparent agreement to the delivery of heavy weapons is weakened by (a) a marker of an indefinite modality "but" in combination with (b) markers of transferring a promise into the sphere of collective responsibility and (c) semantic bush "carefully", specifying the condition under which decision-making is feasible, and thereby softening the commissive component of the speaker's speech act: We make a decision about supplies, but only on the condition that it is carefully considered (which implies duration and

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<sup>32</sup> Der Spiegel, *Interview with German Chancellor Olaf Scholz*, April 22, 2022.

precludes a quick decision). Uncertain modality is reinforced by the hedge *I do not think* “transforming a statement to an understatement”<sup>33</sup>.

The disclaimer, transferring the topic from the sphere of obligations to the sphere of reservations, appeals to the topos-integrator “responsibility” – an implicit argument against weapons delivers, and its causal-purpose correlates *peace and security*. Flouting the cooperative maxim of relevance at the level of logical-formal cohesion, the disclaimer, however, contributes to this maxim adherence at the level of conceptual-semantic cohesiveness, provided by the topoi of responsibility, threat and security. Moreover, the disregard of maxims results in the actualization of these topoi at the implicit level. From viewpoint of rhetoric strategies, deviating from the topic with flouting the maxim of relevance corresponds to the technique of digression. The speaker also flouts the maxim of quality of information using the manipulative technique of simplification-based exaggeration regarding the consequences of help.

Rhetorically, (3) relies on the probabilities-based truncated syllogisms, which are linked together, forming a sorite.

The missing premises are the following:

(i) For Germany, the decision to supply weapons to this war zone was already a profound change of course (Minor stated premise 1).

(ii) Previously, Germany followed a different course (Minor implicated premise 1)

(iii) A deep change of course in politics is associated with difficulties for any country (Major implicated premise1)

(iii) The most important thing is to keep peace and security (Major implicated premise 2)

(iiii) Assistance with the supply of weapons can be regarded by Russia as entry into the war (Minor implicated premise 2)

Germany is responsible for peace and security in Europe (Minor stated premise 2).

The complete syllogism would be: Since Germany is responsible for peace and security in Europe, it must be especially careful when supplying weapons to Ukraine so that not to be seen as a side of the war, which would endanger global peace and security.

From viewpoint of the main rhetorical strategy of amplification a pattern of the argument development is based on the identification of an antecedent (assistance in full, that is as much as Ukraine requests) and its consequence (Germany and NATO becoming parties to the war).

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<sup>33</sup> R. Giora, O. Fein, J. Ganzi, N.A. Levi, N., H. Sabah, ‘On negation as mitigation: The case of negative irony’, *Discourse Processes*, vol. 39, no 1, 2005, p. 85.

Implied premises of the enthymeme correspond to explicatures that extend the content of utterances based on shared presuppositions of speaker and audience, as well as on the “enrichment” of logical forms containing semantically or grammatically incomplete constructions – to clarify the speaker’s propositional attitude, considering the illocutionary force of his indirect directive-warning.

However, the explicature-based restoration of meanings is a preceding stage for the inference of the conversational implicature, the search for which is triggered by the insufficient transparency of what is being reported, marked by the flouting of cooperative maxims of relevance, and quality (exaggeration) indicated above. The discursive implicature “Germany are not ready to supply heavy weapons” is restored based on the explicature and its contextualization with the interviewer's questions, previous co-text and background knowledge of the audience based on discourses with similar topoi-integrators "responsibility" and “threat”.

The reason-based persuasive technique of Logos is combined in (3) with the Ethos rhetoric by linking reasoning to the topos-argument of moral responsibility for others, which, due to its repeated actualization, becomes a topos-integrators that ensures the conceptual coherence of the entire discourse.

As shown by data, the specificity of the political speech under consideration lies in the fact that not only one or several premises leading to the conclusion are omitted, but the conclusion itself can also be implied as in (4).

(4) *Part of our country's tradition is the knowledge of the dramatic consequences of two world wars that originated in Germany, which forms the framework of our policy*<sup>34</sup>.

The missing premises in the syllogism are the following:

(i) The two previous world wars were originated in Germany (Minor stated premise 1).

(ii) Both world wars had dramatic consequences (Minor stated premise 2).

(iii) German policy is formed within the framework of the principle of responsibility for previous world wars (Minor implicated premise 1)

(iiii) If there have already been two world wars, a third is possible. There is a possibility of a third world war (Major implicated premise 1)

Implicated conclusion: This time Germany has no right to be a source of danger to the world.

To facilitate the inference of the implicated premises, the syllogism involves the topos-argument of Past Fact / Future Fact, based on

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<sup>34</sup> Der Spiegel, *Interview with German Chancellor Olaf Scholz*, April 22, 2022.

intertextual allusions connotating the meanings of “threat” and “responsibility”. The topic of Past Fact / Future Fact, in turn, overlap with other Aristotelian topoi of Possibility and Evidence, putting forward precedents from the past as an argument about the likelihood of their repetition in the future.

The restored conclusion becomes an explicature, which, in turn, contributes to the implicit premise of the subsequent discursive implicature underlying the conceptual and semantic coherence of the entire text: since a war in Ukraine could trigger a third world war, Germany must be especially responsible (that is “careful”) in the policy of providing military assistance to the party to the conflict. In (4) the speaker combines the techniques of enthymeme-based logos (Germany's behavior is consistent, as it relies on the country's historical experience), ethos (the use of historical precedents for persuasion) and pathos (appeal to the feeling of fear using an epithet *dramatic* and evoking contextual connotation based on the meaning the whole sentence)

From a pragmatic point of view, the speaker uses the technique of “complexity reduction” since the country's policy cannot be based only on historical experience. Correspondingly, not providing as much information as is necessary for an unambiguous conclusion, the speaker flouts the maxim of transparency (manner) of information, which becomes the trigger of the above implicature.

Similarly, fragment (5) represents a probabilities-based enthymeme, in which both the implied conclusion and the partly omitted premises are associated with the topoi of “threat” and “responsibility”.

(5) *we must do everything possible to avoid a direct military confrontation between NATO and a highly armed superpower like Russia, a nuclear power. I am doing everything I can to prevent an escalation that would lead to a third world war. There cannot be a nuclear war<sup>35</sup>.*

The missing premises in the syllogism are the following:

- (i) World War III will be nuclear (Minor implicated premise 1).
- (ii) There cannot be a nuclear war (Major stated premise 1).
- (iii) Russia is a nuclear power, a source of a nuclear threat to the world (Minor stated premise 2).
- (iiii) Escalation of conflicts usually leads to wars (Major implicated premise 1).
- (iiiii) The escalation of the conflict would be the result of a direct confrontation (Minor implicated premise 2).

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<sup>35</sup> Der Spiegel, *Interview with German Chancellor Olaf Scholz*, April 22, 2022.

(iiiiii) A direct military confrontation with Russia can be avoided (Minor implicated premise 3).

A pattern of the argument development is based on the identification of an antecedent (a direct military confrontation between NATO and Russia) and its consequence (nuclear war).

The full formal syllogism would be as follows: since the escalation of the conflict will lead to a direct military clash between NATO and Russia, which could end in a nuclear war, the primary task is to prevent a third world war (explicature). Accordingly, assistance to Ukraine should be so reasonable as not to lead to a direct confrontation with Russia, which is tantamount to a nuclear war (the implicature based on explicature).

In addition to the “truncated syllogism” (5) also employs exergasia, which, like enthymeme, is an amplification figure from the category of Thought or Subject Matter but is used here to actualize the implied premises in the “truncated syllogism”.

Exergasia, as a repetition of the same idea, is manifested by synonymic words and expressions such as (a) *a direct military confrontation, an escalation*, (b) *to avoid, to prevent*, (c) *we must do everything possible, I am doing everything I can*, (d) *a third world war, a nuclear war*.

As part of the enthymeme, exergasia appeals to logos, although in (5) it is expressed by figures of pathos aimed at evoking an emotional response. These figures include (a) congeries - an accumulation of words with different meanings, but similar in emotional effect: *the third world war, nuclear war*, and (b) climax – the intensification of the emotional impact associated with the topos "threat", evoked by the accumulation of attributes to designate Russia as a source of a nuclear threat: *a highly armed superpower, a nuclear power*.

Congeries and climax, in turn, promote manipulative tactics of appealing to negative emotions, evoking connotations of fear. From a pragmatic point of view, these rhetorical figures are based on lexical-semantic redundancy, which leads to a violation of the maxim of quantity of information - with the actualization of the discursive implicature associated with the key macro-proposition "aid to Ukraine should not lead to direct confrontation with Russia", which is tantamount to a nuclear war.

In addition, exergasia through reinforcing repeated information underlies the manipulative technique of “unobtrusive” building of a presupposition that invariably links aid to Ukraine with the threat of nuclear war with a nuclear superpower.

Exergasia is realized not only by synonymous words and phrases, but also by whole statements that reinforce key ideas, as in (6), and actualize the same topoi, providing a global semantic and semantic coherence of texts.

(6) Especially our Allies on the eastern flank are counting on our reliability, and the Chief of Defense and I have once more discussed all possible options at the weekend. Of course, there will be more support for Ukraine, but we must all be clear about the fact that we will be honouring our obligations and our Allies will be able to rely on us<sup>36</sup>.

In (6), exergasia is embedded in two enthymemes and actualizes the topoi-argument *reliability* and *responsibility*, which becomes the premise and the main argumentative component in the omitted conclusion “support for Ukraine should not interfere with Germany's obligations to the countries of the alliance”. An additional implied argument is a topos-argument “law”, which is marked by a word “*obligation*” and constitutes one of the figures of Testimony: since military assistance to the countries of the alliance is enshrined in agreements, it is a priority.

The components of two enthymemes, rhetorically connected by exergasia and semantically by the topos “responsibility”, can be represented as follows.

(i) The allies on the eastern flank count on German help (Minor stated premise 1).

(ii) We are responsible to those who rely on us (Major implicated premise 1)

(iii) Germany must be a reliable partner for the allies (Minor stated premise 2).

(iiii) Obligations under agreements take precedence over moral obligations (Major implicated premise 2)

(iiiii) Assistance to allies is prescribed by agreements / obligations (Minor implicated premise 1).

(iiiii) Ukraine can count on Germany's support (Minor stated premise 3).

Aid to Ukraine should not interfere with aid to allies in the alliance (implicated conclusion).

In pragmatic terms, the quoted fragment includes a manipulative move of apparent agreement with numerous markers of indefinite modality and is argued on the exergasia-supported topoi “reliability” and “responsibility”, as well as on the implicit topos-argument “law”.

In semantic-syntactic terms, the uncertain modality is based on (a) a hedge – an impersonal construction *there will be more support for Ukraine* that reduces the illocutionary force of the indirect act of commissive-promise due to the “removal” of the promiser from the position of the phrasal subject, (b) a bush – a semantic mitigator *all*

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<sup>36</sup> Policy Speech by Christine Lambrecht Federal Minister of Defense on the National Security Strategy of the Federal Republic of Germany, 12 September 2022 Berlin.

*possible options* moving actions from the sphere of reality to the realm of possibility and (c) a shield – role-playing deixis aimed at "sharing" responsibility (*the Chief of Defense and I*) for subsequent information and at indexing joint responsibility through generalized inclusive pronouns *we, us, our*. An additional mitigating tool is implicit intertextuality – a reference to the “voice” of the “allies on the eastern flank”, who “count on our reliability.” In terms of rhetoric, this type of Testimony is closest to the figure of an eyewitness, which consists in referring to someone else's experience to confirm one's arguments.

A more explicit form of Testimony is represented in (7) in the figure of “authorities” to bring credibility to speaker's argument.

(7) *I understand that in his recent, much-cited statements the NATO Secretary General called upon us all to find ways of further and more extensively supporting Ukraine. But not at the expense of what we have just pledged in Madrid: to further increase German contributions, be a reliable partner and thus strengthen the trust placed in us. This is what I gathered from his words, and this is also something that defines us*<sup>37</sup>.

In (7), by using the figure of “authorities” as an indirect quotation of an authoritative opinion, the speaker implements two manipulative tactics, i.e. (a) of shifting/sharing responsibility for the implicated meaning (face-threatening for the speaker) that support for Ukraine should not come at the cost of reducing the defense capability of Germany and NATO and (b) “apparent effort” in a model “We do everything we can, but...”, in which the scope of efforts associated with the provision of assistance is initially limited by major circumstances: **Germany will look for ways to further and broader support for Ukraine < But > Wider support could prevent Germany from increasing investment in its defense and the defense of the alliance countries.**

The figure of “authorities” underlies the enthymeme with several implied premises:

(i) Germany cannot break promises made at NATO meeting in Madrid (Minor stated premise 1).

(ii) Germany promised to increase its contribution to the defense capability of the alliance (Minor stated premise 2).

(iii) It is necessary to justify the trust of those who rely on you (Major implicated premise 1).

(iiii) Improving defense capability requires significant investment (Minor implicated premise 1).

(iiiii) Broad assistance to Ukraine will divert investments intended for the defense of the alliance countries (Minor implicated premise 2).

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<sup>37</sup> Policy Speech by Christine Lambrecht Federal Minister of Defence on the National Security Strategy of the Federal Republic of Germany, 12 September 2022 Berlin.



Implicated conclusion: aid must be commensurate with the alliance's higher priority goals.

Even though enthymeme is a figure of reasoning that appeals to logos, the way of contextualizing “authoritative” opinion also involves the ethos-based persuasive model by appealing to authority and to topoi of “trust” and “reliability”: be *a reliable partner* and thus strengthen *the trust placed in us*.

Enthymeme or truncated syllogism is identified in all texts under consideration. In a discursive perspective, such a rhetorical specificity can be explained by the fact that in its implicit premises or conclusions, enthymeme contains topoi of responsibility, threat, and security as argumentative components of subsequent discursive implicatures aimed at communicating unpopular decisions in a form that does not threaten the face of the speaker.

In (8) the politician's answer to the journalist's question was given in the form of a discursive implicature based on the truncated syllogism in compliance with the same phases of inference – from the enthymeme-based explicature to the restoration of the implicature.

(8) *It is a difficult balancing act that we constantly have to conduct together with our partners, because the threat to NATO territory from Russia persists. This is what we are hearing from our Baltic partners, in particular, who are asking us for an increased Bundeswehr presence. We are therefore heavily engaged with units in Slovakia and Lithuania, among other countries. NATO's stated goal is that we must be able to hold out for 12 days with our ammunition and equipment in the event of a conventional attack*<sup>38</sup>.

The missing premises are the following:

(i) The threat to NATO territory from Russia is real (Minor stated premise 1).

(ii) The issue of assistance to Ukraine from Germany should be agreed with the alliance (Minor implicated premise 1).

(iii) Alliance states ask for help to strengthen their security (Minor stated premise 2).

(iiii) Germany actively assists the countries of the alliance in strengthening their defense capability (Minor stated premise 3).

(iiiii) In case of danger, you protect yourself / your group first, and not others (Major implicated premise 1).

(iiiii) The security of the Alliance must come before aid to Ukraine (Minor implicated premise 2).

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<sup>38</sup> Der Spiegel, Interview with German Chancellor Olaf Scholz, April 22, 2022.

The last premise, in addition to the means of direct denotation, is supported by nominations *hold out, a conventional attack*, etc. connotating the same “threat”.

A complete syllogism can be formulated as follows: in the event of a danger that is now real, a priority task is to protect the security of the alliance and especially those of its members who need to strengthen their security.

This information becomes an explicature, underlying a discursive implicature “in the current situation, Germany is not ready to constantly supply its deployable equipment”, contextualized with the discursive argumentative model, based on the topoi “responsibility”, “security” and “threat” and with the question of the journalist (Kyiv is proposing that Germany continuously supply its deployable equipment from the Bundeswehr and then gradually replace it. What are the arguments against that?).

In the pragmatic perspective a discursive implicature is triggered by the flouting of the cooperative maxim of relevance as the speaker deviates from the topic related to the journalist's question, shifting the response from the sphere of assistance to Ukraine to the sphere of assistance to the alliance. In doing so, he uses a reference to someone else's opinion as a technique to transfer the focus of responsibility: *This is what we are hearing from our Baltic partners, in particular, who are asking us for an increased Bundeswehr presence*. In terms of rhetorical devices, this reference to the requests of Baltic partners represents narrative intertextuality, which correlates with the Testimony, defined by Cicero as “everything that is brought in from some external circumstance in order to win conviction.”<sup>39</sup> Since the Testimony is not intrinsic or inherent to the subject matter at hand and are brought from external circumstances, it also correlates with digression – a deviation from the logical-semantic sequence in speech thus violating the maxim of relevance.

In addition to the figures of Testimony, digressio, Past Fact / Future Fact and Possibility / Evidence, aimed to “prompt” the minor implicated premise in truncated syllogism, the speaker also uses apagogesis as an argument against a certain action, demonstrating its negative consequences as in and (9).

(9) *Second, you are presuming that it is all about making money for us. But the point is that we want to avoid a dramatic economic crisis, the loss of millions of jobs and of factories that would never open again. This would have major consequences for our country, for all of Europe, and it would also severely affect the financing of Ukraine's reconstruction. As*

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<sup>39</sup> Cicero, *Topica* (Transl. by T. Reinhardt). Oxford: Oxford University Press, 2003, p. 437-438.

*such, it is my responsibility to say: We cannot allow that to happen. And third, is anyone actually thinking about the global consequences?*

In response to a journalist's question about the need to introduce the Russian gas embargo, the speaker refers to three negative consequences - for Germany, for Europe and for Ukraine applying apogoresis in combination with rhetorical exaggeration - hyperbole to enhance the effect of negative consequences.

From the point of view of discursive pragmatics, the figure of apogoresis combined with rhetorical hyperbole ensures the implementation of several manipulative tactics at once: reversal of roles of Ukraine from beneficiary (benefiting from sanctions against Russia) to the damaged (sustaining a loss from sanctions against Russia), technique of partial distortion of information by its exaggeration, simplification and shift of emphasis, the statement under the guise of a question (corresponding to rhetorical device of eroteme - affirmation a point strongly by asking it as a question) and creating a situation of imaginary choice – when only one, certain attitude towards the subject is implied.

### **Conclusion**

The article reached the main conclusions that the basic rhetorical device in the discourse under consideration is a set of enthymemes as figures of reasoning that appeal to logos. The restoration of the implied premises and conclusions is carried out by means of explicatures that expand the propositional content with the missing semantic elements. The restored explicatures become the basis for the inference of conversational implicatures, triggered by the speakers' deviation from the cooperative maxims of quantity, quality, transparency, and relevance of information. Rhetorically, such violations of maxims rely on the figures of exergasia, climax, congeries (violation of the maxim of quantity), digressio, Past Fact / Future Fact (disregard of the maxim of relevance), hyperbole, exaggeration, apogoresis (flouting the maxim of quality). In terms of manipulative strategies, the identified pragmatic and rhetorical devices correspond to the use of disclaimers, transfer and reduction of responsibility, argument substitution, mitigation, partial distortion of information by its exaggeration, simplification and shift of emphasis, the statement under the guise of a question, creating a situation of imaginary choice, etc.

Implicatures are used to implicitly convey information related to unpopular measures or other sensitive issues where the explication of ideas may be face-threatening to the speakers. It is revealed that implicatures are based on the discursive topos-integrator "responsibility", which, in turn, relies on topoi-arguments "threat", "reliability", "law", etc.

that become the main argumentative components to ensure consistency of discourses in the argumentative and conceptual planes. Actualized both at the local and global discursive levels, a topos “responsibility” relates to ethos, reinforcing the logos-based rational argumentation of the speakers with an appeal to the moral foundations of their position taken in the interests of “one’s own” group.

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# DIE DRAGOMANE UND IHR BEITRAG ZUR ENTWICKLUNG DER RUMÄNISCHEN FÜRSTENTÜMER

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**Abstract: *The Dragomans and their contribution to the development of the Romanian Principalities.***

*Since ancient times, interpreters have enjoyed a high reputation due to their ability to mediate between cultures. The wide-ranging knowledge they had to acquire for their profession and during their assignments also helped them to hold political positions.*

*Interpreters were probably held in the highest esteem at the Sublime Porte in Istanbul, where there was a whole team of experts on various matters regarding communication with other countries. The Grand Dragoman was the head of these interpreters and held a very high position in the Ottoman governing apparatus. In time, he led all diplomatic acts of the High Gate and became the most important element in the diplomacy of the Ottoman Empire.*

*From the mid-17<sup>th</sup> century onwards, the Grand Dragomans were appointed mainly from the ranks of Greek Christians from Istanbul's Phanar district. By virtue of their position and talent, many of them were rewarded with the throne of one of the two Romanian principalities: Wallachia and Moldavia. Known as Phanariots, they and their rulers have been a controversial topic in Romanian historiography, with the negative traits being more the subject of discussion. In contrast, this article takes it upon itself to highlight the positive developments of these dominions, which took place thanks to the respective prince's qualification acquired in Istanbul as a Grand Dragoman.*

**Keywords:** *Dragomans, Phanariots, Romanian Principalities, Wallachia, Moldavia, reforms.*

## EINLEITUNG

Die geschichtliche Entwicklung der rumänischen Fürstentümer, der Walachei und der Moldau, verlief stets unter dem wechselseitigen Einfluss mehrerer benachbarten Großmächte. Ab dem 18. Jahrhundert versuchten sowohl das Russische Reich als auch das Osmanische Reich, die Oberhand in den obengenannten Ländern zu gewinnen, um nur die wichtigsten

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Mächte zu erwähnen, denn auch die Donaumonarchie mischte in politischen Belangen mit.

Ab Beginn des 18. Jahrhunderts entschieden die Osmanen den Kampf um die Obrigkeit in den Donaufürstentümern für sich und ernannten ab 1711 die Herrscher bis 1821, als die von Tudor Vladimirescu geführte Revolution stattfand, und als Folge die Osmanen auf ihre Vertreter in den rumänischen Fürstentümern verzichten mussten.

Dieses Jahrhundert wird auch als das Jahrhundert der Phanarioten bezeichnet, da die von den Osmanen ernannten Herrscher aus dem griechisch geprägten Viertel Istanbuls Phanar stammten. Das worauf sich aber vorliegender Artikel fokussiert, ist die Tatsache, dass viele der entsandten Phanarioten-Fürsten ursprünglich als Großdragomane an der Hohen Pforte tätig waren. Die damit verbundene Verantwortung, Erfahrung und Kenntnisse aus zahlreichen Bereichen halfen ihnen bei der Ausübung ihrer leitenden Stellen in den Fürstentümern, wo sie vom Sultan eingesetzt wurden.

Diese sogenannten Phanarioten und ihre Herrschaften sind ein kontroverses Thema in der rumänischen Geschichtsschreibung, wobei eher die negativen Züge hervorgehoben werden. Im Gegensatz dazu nimmt sich vorliegender Beitrag vor, die positiven Entwicklungen dieser Herrschaften herauszuheben, die dank der in Istanbul als Großdragoman erworbenen Befähigung des jeweiligen Fürsten erfolgt sind. Vorher wird aber ein kurzer Überblick zur geschichtlichen Entwicklung und zur Tätigkeit der Dragomane an der Hohen Pforte geboten.

## **DIE DRAGOMANE – ÜBERSETZER UND DOLMETSCHER IM AUFTRAG DER POLITISCHEN WELT**

Das Dragomanenwesen stellte eine etablierte und hochangesehene Institution im Osmanischen Reich dar, wobei die Tätigkeit der Dragomane weit über die Grenzen der translato-logischen Praxis ging. Natalie Rothman (2021, p. 4) bietet in diesem Sinne eine aufschlussreiche Beschreibung des Wesens eines Dragomans:

„In der diplomatischen Praxis waren Dragomane wichtige Akteure in vielen politischen und wirtschaftlichen Schauplätzen der Region, wo ihre Rolle weit über die Wiedergabe der Botschaft eines Sprechers in einer anderen Sprache hinausging. Der soziale Hintergrund der Dragomane wie auch die institutionellen Parameter ihrer Arbeit haben sich im Laufe der Jahrhunderte dank ihrer ständigen Interaktionen über sprachliche und rechtliche Grenzen hinweg weiterentwickelt.“

Das Haupt des Osmanischen Reichs war der Sultan, der zusammen mit dem Großwesir (dem Premier-Minister), den Wesiren und dem Divan (dem Reichsrat) die Belange des Landes bestimmte. Der Großwesir war



außerdem damit beauftragt, die Beziehungen zu den westlichen Mächten zu pflegen, aber da die offizielle Sprache am Hofe Türkisch war und die Würdenträger nicht gewillt waren, fremde Sprachen zu erlernen, wurden Übersetzer und Dolmetscher beauftragt, die fremdsprachigen Dokumente zu übersetzen, beziehungsweise in Gesprächen mit den ausländischen Gästen sprachlich zu vermitteln. Die Tätigkeit eines Dolmetschers am osmanischen Divan wird folgendermaßen beschrieben:

„Der Dolmetsch des kaiserlichen Divans, oder der osmanische Hofdolmetsch, bekleidet im Ministerium der auswärtigen Geschäfte die wichtigste Stelle nach dem Reis Efendi [Minister der auswärtigen Geschäfte – H.S.], weil er der Vermittler aller Mittheilungen zwischen dem Reis Efendi und den auswärtigen Ministern ist, und allen Conferenzen derselben beywohnt. Er übersetzt alle in fremden Sprachen eingereichten Noten und Memoirs (wenn diesen, was jedoch heute nicht der Fall ist, keine eigene Uebersetzung beyliegt) und die Anreden der Minister bey den feyerlichen Audienzen des Großwesirs und des Sultans. Bey Conferenzen, wo der europäische Minister den türkischen durch den Mund seines eigenen Dollmetsches anspricht, antwortet der Reis Efendi nur durch den Mund des Pfortendollmetsches, der als das Organ und das Mittel aller officiellen Mittheilung des Reis Efendi mit europäischen Ministern betrachtet wird. Er ist der einzige Staatsbeamte der Pforte, der zu feyerlichen Beschickungen und Begrüßungen fremder Minister gebraucht, und von denselben mit allen unter sich selbst gewöhnliche Ehrenbezeugungen, wie der Glockenschlag u.s.w. empfangen wird.“ (Hammer in Salevsky/Müller, 2015, p. 32)

Außerdem hatten die Dolmetscher unter anderem „die Akkreditierungsschreiben ausländischer Botschafter entgegenzunehmen und sie dem Großwesir zu überreichen, alle Arten von Dokumenten zu übersetzen, die mit auswärtigen Angelegenheiten zu tun hatten. Der (Groß-)Dragoman war sowohl bei allen Allianz- und Friedensverträgen als auch bei strittigen Fragen mit fremden Ländern allgegenwärtig.“ (Agildere, 2009, p. 3) Abbasbeyli (2014, n.p.) fügt zu den vorher erwähnten Verantwortlichkeiten des Großdragomans folgende Dolmetschtätigkeiten hinzu:

- „Verdolmetschung der Gespräche zwischen dem Großwesir und ausländischen Gesandten,
- Während der Empfänge Übersetzung der Briefe, die ausländische Missionen an den Sultan und an -den Großwesir geschickt hatten,
- Teilnahme an den Sitzungen des Großwesirs mit ausländischen Gesandten und Vorbereitung der Sitzungsprotokolle,
- Teilnahme an den ins Ausland reisenden osmanischen Delegationen,

- Dolmetschen bei bilateralen Verhandlungen,
- Abfassung aller denkbaren Dokumente, die an westliche Mächte geschickt wurden.“

Man könnte folglich behaupten, dass die Großdragomane eine wesentliche Drehscheibe in den Beziehungen des Osmanischen Reichs mit den westlichen Ländern waren. Im 18. Jahrhundert, so Abbasbeyli (ibid.), wurden sämtliche diplomatische Aktivitäten von den Großdragomanen durchgeführt, was sie zu „den wichtigsten diplomatischen Beamten des Osmanischen Reich“ machte.

Im Laufe der Zeit wurden die Dragomane nicht nur an der Hohen Pforte unentbehrlich, sondern auch in anderen Bereichen des öffentlichen Lebens, so dass sich das Dragomanenwesen ständig entwickelte und im 18. Jahrhundert in vier gesonderte Bereiche eingeteilt wurde, die von Paker (2011, 550f) wie folgt beschrieben werden:

1. Der Bereich der auswärtigen Angelegenheiten der Hohen Pforte (Tätigkeiten, die schon oben beschrieben wurden);

2. Die Verwaltung der Provinzen, wo Gerichtsdolmetscher auf Empfehlung der örtlichen Richter ernannt oder entlassen wurden, aber die Dragomane erfreuten sich einer besonderen Vollmacht und dienten als Vermittler in allen offiziellen Angelegenheiten zwischen den nicht Türkisch sprechenden Untertanen des Reiches (die die Mehrheit bildeten) und der lokalen Regierung;

3. Bildungseinrichtungen wie die Schule für Militärtechnik oder die für Marinetechnik, die alle nach europäischem Vorbild im späten achtzehnten Jahrhundert gegründet wurden. Hier dolmetschten die Dragomane für diejenigen Ausbilder, die kein Türkisch sprachen.

Eine institutionelle Position jedoch ganz anderer Natur war der Posten des Dragomans der Flotte, der viel früher eingerichtet wurde und der erste wichtige Posten für die christlichen Untertanen im Osmanischen Reich war. Dieser Posten wurde ausschließlich von den griechischen Phanarioten von Istanbul besetzt, wobei der Inhaber dieses Postens schließlich zum Großdragoman der Hohen Pforte wurde. Die Aufgaben der Dragomane der Flotte gingen weit über die eines Dolmetschers hinaus, da sie sich zusätzlich um die regelmäßige Erhebung von Steuern von den nicht-muslimischen Untertanen auf den Inseln im Mittelmeer und in der Ägäis unter der Zuständigkeit des Admirals der Flotte kümmerten.

4. Ausländische Botschaften und Konsulate, wo die Dragomane zunächst von der osmanischen Regierung bereitgestellt wurden. Im 17. Jahrhundert wurden sie jedoch von den ausländischen Missionen aus dem Kreis christlicher Untertanen ausgewählt. Die Aufgabe des Dragomans im diplomatischen Korps war es, zu dolmetschen und Kommunikation

zwischen den osmanischen Staatsmännern und den Botschaften zu sichern und die Abwicklung der Korrespondenz zu erledigen.

Die einflussreichen Großdragomane wurden bis zur Mitte des 16. Jahrhunderts aus den Reihen der griechischen, italienischen, deutschen, ungarischen oder polnischen Minderheit ausgewählt, die zum Islam übergetreten waren. Der 1502 erste ernannte Dragoman war Ali Bey, der griechischer Abstammung war, und der einen großen Einfluss auf die osmanische Außenpolitik ausgeübt hat. Die Wertschätzung, der er sich zu seiner Zeit erfreute, widerspiegelt sich auch in der Errichtung einer Moschee in Istanbul, der sogenannten Dolmetscher-Moschee (*Durugman Mescidi*), mit der Unterstützung des Sultans Süleyman I. des Prächtigen (1494 - 1566), als Anerkennung seiner Dienste. (Paker, 2011, p. 551)

Ab der Mitte des 16. Jahrhunderts und bis zur griechischen Revolution im Jahre 1821 wurden aber die Großdragomane der Hohen Pforte aus den Reihen der wohlhabenden griechisch-orthodoxen Familien aus dem Istanbuler Viertel Phanar ausgewählt, die in die Geschichte als Phanarioten eingegangen sind.

Der erste phanariotische Großdragoman war *Panayotis Nicousios* (1613 - 1673), der nicht nur als Dolmetscher tätig war, sondern auch eine diplomatische Funktion bekleidete. Agildere (2009, p. 4) beschreibt ihn als einen geschickten und sehr aktiven Diplomaten in den Verhandlungen mit den Venezianern und bezieht sich auf einen Zeitgenossen, der ihn als einen „sehr geistreichen, sehr schlaunen, feinen und hinterlistigen“ Mann bezeichnete. Stamatiade (1897, p. 57) unterstreicht auch, dass, obwohl er sein ganzes Leben im politischen Milieu verbracht hat, er nie die Pflege der Musen vernachlässigt hat, wobei seine Schriften ihn „als einen der klügsten Männer des modernen Griechenlands zeichnen“.

Ihm folgte 1673 sein erster Sekretär, *Alexandru Mavrocordat* (1641 - 1709) (für die Namen der Dragomane, deren Familien einen Bezug zu den rumänischen Fürstentümern haben, wird im Folgenden die rumänische Schreibweise berücksichtigt) der erste Großdragoman aus einer Familie, die zahlreiche Herrscher in den rumänischen Fürstentümern gestellt hat. Er hatte Medizin in Padua studiert und beherrschte mehrere Sprachen des Orients und Okzidents. Wichtig war darüber hinaus die Tatsache, dass er den multikulturellen Hintergrund des Osmanischen Reichs und dessen politische Einstellung den anderen Ländern gegenüber sehr gut kannte. Sein diplomatisches Geschick verlieh ihm einen großen Einfluss bei den verschiedenen Verhandlungen, was ihm seitens Sultan Mustafa II. den Titel „Vertraulicher Sekretär“ einbrachte. (Agildere, 2009, p. 5)

Sein Sohn, *Nicolae Mavrocordat* (1680 - 1730) übernahm diese wichtige Stelle an der Hohen Pforte im Jahr 1698. Stamatiade (1897, p. 60) beschreibt ihn als seinem Vater ebenbürtig, was seine Fähigkeiten und

Ausbildung anbelangt: Er war ihm in den Bereichen der Philosophie, der Rhetorik und der Fremdsprachenkenntnisse (beherrschte perfekt Griechisch, Türkisch und Latein) ebenbürtig. Der Autor schreibt weiterhin über die Persönlichkeit Nicolae Mavrocordats:

„Wenn er in den Angelegenheiten des Reichs eingesetzt wurde, drückte er sich in deren Sprache mit großer Leichtigkeit, Genauigkeit und Sanftheit aus und sprach das, was er sagte, mit solcher Beredsamkeit und Geschicklichkeit aus, dass er von allen bewundert wurde, sogar vom Sultan selbst... Nicolae war 12 Jahre lang Dolmetscher, in denen er seinen Vater an Scharfsinn und Erhabenheit weit übertraf. [...] Er zeigte so viel Einsatz und Verständnisvermögen in den verschiedenen inneren und äußeren Angelegenheiten des Reiches, dass er sich sowohl bei den Muslimen als auch bei seinen Landsleuten Verdienste erwarb.“ (Stamatiade, 1897, p. 60)

Für seinen außergewöhnlichen Einsatz für die Belange des Osmanischen Reichs bekam er 1709 als Belohnung für seine geleistete Arbeit das Amt des Fürsten der Moldau (1709 – 1710). Nach einer sehr kurzen Unterbrechung seiner Amtszeit durch Dimitrie Cantemir übernahm er erneut den moldauischen Thron im Jahre 1711 (1711 – 1716), Datum das von der Geschichtsschreibung als Anfang der phanariotischen Herrschaft in Moldau angesehen wird. Mit seiner Ernennung 1716 als Fürst der Walachei (ebenfalls zwei Amtszeiten 1716, 1719 – 1730) leitete er auch dort das phanariotische Zeitalter ein.

## **WICHTIGE LEISTUNGEN DER PHANARIOTISCHEN HERRSCHER IN DEN RUMÄNISCHEN FÜRSTENTÜMERN**

Zwischen 1711 in der Moldau bzw. 1716 in der Walachei und 1821 spricht die rumänische Geschichtsschreibung über die „Phanariotische Epoche“, in der die rumänischen Fürstentümer von Mitgliedern verschiedener griechischer Familien aus dem Istanbul Viertel Phanar geführt wurden, die den Titel eines Fürsten oder Woiwoden bekamen. Die wichtigsten phanariotischen Herrscherfamilien waren: Callimachi, Cantacuzino, Caradja, Ghica, Mavrocordat, Mavrogheni, Moruzi, Rosetti, Şuţu, Ipsilanti.

Die als Großdragoman erbrachten Leistungen und auch der dadurch erreichte Einfluss an der Hohen Pforte, ihre breitgefächerten Fähigkeiten brachten den Inhabern dieser Ämter als Belohnung die Ernennung zum Herrscher eines der zwei rumänischen Fürstentümer. Ab 1793 wurde sogar eine Vorschrift eingeführt, die dieses Problem regelte, und die durch die damalige „Kânûn-nâme“ (Gesetzessammlung) eingeführt wurde, so Bogdan Murgescu. Dadurch wurde festgelegt, dass nur diejenigen, die als Dragomane gedient hatten, Fürsten der Walachei oder Moldau werden konnten (Murgescu, 2012, p. 58). Die andere Regelung bezüglich dieser

Angelegenheit wurde 1819 erlassen und sah vor, dass nur Mitglieder aus vier Familien für diese Ämter kandidieren können, während die anderen Familien Stipendien von den jeweiligen Fürsten erhalten sollten (ebenda). Diese letzte Regelung hatte aber keine Zeit Wirkung zu zeigen, da nur zwei Jahre später die Revolution von 1821 ausbrach und damit auch das sogenannte phanariotische Zeitalter zu seinem Ende kam.

Es muss zugestanden werden, dass die phanariotischen Herrschaften keine besonders positive und fortschrittliche Epoche in der Geschichte Rumäniens darstellen: die Korruption grassierte, die Bauern lebten unter äußerst schweren Bedingungen und die erhobenen Steuern stellten eine große finanzielle Last dar. Es gab allerdings auch manche Fürsten, die wie ein Lichtstrahl in dieser eher dunklen Epoche herausstechen, und die, wie Pogăciaș hervorhebt, gute Verwalter waren, einige Reformen durchführten und sich bis zu einem gewissen Grad um den reibungslosen Ablauf der Angelegenheiten und das Schicksal ihrer Untertanen kümmerten, vor allem jene nach der Mitte des 18. Jahrhunderts. Andere waren Krieger und kämpften mit Eifer für die Befreiung ihrer Länder von der österreichischen bzw. russischen Besatzung (Pogăciaș, n.d., n.p.). Man könnte behaupten, dass die griechischen Herrscher das kleinere Übel in dieser Zeit waren, denn sonst hätte den rumänischen Fürstentümern die Gefahr gedroht, zu Paschaliks umgewandelt zu werden. Brie betont, dass das neue Regime sich auf die lokale Bojarenschaft stützte, die für die Bewahrung ihrer Interessen mit dem Herrscher zusammenarbeitete und dadurch auch die Belange des Osmanischen Reiches unterstützte. Weiterhin hebt er hervor, dass das Osmanische Reich jedoch die traditionellen politisch-administrativen Strukturen, das feudale Eigentumssystem, nicht aufgelöst hat, obwohl es sie kontrollierte und seinen Interessen unterordnete. Darin ist auch der Hauptunterschied zwischen dem phanariotischen und dem Paschalik-Regime zu finden: In den rumänischen Fürstentümern erfolgte die osmanische Herrschaft indirekt, während sie im Falle eines Paschaliks direkt gewesen wäre. In Wirklichkeit war die Phanarioten-Lösung ein Kompromiss zwischen Autonomie und direkter Verwaltung: Der Status der Autonomie wurde eingehalten, aber er unterlag erheblichen Einschränkungen. (Brie, 2005, p. 251) Der wohlbekannte Historiker Nicolae Iorga war wahrscheinlich der erste, der die positiven Aspekte der phanariotischen Herrschaften hervorhob, indem er den ihnen gewidmeten Band seiner „Geschichte der Rumänen“ „Die Reformatoren“ betitelte.

Es ist ein Paradoxon, dass sich die rumänische Gesellschaft unter Herrschern aus dem Orient in Richtung Westen öffnete. Durch die Ausbildung als Dolmetscher und Großdragomane der Hohen Pforte waren diese offen für das Erlernen von Fremdsprachen und für den Kontakt mit ausländischen Kulturen. Patrinelis hebt besonders die Rolle der

Phanarioten bei der Förderung sowohl der griechischen als auch der rumänischen Kultur hervor: Schulen, Druckereien, Übersetzung und Veröffentlichung von Büchern, Unterstützung von Gelehrten, Gründung von Theatern, Einführung des Unterrichts in „modernen“ Fächern in den Schulen, Übernahme bestimmter europäischer Lebensstile, die Verbreitung von Fremdsprachen, insbesondere des Französischen, was nicht nur den Phanarioten, sondern auch einigen Bojaren den intellektuellen Austausch mit der europäischen Kultur ermöglichte (Patrinelis, 2001, pp. 192f). Ebenfalls in dieser Epoche erlebten die kurz zuvor gegründeten Fürstlichen Akademien in Bukarest und Jassy eine Blütezeit. Sie wurden zu universitären Einrichtungen, an denen Jugendliche aus ganz Südosteuropa studierten. Obwohl die hier unterrichtenden Lehrkräfte hauptsächlich Griechen waren, hatten sie ihr Studium in Westeuropa abgeschlossen. Hinzuzufügen ist auch die Tatsache, dass jetzt zahlreiche Bücher in rumänischer Sprache gedruckt wurden.

In Zusammenhang mit dem französischen Kulturmilieu schreibt Dogar, dass am Anfang die französische Aufklärung durch die Phanarioten in die rumänischen Fürstentümern Eintritt fand und dank ihnen nahm auch die Wichtigkeit des Französischen zu, das für Dragomane in ihren Beziehungen zu den europäischen Botschaften fast verpflichtend war (Dogar, 2009, n.p.). Die Phanarioten stellten ausländische, mit der westlichen Kultur vertraute Lehrer für die Erziehung ihrer Kinder ein, was gleich auch die einheimischen Bojaren taten. Dazu kam die Tatsache, dass *Alexandru Ipsilanti* – ebenfalls ehemaliger Dragoman – 1776 offiziell die Lehre des Französischen in den griechischen Schulen der Fürstentümer veranlasste. Das Erlernen der französischen Sprache verbreitete sich so schnell, dass in einem Vermerk des russischen Konsulats in Jassy aus dem Jahr 1806 folgendes vermerkt wurde: „Der Wunsch, Französisch zu lernen, ist in diesem Land so weit verbreitet und so groß, dass er zu einer Epidemie auszuarten scheint.“ (Dogar, 2009, n.p.) Wie es sich bei einem Kulturmenschen ziemt, legten manche Herrscher beeindruckende Bibliotheken an, wobei auch wohlhabendere Bojaren diesem Beispiel folgten.

Der phanariotische Fürst, der die meisten Reformen in den rumänischen Ländern eingeführt hat, ist *Constantin Mavrocordat* (1710 – 1769) - der Sohn des Großdragomans und ebenfalls Fürst Nicolae Mavrocordat und Enkelsohn des Großdragomans Alexandru Mavrocordat -, der mehr als dreißig Jahre diese Stelle innehatte. Von allen phanariotischen Fürsten saß er am längsten auf einem der Throne der Walachei oder der Moldau, was ihm auch dabei half, seine Reformen einzusetzen: sechs Herrschaften in der Walachei (1730, 1731 – 1733, 1735 – 1741, 1744 – 1748, 1756 – 1758, 1761 – 1763) und vier Herrschaften in der Moldau (1733 – 1735, 1741 – 1744, 1748 – 1749, 1769).

Auch wenn er in Konstantinopel geboren wurde, wuchs er auf rumänischem Boden unter der Obhut seines vielfältig im Dragomanentum gebildeten Vaters. Folglich war Constantin auch ausgesprochen gelehrt und ein Anhänger der reformatorischen und philosophischen Ideen seiner Zeit. So wie Brie (2005, p. 253) betont, standen seine Herrschaften unter dem Einfluss der europäischen Aufklärung, da Constantin nicht nur die Neigung für Kultur von seinem Vater geerbt, sondern sie auch gepflegt hatte: er hatte an höheren Schulen studiert, sprach Italienisch, Französisch, Türkisch, Persisch und Alt- und Neugriechisch, stand im Briefwechsel mit Persönlichkeiten der Kultur aus dem Ausland; war mit anderen Worten ein aufgeklärter Geist.

Die vielleicht wichtigste Reform Mavrocordats war die *soziale Reform*. Dadurch löste er 1746 in der Walachei und 1749 in der Moldau das Leibeigenschaft auf, wobei die Bauern, so Neagu Djuvara (2002, p.144), lediglich sechs Tage im Jahr in der Walachei und zwölf Tage in der Moldau Frondienst zu leisten hatten. Dadurch zielte der Fürst darauf ab, rechtlich freie Bauern mit einer vom Staat festgelegten Pflichtenordnung zu haben. Ebenfalls im Rahmen der sozialen Reform wurden die Bojaren, nach dem österreichischen Muster aus Oltenien, das 1739 wieder der Walachei beigetreten war, in zwei Kategorien eingeteilt: die großen und die kleinen Bojaren. Nach dieser Einteilung wurde auch die Steuerbefreiung bestimmt.

Eine weitere Kategorie der Reformen findet im *Fiskalbereich* statt. Auch nach österreichischem Muster wurden für jede Kategorie der Bürger eine einzige Abgabe und die Zahlungsfristen festgelegt. So bezahlte zum Beispiel, gemäß Brie (2005, p. 254), „das Familienhaupt“ zweieinhalb Lei für ein Viertel Jahr, während „der Junggeselle“ nur eineinhalb Lei bezahlen musste. Dafür musste man aber auch eine gute Übersicht der Steuerzahler haben, was dazu führte, dass man - auch nach dem österreichischen Muster aus Oltenien - einen Personalausweis einführte, der sowohl die Steuerdaten als auch die physische Beschreibung der betreffenden Person beinhaltete.

Die wahrscheinlich wichtigste Maßnahme der *Verwaltungsreform* war die Bezahlung der Beamten, die somit Gehälter für die geleistete Arbeit erhielten. Diaconescu hebt in diesem Zusammenhang hervor, dass „es den Beamten verboten war, von den Bauern Geld oder Lebensmittel oder etwas anderes für ihre Arbeit zu verlangen. Natürlich gab es einen großen Unterschied zwischen der Realität und den angestrebten Zielen, da die Bediensteten schließlich beide Einkommensformen anhäuften.“ (Diaconescu in Dogar, 2009, n.p.) In der Verwaltung unterstützte Mavrocordat die Benutzung der rumänischen Sprache, indem sämtliche Dokumente obligatorisch auf Rumänisch und nicht mehr auf Griechisch verfasst werden mussten.

Mavrocordat führte ferner Reformen im *Bereich der Justiz* ein und versuchte die Justiz von der Verwaltung zu trennen. Dafür wurden die Richter aus den Reihen der Bojaren ohne einen Arbeitsplatz ernannt, die zusammen mit den Vertretern der Führung im jeweiligen Kreis Gerichte in jeder Kreishauptstadt gründeten. Gleichzeitig wurden auch die Verfahren modernisiert durch die Verpflichtung, Urteile in zweifacher Ausfertigung abzufassen und auf Blättern mit Siegel in ein Register einzutragen, um die Möglichkeit einer Ersetzung auszuschließen. (Brie, 2005, p. 255)

*Alexandru Ipsilanti* (1726 – 1807) (regierte die Walachei zwei Mal 1774 - 1782; 1796 - 1797 und die Moldau ein Mal 1786 - 1788) setzte diese Reformen im *Bereich des Justizwesens* fort. Er war ebenfalls ursprünglich Großdragoman an der Hohen Pforte, auch wenn nur 35 Tage, war ein gebildeter und aufgeklärter Mann, sehr einflussreich und wohlhabend im Osmanischen Reich. Er beherrschte mehrere Sprachen, wie Griechisch, Französisch, Italienisch, Türkisch, Arabisch und Persisch. (Stamatiade, 1897, p. 80)

Im Justizwesen führte er erstmals eine Trennung zwischen Zivil- und Handelsstreitigkeiten einerseits und Strafstreitigkeiten andererseits ein. Für diese Verfahren wurden gesonderte Abteilungen eingerichtet und außerdem wurde die Folter abgeschafft. Es wurden Gehälter für das gesamte Justizwesen festgelegt. (Dogar, 2009, n.p.) Ipsilanti gelang es auch ein modernes Gesetzbuch zu verfassen, das trotz des Widerstands der konservativen Bojaren zur Modernisierung der rumänischen Fürstentümer führte.

Auch in der Lokalverwaltung machte sich Ipsilanti einen Namen. Seine städtebauliche Tätigkeit ist bemerkenswert, denn er gilt als der erste Herrscher, der Bukarest modernisierte. Im Jahr 1775 richtete er Kommissionen für die Verwaltung der Hauptstadt ein, einen öffentlichen Ausschuss, der mit der Beschaffung von Mitteln für urbanistische Arbeiten, den Bau von Waisenhäusern und Schulen beauftragt wurde. Er richtete auch Erholungsheime ein. Das wichtigste Projekt war jedoch der Kanal von Ipsilanti, der gebaut wurde, um das überschüssige Wasser des Flusses Dâmbovița aufzufangen, der die Stadt oft überschwemmte.

Es gab auch andere Fürsten, die durch ihre Reformen zur Modernisierung der zwei rumänischen Länder beigetragen haben, die an dieser Stelle nur kurz erwähnt werden: Ioan Gheorghe Caragea (Sohn eines Großdragomans) und Scarlat Calimachi (ursprünglich Großdragoman): beide haben fortschrittliche Gesetzbücher entworfen; Grigore Ghica (ehemaliger Großdragoman), Nicolae Mavrocordat (ehemaliger Großdragoman) und Nicolae Mavrogheni (ehemaliger Dragoman der Flotte) reformierten und modernisierten die Wehrkräfte, wie auch Constantin Mavrocordat.



## SCHLUSSFOLGERUNG

Übersetzer und Dolmetscher müssen über zahlreiche Kenntnisse aus den verschiedensten Bereichen verfügen, um situationsadäquate Leistungen erbringen zu können. Schon in der Antike haben diese Kenntnisse eine wesentliche Rolle gespielt und haben den damaligen Dolmetschern fast die Aura eines Übermenschen gebracht. Mit der Gründung des Dragomanentums im Osmanischen Reich erhielt dieses Metier eine offizielle Rolle und diejenigen, die es ausübten, erlangten einen großen Einfluss auch in anderen Bereichen außer dem, der ihrem Beruf spezifisch war. Die Dragomanen, beziehungsweise Großdragomanen an der Hohen Pforte, hatten ein wichtiges Wort in Bereichen wie Wirtschaft oder Politik zu sagen. Mit der Zeit wurden sie zu wichtigen Akteuren in den internationalen Beziehungen zwischen dem Osmanischen Reich und den westeuropäischen Mächten. Diese von ihnen erbrachten Leistungen, die erworbene Ausbildung, die Fähigkeiten und Fertigkeiten, die man als Großdragoman erbringen musste, veranlassten die Sultane, sie dafür reichlich zu belohnen. Ein Unikum in der Geschichtsschreibung war die Tatsache, dass viele von ihnen die Führung eines der zwei rumänischen Fürstentümer, der Walachei oder der Moldau, erhielten, als Dank für ihre Leistungen aber auch als Anerkennung ihrer Fähigkeiten in den obengenannten Bereichen. Das veranlasste manche von ihnen wichtige Reformen in diesen Ländern u.a. im kulturellen, wirtschaftlichen, sozialen, juristischen Bereich einzuführen. Diese Herrscher waren wie ein Lichtstrahl in dieser sonst dunklen Zeit, der sogenannten Epoche der Phanarioten. Sie haben bewiesen, dass der gute Wille und die als Dolmetscher erworbenen Kenntnisse dazu führen konnten, sogar als Herrscher eines Landes einen positiven Einfluss zu haben.

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# MORPHOLOGICAL ANALYSIS OF ENGLISH CLINICAL VETERINARY TERMS

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**Abstract:** *The article is devoted to the morphological analysis of English terms of the clinical terminology system, which was carried out on the basis of lexicographic data recorded in English terminological dictionaries for veterinary medicine. Morphological analysis of English terms made it possible to find out what role parts of speech play in the naming language space. Morphological analysis of English terms of clinical veterinary medicine helps not only to understand the structure of the term, but also to understand their meaning and use in the context of clinical veterinary medicine. It is an important tool for understanding the categorization and conceptualization of concepts expressed in English clinical veterinary terms. It is determined that in the English terminological system of animal diseases, term models are used, the components of which are a noun, an adjective and a participle. At the same time, the noun conceptualizes the phenomena of real reality, such as diseases, and emphasizes their functional features, while the adjective and participle provide additional information about the phenomenon, which highlights or specifies its features. Certain morphological patterns may indicate typical relationships between objects, processes and characteristics in veterinary medicine. In addition, a morphological analysis of English terms from a cognitive standpoint can reveal common mental models and representations reflected in the use of terminology. All this contributes to the improvement of communication between specialists of veterinary medicine, contributes to the understanding and use of professional terminology in scientific research, training and practical activities.*

**Keywords:** *clinical veterinary medicine, term, concept, morphological structure.*

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## **Introduction**

Veterinary medicine belongs to one of the oldest areas of knowledge, which at the same time is in a state of rapid development. Modern veterinary terminology is one of the most extensive and complex systems of terms in terms of concept and content. Despite the large number of works devoted to veterinary terminology in the scientific literature, the linguistic aspect of the study of terminological vocabulary still requires in-depth research. The morphological analysis of terms is relevant, as it allows us to draw conclusions about how exactly their content is classified, according to what main headings it is distributed, and what principles are the basis of this distribution.

In order to reveal the method of fixing what is known in a term and its description, to understand the significance and functions of a particular term system in a person's language ability and his mental lexicon, it is necessary to determine what role parts of speech play in the display of this or that "piece of reality", i.e. what is their importance in this process. The analysis of terms from the point of view of morphology is particularly important, as it gives an opportunity to answer one of the main questions of the complex cognitive aspect of the study of term systems, namely: it makes it possible to find out what role the parts of things play in the naming space of the language, how exactly they determine the structure of the scientific picture of the world. The structure of knowledge, represented and objectified by a term, is associated with the way it is represented in a given unit, both in the mental lexicon and in speech activity.

**The purpose of this article** is a morphological analysis of the English terms of the clinical veterinary terminology system from a cognitive standpoint, which allows to identify fragments of the linguistic design of scientific knowledge and trace the regularities of the mental processes of representatives of English-speaking culture.

## **Materials and methods of research**

The material for observations was English scientific articles, reference literature and specialized dictionaries: "Veterinary Medicine: A Textbook of the Diseases of Cattle, Horses, Sheep, Pigs, and Goats" by Peter D. Constable, Kenneth W. Hinchcliff, Stanley H. Done, and Walter Gruenberg (2016), "Saunders Comprehensive Veterinary Dictionary" by Virginia P. Studdert, Clive C. Gay, and Douglas C. Blood (2018), "Veterinary Medical Dictionary" by Gary M. Baxter, "Black's Veterinary Dictionary" by Edward Boden (2015), "Mosby's Veterinary Dictionary" by Mosby (2019).

The empirical basis of the study was the English index of terms of veterinary clinical terminology in the amount of 940 units.

The main methods used in our research are the method of the morphological analysis of terms, lexicographic analysis, methods of classification, systematization and component analysis.

## Literature Review

Linguists have carried out a number of studies of veterinary terminology, which determine its main characteristics. The peculiarities of the formation of clinical veterinary terminology, the structural organization of its terms were studied by T. Nemova and M. Lychuk<sup>1,2</sup>. In the scientific studies of T. Cherepovska, O. Binkevych, the morphological features of veterinary terminology were considered<sup>3</sup>. The study of V. Lashkul, Yu. Rozhkov, and O. Syrotina<sup>4</sup> is devoted to semantic phenomena in the English terminology of veterinary medicine. Word formation, lexical-semantic and syntactic aspects of clinical veterinary terminology were the subject of scientific research by I. Karbovnyk<sup>5</sup>. Veterinary terminology in cognitive and structural-semantic aspects was studied by Y. Rozhkov<sup>6,7,8</sup>. In the scientific works of O. Syrotina, the categories of space, time and process in the English terminology of veterinary medicine are considered<sup>9,10</sup> and the sources of its formation are presented<sup>11</sup>. Biomorph

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<sup>1</sup> T.V., Nemova, M.I. Lychuk, *Clinical veterinary terminology*. International Philological Journal. Vol. 11, No. 1, 2022. pp. 73–81.

<sup>2</sup> T.V., Nemova, M.I. Lychuk, *Features of the formation and translation of the terminology of clinical veterinary hematology*. International Philological Journal Vol. 11, No. 3, 2020, pp.73–81.

<sup>3</sup> T. Cherepovska, O. Binkevich, *Morphological peculiarities of veterinary terminology in the context of teaching English for specific purposes*. Scientific notes of the National University "Ostroh Academy": series "Philology". Vol. 5(73), 2019, pp. 310–312.

<sup>4</sup> Yu., Rozhkov, O., Syrotina, V., Lashkul, *Semantic phenomena in English clinical terminology of veterinary medicine*. Cogito – Multidisciplinary Research Journal. Vol. XIV, no. 3, 2022, p. 247-265.

<sup>5</sup> I.V. Karbovnik, *Latin clinical veterinary terminology: word-formation, lexical-semantic and syntactic aspects*. Scientific Bulletin of S.Z. Gzhitsky LNUVMB. Volume 20. No. 86. 2018, pp. 161–166.

<sup>6</sup> Yu. Rozhkov, *Linguistic representation of the feature category in the English clinical veterinary terminology*. Cogito-Multidisciplinary research Journal, (1), 2022, pp. 188-203.

<sup>7</sup> Yu. G. Rozhkov, *Terminology of veterinary medicine: cognitive aspect*. Scientific Bulletin of the International Humanitarian University. Philological series, 32(1), 2018, 203-205.

<sup>8</sup> Yu. G. Rozhkov, (2017), *Linguistic-cognitive approach to the study of the terminology of veterinary medicine*. Scientific notes of the National University of Ostroh Academy. Series "Philological" No. 66, 2017, pp. 75-76.

<sup>9</sup> O. Syrotina, *Categories of space and time in the English terminology of veterinary medicine*. Studia Humanitatis. No. 3. 2020.

<sup>10</sup> O. Syrotina, *Representation of the category of process in the English-language clinical terminology of veterinary*. Studia Humanitatis. No. 3. 2021.

<sup>11</sup> O. Syrotina, *Origin sources of English veterinary terminology*. Euromentor, Vol. 14, Issue 1, 2023, pp. 117-135.

metaphor in the English veterinary terminology was studied by V. Lashkul and Yu. Rozhkov<sup>12</sup>.

However, in these studies, the analysis of the terms of clinical veterinary medicine from the point of view of morphology did not receive sufficient coverage. The description of the material is carried out by defining the basic concepts of the English terminology of clinical veterinary medicine and their morphological analysis. The analysis procedure relies on a number of terms.

The concept of ANIMAL DISEASE, verbalized by more than 2,000 terminological units, occupies a central position in the clinical veterinary concept sphere.

To determine the conceptual features of the ANIMAL DISEASES concept we turned to the analysis of the term definition verbalizing this concept. "Animal disease" means a disease to which animals are liable and whereby the normal functions of any organ or the body of an animal is impaired or disturbed by any protozoon, bacterium, virus, fungus, parasite, other organism or agent<sup>13</sup>.

Based on the definitional analysis of the ANIMAL DISEASE concept, it became possible to define its cognitive signs: "deterioration or dysfunction of any organ or body of an animal caused by any protozoan, bacterium, virus, fungus, parasite, other organism or pathogen."

Thus, this concept is characterized by the following conceptual features: the object of the disease, functional disorders and, accordingly, their causes. The cognitive features of the analyzed concept – spatial, causal and object categories, allow us to distinguish the relevant concepts in the concept sphere of animal diseases: FUNCTIONAL DISORDERS, CAUSE OF DISEASE AND OBJECT OF DISEASE.

The grammatical level of any language is distinguished by great stability, universality and abstractness and provides the subject of knowledge with the entire set of cognitive orientation schemes in the world around. Providing the possibility of conceptualizing and categorizing the world within the framework of the language classification system, this level is a special model of the world – the actual language model of the configuration and representation of knowledge about the world, therefore, morphological analysis allows us to identify the patterns of verbalization of special knowledge, which is any term system.

The analysis of the actual material of the study proved that the defined concepts are verbalized by the majority of the identified term models,

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<sup>12</sup> Yu., Rozhkov, V. Lashkul *Biomorphic metaphor in the English veterinary terminology*. Cogito – Multidisciplinary Research Journal. Vol. XV, no. 1, 2023, p. 190-202.

<sup>13</sup> B., Edward, *Black's Veterinary Dictionary*. London: Bloomsbury, 2015, p. 45.

which include in their morphological composition three parts of speech – noun (N), adjective (Adj) and participle (P).

### **Nouns**

The analyzed material showed that the morphological structure of term models of the English clinical terminology system of veterinary medicine is represented by the following models: N, N + N, Adj + N, P+ N, P+Adj + N, Adj +P+ N, N+P+N.

Nouns are part of all models that verbalize all concepts of the English terminology of animal diseases. They belong to different lexical and grammatical categories: Concrete Nouns, Abstract Nouns and Proper Nouns.

Concrete nouns designate various objects or beings that are the most essential in human understanding and carry in their semantics their properties, appearance, functions and relationships with other objects, which is important for purposes of categorization. Concrete nouns verbalize the concept of CAUSER OF DISEASE, represented by biological pathogens: agents, bacteria, protozoans, viruses, fungi parasites, pathogens.

Concrete nouns in the N + N model verbalize the concept of DISEASE OBJECT and point to the disease object (animal), for example: swine dysentery, duck plague, bird flu, goat pox, goose influenza, sheep pox.

Abstract nouns are the names of immaterial entities denoting an abstract feature, action, abstract concept. Most often, these are nouns that name concepts that do not have a real embodiment and are perceived by imagination. In the English terminology of clinical veterinary medicine, abstract nouns are used to verbalize the concept of FUNCTIONAL DISORDERS, such as ablation, constipation, demyelination, poisoning, dislocation, extravasation, haemagglutination, inflammation, malformation.

The above examples indicate the abstract nature of the phenomenon reflected in the term. These phenomena cannot be counted, they cannot be measured or their boundaries determined, etc., but the characteristic features of these phenomena can be distinguished. The vast majority of nouns with an abstract meaning are words with derived stems of adjectival or verbal origin. Therefore, we can say that abstract nouns are symbiotic formations that combine in their categorical semantics the meanings of a phenomenon as a process and its qualities and form a special zone in the class of nouns.

Proper nouns, which mean the individual name of a specific object, distinguishing it from a number of objects of the same type, are widely used in the verbalization of the concept of ANIMAL DISEASE. Proper names are an endless source for the formation of eponyms. In veterinary

terminology, eponyms are terminological units used to name a disease or syndrome after the person who first discovered or described them. Proper nouns are part of models of multi-component eponymous terms, which can be divided into 3 groups: 1) eponyms, which include one proper name: Edison's disease; Albright's syndrome, Barlow's disease, Birdsville's disease, Carrion's disease, Lyme disease; 2) eponyms, which include two proper names: Chiari-Fommel's disease; Cherg-Strauss disease, Ehlers-Danlos syndrome; 3) eponyms, which include three proper names: Besnier-Bock-Schauman disease, Abderhalder-Kaufmann-Lignac syndrome<sup>14</sup>.

Proper nouns can be part of toponym terms, representing the concept of ANIMAL DISEASE, characterizing a disease that was discovered or spread in a certain area. Here are some examples: toponym + disease: Leipzig disease, Newcastle disease, Stuttgart disease, Wesselsbron disease, Texas fever, Aleutian disease; toponym + name of the disease: St. Louis encephalitis, Crimean fever, La Crosse encephalitis, Lassa fever, Ebola virus, Zika virus.

Thus, we can conclude that nouns, i.e. words denoting objects of reality play the most active role in the process of nomination, since they are the designation of an event participant and form the top of nominative groups.

The categorization of the world at the level of attributes implies a configuration of knowledge regarding various characteristics of the surrounding reality, primarily qualities and properties, and receives a linguistic representation at the level of the category of the adjective name that is part of the terms of this concept.

### **Adjective**

An adjective is another part of speech, common in the constituent models of English terms verbalizing the concept of ANIMAL DISEASE. In the terminological phrases of the A+N attributive model, there is a connection between the concept and its qualitative feature, for example, communicable diseases, neonatal diseases, allergic shock, atopic dermatitis, cerebral palsy, biliary fever, bright blindness, brown nose, bursal disease.

From the point of view of the cognitive approach, the leading role in such terminological phrases belongs to the adjective. It, singling out the most significant features of the name of the disease, determines the noun

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<sup>14</sup> Yu. G. Rozhkov, *Verbalization of animal diseases by means of the English language: linguistic-cognitive and structural-semantic aspects: diss.* Borys Grinchenko Kyiv University, 2021, p.98.



and largely influences it. These signs are rational, because they are highlighted by a veterinary specialist in the process of rational cognition.

The analysis of terms proved the performance of the A + N model, which is due to the fact that the outlined terminological phrases are a convenient means of systematizing terms.

To verbalize the concept of ANIMAL DISEASE, in addition to the specified most productive model A + N, in the English terminological system of clinical veterinary medicine, terminological phrases are used that indicate signs of animal diseases. They are formed according to the following models: A+A+N (Abdominal cystic lymphangioma, Abdominal aortic aneurism, Congestive heart failure, Cutaneous lupus erythematosus, Enzootic nasal granuloma, Transmissible spongiform encephalopathy, Ulcerative dermal necrosis, Anaerobic bacterial infection, Chronic respiratory disease, White sponge nevus); A+A+A+N, for example, Acute Febrile neutrophilic dermatitis, Arrhythmogenic right ventricular cardiomyopathy, Chronic obstructive pulmonary disease; A+A+N+N, for example, Benign essential tremor syndrome, Diffuse parenchymal lung disease, European brown hare syndrome.

Three types of adjectives were distinguished in the analyzed term system: qualitative, relative and possessive adjectives, which are part of the term models of the term system.

Qualitative adjectives in the Adj + N model, in their semantics, demonstrate qualitative characteristics of organs affected by the disease, for example, dry eyes, thick hoof, blue tongue (infectious catarrhal fever of sheep), pink eye (acute infectious conjunctivitis), black head (infectious disease of birds).

Relative adjectives express the feature of the subject indirectly, that is, through the relationship to another subject, phenomenon, action or state. Relative adjectives included in the Adj + N model, which verbalize the concept of ANIMAL DISEASE, are the most common in the clinical veterinary terminology. Relative adjectives do not have a central feature that can be graded: they indicate the composition of the subject and show belonging to something. Examples can be nominations of such diseases: Urolithiasis, Gluten disease, Aluminum lungs, Milk fever, Watermelon Stomach, Milk stones, soil infections, Spotted liver, etc.

As a language means, relative adjectives present such categorical signs: *temporary* (Summer mastitis, Spring viremia, May sickness); *causal*, which determine the cause of the disease (Road fever, Radiation sickness, fodder infections, Clover disease, Sea sickness, Travel sickness, Laurel poisoning); *spatial*, indicating the organs affected by the disease (Intestinal obstruction, Cardiac amyloidosis, Muscular rheumatism, Hepatic syndrome, Abdomen diseases, Vestibular disease, Intestinal

atresia), and the *place of occurrence and spread of the disease* (African trypanosomiasis, Texas fever, Norwegian scabies, Omsk fever, Marburg disease, Maltese fever).

Possessive adjectives express the sign of an object by belonging to its single owner, from whose name they are formed. In the English veterinary terminology they indicate diseases of a certain group of animals. Canine refers to dogs: canine diseases. Feline refers to cats: feline diseases. Equine refers to horses: equine diseases. Bovine - refers to cattle (mainly cows): bovine diseases. Porcine refers to pigs: porcine diseases. Ovine - refers to sheep: ovine diseases. Caprine refers to goats: caprine diseases (goat diseases.)

As part of the Adj + N model, possessive adjectives take part in the verbalization of the DISEASE OBJECT concept. Such a semantic model of the conjugation of the disease verbalizers contains an indication of the object (animal), for example, Avian flu, Cow pox, Duck plague, Feline stomatitis, Feline flu, Chicken blindness, Cow rabies, Goose flu, Kangaroo gait, Fowl typhus, Hare's lip. Formed collocations with possessive adjectives reveal the relationship of the disease to a certain animal.

Consequently, the presence of an adjective in the models of English terms suggests that with its help a person in the process of nomination emphasizes the features of objects, and these features are very important for him for one reason or another.

An analysis of the definitions of terms showed that adjectives are perceived primarily by the senses: they are distinguishable in size, shape, color, i.e. perceived by touch, comparable in space, time, etc., characterize objects in terms of quality, functional characteristics, location in space. In the English term system, adjectives are very important in the process of creating terms, since they attribute a sign to an object.

### **Participle**

As a result of the morphological analysis of the terms of the English terminological system it was revealed term model, which includes such a language part as a participle. By its origin, the participle has a nominal beginning, but in the process of evolution it acquired verb properties of state and time. From the point of view of cognitive linguistics, a participle can be considered as a related category, which is different from a verb and an adjective, but reflects the cognitive processes of adjectivation of an action based on the semantics of the verb. The participle also retains procedural properties in its meaning, that is, it reflects a new perception of the object in our minds. The formation of participles is based on the heterogeneity of cognitive processes, which manifests itself in a strong or weak expression of verbal and adjective properties. The participle is a verb

form in which a process, action or state, while remaining a process, acquires the meaning of a property or attribute.

In the presented participial combinations (P+N, P+Adj+N, Adj+P+N, N+P+N), verbalizing the concept of ANIMAL DISEASE, the participle represents: 1) signs resulting from the action of the disease factor (inherited hypoplastic anemia, cut wound, lacerated wound, displaced sputum, acquired agranulocytosis, acquired ichthyosis); 2) properties of the course of the disease, for example, impaired digestion, wandering spleen, spreading dermatitis, spreading encephalitis, infecting nephritis, Infected conjunctivitis Infecting osteomyelitis, isolated urinary syndrome, inherited hypoplastic anemia.

A significant part of the participles in the models of English terms indicates that in the processes of conceptualization and nomination of diseases, not only the name of objects or phenomena is important for a person, but also their properties and the actions they perform, which are transformed into a sign.

## **Conclusion**

Summing up, it should be emphasized that the morphological level provides a representation of all the main types of cognitive activity of the subject of conceptual comprehension, both conceptualizing and categorizing. At the level of categorization, within the framework of a single language system, terms are combined according to a certain classifying parameter. This parameter has a connection with the real world, "prompted" by it, because is one of its characteristics. A person's reflection of the surrounding reality in the process of cognitive activity inevitably leads to the fixation of its results with linguistic signs, and language is an important means of forming and implementing human knowledge about the universe, a reflection of the concept sphere that has developed in a certain way.

Morphological analysis of English terms of the clinical veterinary terminology system helps not only to understand the structure of the term, but also to understand their meaning and use in the context of clinical veterinary medicine. It is an important tool for understanding and using clinical veterinary terminology.

In the English terminology system of animal diseases, models of terms are used, the components of which are noun, adjective and participle. At the same time, the noun conceptualizes such phenomena of real reality as diseases, emphasizes their functional features, while the adjective and participle communicate additional information about the phenomenon, highlighting or clarifying its features. Certain morphological patterns can indicate typical relationships between objects, processes and

characteristics in veterinary medicine. In addition, the morphological analysis of English terms from a cognitive standpoint can reveal common mental models and representations that are reflected in the use of terminology. All this contributes to the improvement of communication between specialists of veterinary medicine, contributes to the understanding and use of terminology in scientific research, training and practical activities.

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# **ALCOHOL IN MYTHIC SPACE: AN INTERDISCIPLINARY LINGUO-CULTURAL ANALYSIS**

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**Abstract:** *This article addresses verbal means of denoting ALCOHOL in the context of the “mythic space”. Mythic space is regarded as the focal segment of a language worldview, the container of irrational axiomatic data quanta that function as basic categorization operators at different stages of civilization’s development. Primal “nano-myths” are reconstructed via etymological analysis of alcohol-containing beverages’ names in different European languages. The article discusses semantics and linguo-cognitive premises of the language signs denoting alcohol beverages in archaic Germanic worldview and in the present-day English-based pop-cultural worldview. The paper suggests a synthetic interdisciplinary interpretation of linguo-cultural implications of the said semantic and cognitive models.*

**Keywords:** *alcohol, beer, semantics, myth, categorization, system, worldview, culture.*

## **Introduction**

The first decades of 21 A.D. deserve the name of the age of transformations. While humanity has obviously accumulated the critical mass of experience, the cumulative impact of dialectically determined flaws in bio-vital and social systems’ configurations and errors in their functioning, the universal patterns of open systems’ interaction demonstrate a tendency towards collapsing. Systemic failures and potential “re-formatting” are heralded worldwide by the profusion of crises of systems of diverse etiology. The crises occur at all levels of their organization: illnesses and environmental disasters, emotional and psychic disorders, crises of social and ethnic identity, crises in inter-group relations fanning the embers of historic contradictions into the flames of warfare, distortions in axiological navigational markers, creating fake alternative worlds etc. We regard the historically known phenomena of abusing certain substances and respective addictions as crisis-type

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manifestations of humans' essentially auto-destructive nature. The said phenomena, primarily ALCOHOL consumption, develop specific features in the context of the present-day globalized consumerist civilization and pop-culture, ethnic cultures, linguo-cultures and worldviews.

As "the world of beer had grown enormously, and so had the language surrounding it"<sup>1</sup>, vast volumes of respective professional and commercial discourse involving a wide variety of designations of alcohol beverages, their ingredients and brewing technologies have emerged. While the said types of texts and discourses either are of applied linguistic value or reflect a certain consumerist lifestyle<sup>2</sup>, verbal representations of ALCOHOL have been analyzed in a more traditional dimension in regard to their semantics<sup>3</sup>, sociological and linguo-cultural peculiarities<sup>4</sup>.

Functionally ALCOHOL is a depressant that slows down neurological processes, distorts visual perception, impacts motor coordination and stimulates the sensation of confidence and relaxation<sup>5</sup>. We address the concepts of ALCOHOL and ALCOHOL BEVERAGES as cultural markers related to the primal human irrationality, myth and secondary mythologies, and treat the phenomenon itself as a factor influencing categorization and shaping of alternative realities. The objective of this paper is to analyze the universal and derivative senses pertaining to ALCOHOL in the irrational (mythic) segment of chronologically distant worldviews.

### Short notes on methodology

The interpretations of cognitive premises and ethnic peculiarities of verbal signs designating ALCOHOL involve semantics analysis, etymological reconstructions and elements of conceptual analysis.

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<sup>1</sup> J. Garrett, *TL;DR – Tracing the Origins of Beer Language, from Michael Jackson to Emojis*, Language, September 25, 2019,

<https://www.goodbeerhunting.com/blog/2019/9/23/tldr-tracing-the-origins-of-beer-language-from-michael-jackson-to-emojis>

<sup>2</sup> T. Heyd, M. Eckert, *Craft beer and linguistic lifestyle emblemization*, Talking about Food: The social and the global in eating communities, Edited by Sofia Rüdiger and Susanne Mühleisen, John Bengamins Publishing Company, 2020, pp. 99–122.

<sup>3</sup> J. Bardby, *Beer and semantics. A corpus-driven multivariate study in the sociolinguistics of culture*, Lund University, 2011; D. Geeraerts, *Beer and semantics*, Words and Other Wonders. Papers on Lexical and Semantic Topics, Mouton De Gruyter, 2006, pp. 252-271

<https://lup.lub.lu.se/luur/download?func=downloadFile&recordOid=2760456&fileOid=2760458>

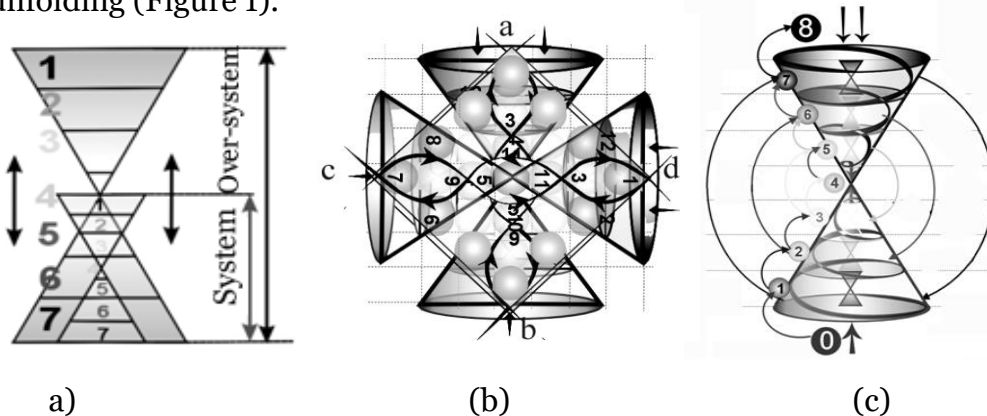
<sup>4</sup> C. Gómez-Corona, M. Lelievre-Desmas, et al. *Craft beer representation amongst men in two different cultures*, Food Quality and Preference, Vol, 53, October 2016, pp. 19-28

<sup>5</sup> Out of the class of alcohols we focus on ethyl alcohol (*Properties of Alcohols*, Libre Texts™ Chemistry,

[https://chem.libretexts.org/Bookshelves/Organic\\_Chemistry/Supplemental\\_Modules\\_\(Organic\\_Chemistry\)/Alcohols/Properties\\_of\\_Alcohols](https://chem.libretexts.org/Bookshelves/Organic_Chemistry/Supplemental_Modules_(Organic_Chemistry)/Alcohols/Properties_of_Alcohols))

We employ the basics of the myth-oriented semiosis theory and the methodology of M-logic<sup>6</sup> in the interpretation of ALCOHOL related “nano-myths” encoded in the beverages’ semantics. We treat irrational (mythic) pre-knowledge structures as basic axiomatic interpretational prisms responsible for further categorization and verbal world-modeling. Linguo-cultural interpretations are carried out considering the eco-centric rather than purely anthropocentric focus, “fuzzy” nature of mythic phenomena, iconicity of language signs as correlates of energy-information exchange within the mythic space, enigmatic essence of irrationally driven systems’ development bifurcations, irrational determinism of myth-oriented semiosis, systems’ diachronic fluctuations and variability<sup>7</sup>.

Further generalizations, speculations of linguo-cultural nature and cross-disciplinary analogies are drawn in regard to the universal algorithms of open systems’ functioning and development<sup>8</sup>. We map the results of the comparative analysis of the reconstructed semantic features and respective quanta of conceptualized experience against a universal model that reflects open systems’ hierarchical structure and synergetic unfolding (Figure 1).



**Figure 1. Open system’s structure: (a) Hierarchy and fractal isomorphism; (b) Hierarchic / dynamic isometrics; (c) Logic the hierarchical plane’s organization**

<sup>6</sup> O. Kolesnyk, *Cognitive premises of the myth-oriented semiosis*, Cognitive Studies | Études cognitives, #19, Article 196, 2019, <https://ispan.waw.pl/journals/index.php/cs-ec/article/view/cs.1916>.

<sup>7</sup> O. Kolesnyk, *The Mythic Multiverse Through the Scope of Language: The “Procedural Anatomy” of Verbal Modelling*, Cognitive Studies | Études cognitive, # 21, Article 2447, 2021, <https://ispan.waw.pl/journals/index.php/cs-ec/article/view/cs.2447>

<sup>8</sup> L. Bertalanffy, *General System theory: Foundations, Development, Applications*, George Braziller, 1968; F. Capra, *The Web of Life: A New Scientific Understanding of Living Systems*, Anchor Books, Doubleday, 1996; D.H. Meadows, *Thinking in Systems: A Primer*, Earthscan, 2008



This model highlights an open system's hierarchical structure, its fractal isomorphism in terms of the "subsystem – system – over-system" correlation (Figure 1a) and analogue isometrics between its hierarchic (paradigmatic, static) and synergetic (dynamic) dimensions (Figure 1b). The logic of system's 7 basic structural levels' interaction is defined as direct causative-determinative (each hierarchically higher level contains programs determining the essence of a lower one), symmetric-determinative (each level from the upper plane governs a symmetric correlate from the lower plane) and complementary (each lower level provides "objective" or "attributive" basis for the immediately higher level) (Figure 1c).

### **Alcohol in European languages: the inchoative myth through the prism of etymology**

Unlike the substance itself, the concept of ALCOHOL cannot be associated with archaic worldviews. The concept's name rather reflects modern knowledge and generalized experience concerning a certain class of substances. E. *alcohol* < M. E. *alcofol* <. M. Lat. *alcohol* "fine powder produced by sublimation" < Arab. *al-kuhl* "fine metallic powder used to darken eyelids", الكحل (*al-kuhl*, ال (*al*), the article + كحل (*kuhl*) "antimony" < Arab. *kahala* "to paint, stain"<sup>9</sup>, that irradiated onto all sublimation products (as in its typological parallel: E. *brandy* "spirit obtained by distilling other strong beverages" < Du. *Brandewijn* "burnt wine"; cf. also G. *Branntwein*, Czech. *palenka*, Ukr. *горілка*) denotes all unstable fugacious liquids since 16 A.D. and the ingredient of strong intoxicating beverages since 18 A.D. Therefore, we address the names of different beverages for etymological interpretations.

Designation units' semantics (in other words, the inner form of language signs) comprises sets of initial senses that are related to the basic semantic "code-ons", i.e. Proto Indo-European stems arguably reflecting primal parameters and configurations of the denoted phenomena. As the primal designation employed iconicity, essentially, fractal modeling which is the basis of ritual and magic practices inherent to archaic worldviews and cultures, we regard the said inner form as container of "nano-myths" that provide irrational reference to the initial state of affairs in a world at "linguo-demiurgical" followed by the "reverberating" stages of existence<sup>10</sup>. The worldview of the former coincides with the "mythic space" while lingual means encode primary human experience of basic existentially relevant phenomena. The worldview of the latter is dominated by the

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<sup>9</sup> *Online Etymological dictionary*, D. Harper (ed.), [www.etymonline.com](http://www.etymonline.com)

<sup>10</sup> O. Kolesnyk, *Mythic space in the scope of language and culture*, Chernihiv, ChNPU, 2011, pp. 75-77.

content of the mythic space (its nuclear segment) yet reflects derivative senses generated in the process of categorization and diverse practical activities interpreted through the “lens” of basic mythic operators. While both worldviews appear to be archaic in regard to the present-day vantage point, the former is chronologically distant and indistinct while the boundaries of the latter may be roughly associated with the beginning of the historically known civilization (circa 2000 BC) and the rise of Christianity as the dominant secondary myth responsible for the civilization’s fundamental transformations (up to 400 A.D.). Therefore, etymological interpretations of different alcohol beverages’ designations allow an insight of early Europeans’ understanding the essence and place of ALCOHOL in the structure of the world’s primary (near-primary) configuration.

I. The origins of E. *beer*, O.E. *beor* “strong drink, beer, mead”, O.Fris. *biar*, O.N. *bjórr*, O.H.G. *bior*, M. Du., Du. *bier*, G. *Bier*, Icel. *bjór*, Fris. *bier* < Germ. *biur-* < Proto-Germ. *\*beura-* “drink made of barley”<sup>11</sup> (also borrowed by Celtic languages, cf. Gael. *beoir*, Ir. *beór*<sup>12</sup>, as well as other languages: Alb. *birrë*, Bulg. *бѹра*, It., Corsic., Malt. *birra*, Lux. *Béier*, Rom. *Bere*, Fr. *Bière*) are arbitrary. The focus on “functionality and purpose” is the basis of the version of the unit’s being borrowed from the Vulgar Latin: V. Lat. *bibere* “to drink” < I.E. *\*po(i)-* “to drink”<sup>13</sup> (cf. Ukr., Blrs., Maced., Serb., Rus. *нуво*, Bosn., Slvc., Slvn., Croat., Czech. *pivo*, Pol. *piwo* all sharing the feature “drinking substance”). The focus on the feature “source of origin” allows the reconstruction O.E. *beor* < Proto-germ. *\*beuwoz-* < *\*beuwo-* “barley”<sup>14</sup>. Hypothetically, Proto-Germ. *\*beuwo-* reflects the ability of the source matter to transform into another substance and provide a certain expected effect if processed in a specific way, the latter being reflected in the morpho-phonemically close Proto-germ. *\*breuwan* “to brew”. Respectively, the feature “method of producing” relates E. *beer*, to E. *brew* “to produce a beverage, beer”, E. *brewery*, O.E. *breowan*, O.N. *brugga*, O. Fris. *briuwa*, M. Dut. *brouwen*, O.H.G. *briuwan*, G. *brauen* “to brew a beverage”) < Proto-Germ. *\*breuwan* “to produce a beverage by fermenting, mixing, boiling” < I.E. *\*bhreu-* “to boil, be covered with bubbles, burn”, while the I.E. *\*bhreuh-ur* > Proto-Germ. *\*breuwan* > Germ. *\*beura* transformation is normally explained by the dissimilation of the initial *-r-* in the Proto-Germanic stem followed by the addition of the

<sup>11</sup> V. Levytsky, *Etimologicheskii slovar germanskih yazykov*, Nova Knyha, Vol. 1, 2010, p. 105.

<sup>12</sup> A. McBain, *An Etymological Dictionary of the Gaelic Language*, Eneas MacKay, 1911, p. 34.

<sup>13</sup> J. Pokorny, *Indogermanisches etymologisches Wörterbuch*, Francke, 1959, S.839-840.

<sup>14</sup> J. de Vries, *Altnordisches etymologisches Wörterbuch*, Brill, 1977, S. 40.

suffix *-ro-*<sup>15</sup> (also cf. Gael. *bruith* “to boil, to cook”, Ir., O. Ir. *bruith* “cooking” < *\*broti-* < *\*bru-* ~ E. *broth* < iē. *\*bhreu-*<sup>16</sup>. Considering the version that explains the transition of Proto-germ *\*biuza-n, -z* (~ *-r-*) < Proto-I.E. *\*beus-*, *\*bheus-* ? “remnants, sludge, yeast” (cf. O. Ind. *busá-* (*buṣa-*) “bran, marc of grain”) it is possible to include the feature “substance, material” into the reconstructed content of the concept. The connections between the mentioned conceptualized features allocated in the notional segment of the BEER concept are associative, causative and complimentary. Therefore, in archaic European worldviews BEER appeared as “product of boiling”, previously “mixed, fermented and heated”. The technologies of its brewing and expected effects of consumption resemble those of a magic potion and imply “transformation”.

**II.** The typologically parallel sense “product of processing / result of mixing” is encoded in the inner form of language signs like Gael. *cuirim* “celebration, beer”, Ir., O. Ir. *coirm*, *cuirim*, M. Wel. *cwrwrf*, Wel. *cwrw*, Corn. *coref* “beer”, Lat. *cremor* “broth”, Gr. *κεραννυμι* “mixture”, E. *cream*, Skr. *çpâ*, *çr* “prepare, cook” < I.E. *\*ker-* / *\*kra-* “mix”<sup>17</sup>, cf. Sp. *cerveza*, Galic. *cervexa*, Catal. *cervesa*, Port. *cerveja* < Lat. *cervisia* “beer” < ? Proto-Celt. *\*kormi-* (Lat. *cerea* “Iberian beer”). While I.E. *\*ker-* also means “to burn”<sup>18</sup>, Proto-Celt. *\*kormi-* may share the origin with Lat. *cremare* “to burn”, so the “method of cooking” may be specified as “thermal processing” which employs certain energy associated with the element of FIRE (the carrier of the “development program” of the SACRAL SPHERE which is “downloaded” to the nether planes of existence).

**III.** The autochthonic Germanic designation of BEER E. *ale*, O.E. *alu*, *ealu*, *ealo*, Dan., Norw., Sw. *øl*, O. S. *alo*, O.N. *øl* “beer”, *øldr* “feast, celebration” (borrowed into Est. *õlut*, Latv. *alus*, Lith. *alaus*, Fin. *olut*) < *\*alupra-* “consuming beverages” < Proto-Germ. *\*alu-* / *\*aluth-* < Proro I.E. *\*hzelut-* “beer”, while *\*alu-*, is marked by the connotations of “magic”, “wizardry”, “intoxication” which allude to the drink’s consumer’s irrational connection to the SACRAL SPHERE<sup>19</sup>. These units are also related to Lat. *alum*, *alumen* “alum”, *alūta* “tanned skin”, O. Gr. *άλύδοιμος* “bitter”, Lith. *alūs*, Proto-Slav. *\*elъ*, *\*olъ* (“beer”, “bitter drink”), O.Ch. Slav. *Olъ* (cf. Ukr. *їлкуї* “rancid, acerbic”, Pol. *jęłki* “rancid, old”, Czech. *zelknouti* “to grow rancid, stink”, *žluknouti*, Sln. *zalkniti* “to start stinking” < Proto-Slav.

<sup>15</sup> G. Kroonen, *Etymological Dictionary of Proto-Germanic*, Ed. by A. Lubotsky, Brill, p. 62.

<sup>16</sup> A. McBain, *op.cit.*, p. 55.

<sup>17</sup> A. McBain, *op.cit.*, p. 116.

<sup>18</sup> J. Pokorny, *op.cit.*, S. 571.

<sup>19</sup> G. Kroonen, *op.cit.*, pp. 23-24; Levytsky V., *op.cit.*, pp. 68-69.

\*(j)ьlъkъ (hypothetically, related to \*edlb “fir tree” based on the feature “bitter taste of sap”) < I.E. \*el-, \*ol- “to get spoiled, moldy, to rot” (cf. Germ. \*ulu- as in Norw. *ul* “moldy”, Sw. *ul* “rancid”)²⁰. Assuming a possible relation of Proto-Germ. \*alu- / \*aluth- and I.E. al- “to burn”, “the product of burning”²¹ (cf. Dan., Norw. Bkm. *ild*, Icel., Far. *eldur*, Nowr. Nn., Sw. *eld* “fire”, as well as E. *altar*, Goth. *aljari* “fervor”, Sw. *ala* “to burn”, O.H.G. *elo* “brown-red”, Lat. *adoleo* “I am burning”, O.Ind. *alata* “torch, charcoal”, we regard *ale* as the substance adsorbing the energy of FIRE and capable of stimulating (“warming”) certain mental processes, primarily those connected to imagination and irrational thinking.

Therefore, BEER’s basic ontological gustatory feature “bitter” is related both to the process of fermentation and temperature. Bitter taste as the result of the former becomes the marker of transformation and a new quality. The latter is associated with exothermal reactions typical for fermentation (“creating new quality”) or rotting (“burning the old quality”). Thus the basic inchoative meaning “beverage, product of consumption” develops the feature of “adjustment tool” which facilitates the tuning of a bio-vital system for receiving the program from the over-system (sacral sphere).

IV. The designations of ALCOHOL containing “mead, drink made from honey” is found in the majority of European languages. E. *mead*, O. E. *medu* (*meodu*), O. N. *mjōð-r*, Now., Sw., Dan. *mjōd*, O. Fris. *mede*, East Fris. *miede*, M. Dut. *mēde*, Dut. *mede*, M.L.G. *mēde*, O.H.G. *metu*, M.H.G. *mēt(e)*, G. *Met* < Proto-Germ. \*midu, \*midu-z < Proto-I.E. \*medhu- “intoxicating drink, wine”²². The same Proto-I.E. \*medhu- is the basis of respective designation units in other European languages: O.Slav. \*medъ > Ukr., Blr. *мед*, Srb. *мед*, Bulg. Blg. *мед(ъ m)*, Rus. *мед*, Sln. *međ*, Czech, Slk. *med*, Pol. *miód*, H.L. *měd*, *mjód*, L.L. *mjod*; Balt. \*med-u > Lith. *medūs*, Latv. *medus*, O.Prus. *meddo*; Celt. \*medhuo- > O. Ir. *mid* (Gen. *medo*), Cymr. *medd* “mead”, *meddw* “drunk”, O.Corn. (Plur.?) *medu*, Bret. *mez* “mead, intoxicating drink”, *mezvi* “get drunk”, M.Ir. *medb* “intoxicating”; also cf. O.Ind. *mádhu* “honey, mead, honey drink”, *mádhuṣ*, *madhurás* “sweet, pleasant”, Tokh. B *mīt*, Avest. *maδu-* “mead, wine”, Gr. *μέθυ* “intoxicating drink”, *μεθύω* “I am drunk”, Lat. *medus*. A further interpretation involves the possible proximity of Proto-Germ. \*midu, \*midu-z and mel- / \*mad- “wet”, “damp” that indicate an analogy between mead and milk as substances involved in fermenting, expanding /

²⁰ *Etymologichnyi slovník ukrajinskoyi movy*, R. Boldyrev (ed.), Vol. 2, 1985, p.324

²¹ J. Pokorny, *op.cit.*, S. 28

²² G. Kroonen, *op.cit.*, p.361; Levytsky V. *op.cit.*, p. 379

spilling boiling<sup>23</sup>. As the primary meaning of Proto-I.E. *\*medhu-* is recognized as “sweet, pleasant”, the said language units appear to be iconic-metonymic designations which generate the allusion towards “spreading” => “impacting”. Thus, the cluster of features “fermenting” / “wet” / “liquid” as regarded as the basis providing the dialectic proximity of “bitter” (beer) and “sweet” (mead), both being alcohol containing beverages involved in the similar social contexts. Therefore, specific socially relevant scenarios unfolded at locations associated with drinking: in O.E. *meaduheal* (“mead-hall”, a place in the middle of a hostile world safe enough to lower one’s guard and indulge in drinking) the grace, war-luck, power etc. of the generous king (lord) was spread between the retainers. The process was facilitated by the beverage as a fractal container of FIRE (a program comprising the KING’s qualities aspired by his men) and effective TRANSMITTER. The said dialectic unity of “bitter” VS “sweet” of the “product of fermenting” allows identifying BEER / ALE / MEAD as a universal and thus focal concept in the framework of an archaic world / (primarily associated with “linguo-demiurgic”, “reverberating”, and “transformational” stages of respective worldviews development)<sup>24</sup>.

V. While the designations of BEER / ALE / MEAD refer to the primal semantic cluster “temperature” < “fire”, designations of WHISKEY provide associations with the energy of WATER. The latter is regarded as a field-type phenomenon resulting from kinetic contextually linear, synergetic interactions between systems or systems’ components. This field outlines systems’ “comfort zone” or operational space and provides larger structures’ sustainability. Motivated by the physical characteristics of the substance (ontological “water-like” and functional “stimulating”), E. *whiskey* (usquebea, iskie bae) < Gael. *uisge beatha* “whisky”, Ir. *uisce beathadh* “water of life”<sup>25</sup> < *uisce* “water” (< Proto I.E. *\*ud-skiō-* < *\*wed-/ \*ued-* “water, wet”) + *bethu* “life” < Proto I.E. *\*gwi-wo-tut-* < *\*gwi-wo-*, < *gwei-* “live, exist”, which is traditionally considered a possible borrowing, a translation of Lat. *aqua vitae* that denoted either an intoxicating drink or an alchemical compound since 14 A.D. (cf. Fr. *eau de vie* “brandy”, Ukr. *оковума*). As the referent substance is the product of historically more recent distilling technology, we regard its name as a metaphoric representation of a component of a secondary mythic worldview. It reveals allusive-implicational connection to the other designations of ALCOHOL via the feature “wet” while retaining a distant reference to the energy of

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<sup>23</sup> V. Levytsky, *op.cit.*, p. 381

<sup>24</sup> O. Kolesnyk, 2011, pp. 76-77

<sup>25</sup> A. McBain, *op.cit.*, p. 348

FIRE involved in distilling and thus implying the irrational understanding of the elements' (dialectic) unity.

VI. Designations like E. *wine*, O.E. *win*, O.S., O.Fris. O.H.G. *win*, O.N. *vin*, Goth. *wein*, Du. *wijn*, G. *Wein* < Germ. *wīn*- "grape juice, wine" < Proto-Ferm. *\*winam* < Lat. *vinum* "wine" (cf. Gr. *oiuoc*) < Proto-I.E. *\*uoin-a* / - *\*uein*- "grape juice, wine" < *\*uei-* / *ui-* "bend, intertwine"<sup>26</sup> explicate the feature "material / source" and relate the beverage to the energy of EARTH (i.e. material particles that constitute specific chemical compounds that are capable of altering states of affairs in a world or its fragment). The feature "intertwined" is an iconic-metaphoric representation of fermentation thus referring to a universal mechanism of particles' combination or formation of energy-informational stream-like quanta.

Therefore, generalized semantics of alcohol containing beverages' names reflects the idea of the substance as "energy container / mixer". In the context of the mythic worldview as well as in the structure of the "mythic space" as the nuclear segment of later worldviews ALCOHOL appears as the "conduit" of the "energy of FIRE" (providing interaction with the regulating over-system), the "energy of WATER" (capable of creating a specific field that induces the system's irrational mode and making it susceptible to "the energy of FIRE"), and the "energy of EARTH" (the material premises of stream-like energy-information exchange).

Considering its ontological characteristics as well as diachronic transformations of the respective concept's content, we consider ALCOHOL a certain focal point for a conceptual / semantic singularity as it encompasses conceptualized features of phenomena from a number of spheres of existence that are active at different historic epochs (Figure 2). Typologically the concept of ALCOHOL belongs to the "natural sphere" (S1) and correlates to the class of chemical compounds involved and generated in metabolism. As a "nutrition factor", it is related to the "bio-vital sphere" (S2). The said concept is a part of the sphere "practical activity" (S3), entering the sub-spheres of "consumption", "production", "commerce" as the substance is an object of consuming, commercial manufacturing, other production cycles and trade. As a "mind enhancer" ALCOHOL is used in rituals and magic practices and is so related to the "sacral sphere" (S4) entered both individually (levels 1-3) or institutionally (levels 4-7). The same reasons relate this concept to the sphere of "entertainment" (S5). ALCOHOL as the "focal assembly space" that encompasses energy-informational quanta from an open multitude of spheres (Sn) correlates with the social-adaptive level (4) of an open system where the above-mentioned "singularity" actually occurs. Thus at the point

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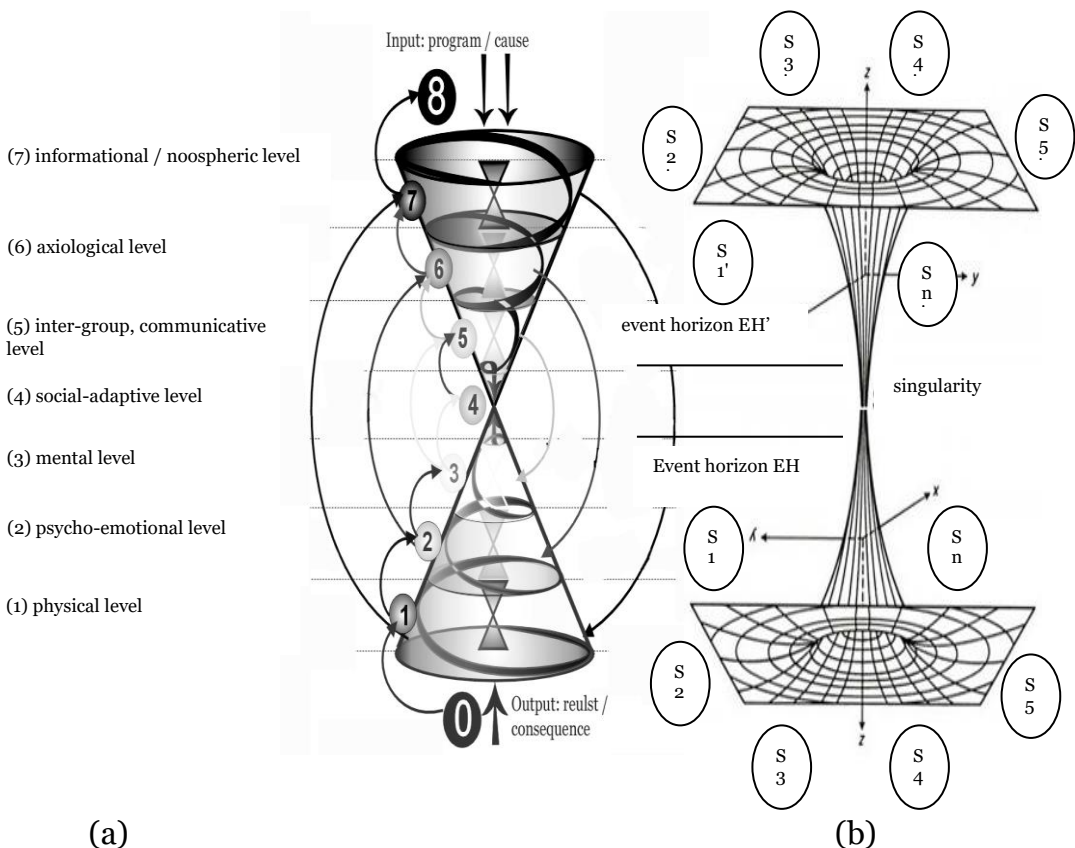
<sup>26</sup> V. Levytsky, *op.cit.*, p. 605; *Etymolohichnyi slovnyk ukrayinskoyi movy*, R. Boldyrev (ed.), Vol. 2, 1983, p.377.

of conceptual (semantic) singularity a number of senses are simultaneously re-oriented from the over-systemic to the sub-systemic planes and reverse-wise, while representations of each of the engaged spheres are allocated within the multidimensional interpretational matrix (prior conceptualized experience). The range of trajectories within this matrix that determine categorization and define possible variations of contextual informational inputs and outputs constitute the “event horizon” (EH, that appears as EH’ for the over-systemic plane) responsible for the final configuration of the singularity.

Within the singularity, ALCOHOL as the “energies’ mix” and its conceptual and verbal counterparts manifest the following functional hierarchically related features:

Level 1 – causer / catalyst, the substance with specific chemical and physical characteristics involved in electro-chemical reaction within bio-vital systems capable of triggering specific neurological effects;

Level 2 – effector that changes humans’ emotional state;



**Figure 2. Hierarchical structure of an open system (a), system in the conceptual singularity (b)**

Level 3 – effector that temporarily stimulates or hinders mental activity;

Level 4 – facilitator of a bio-vital system's entering a certain systemic cluster (social group) which in case of a systemic error turns into a catalyst of conflict;

Level 5 – facilitator / maker of inter-group relations; if deviations in systemic clusters' configuration are significant, systemic interactions' variation range becomes excessive, or systems' orientation arouses critical contradictions it turns into the entropy factor that violates algorithms of inter-systemic relations and expected flow of scenarios;

Level 6 – axiological factor that could either facilitate the systems' functioning at levels 1 through 5 (in case of positive assessment) or suggest limitations to that functioning (in case of negative assessment); in the case of a system's configurative inversion it turns into a dominating landmark that narrows the system's functionality, undermines its adaptive capacity and eventually causes its degradation;

Level 7 – “fractal token” of a possible world or an over-system accessible in the state of “enhanced consciousness”; in the case of the system's possible inversion it becomes a token of an illusory simulacrum world structured around “damaged informational quanta”.

### **Alcohol beverages in archaic Germanic linguo-cultures: cognitive patterns**

We consider myth-related texts in Old English and Old Icelandic to be verbal representations of the Germanic mythic space which constitutes the focal parts of “reverberating” worldviews and co-exists with secondary Christian mythology and other derivative knowledge structures. Germanic designations of BEER and MEAD demonstrate a number of contextually modified senses related to respective cognitive models. The models are identified in the framework of the M-logic. We provide direct rather than literary translations of the cited textual fragments to demonstrate linear (immediate) distribution of the language signs that create the close semantic context for the analyzed designation units.

BEER / MEAD is a DETERMINER (1) or a QUALIFIER which projects the basic semantic (conceptual) feature onto a set of related objects and respective notions. In this capacity the accentuated and arguably axiologically relevant feature of BEER / MEAD is responsible for configuring space or determining the flow of a scenario. For instance, in *Sjálfst barst þar öl; þar var griðastaðr mikill* “The ale was streaming; the place of peace was great”<sup>27</sup>, *hvat hér inni // hafa at ölmálum // sigtíva synir* “What ale-talk do they have here inside, the sons of the glorious

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<sup>27</sup> Lokasena, 1, <https://etext.old.no/Bugge/lokasenn.html>



gods”<sup>28</sup>, *öl* is the marker of essential features of a certain space and scenarios typically associated with it, as [“hall, palace” = “safe space”] → [“space for entertainment” ← “consuming beer”] / [“space for interacting with the lord”]. As a DETEMINER / QUALIFIER, BEER / MEED marks spaces both in the human world and in the sacral sphere thus implying their fractal proximity: *þar vörðr goða // drekkir í væru ranni // glaðr inn góða mjöð* “house there warder of gods in the well-built house [Heimdal in Himinbjörg] is gladly drinking good mead”<sup>29</sup>, *skapker fylla // hon skal ins skíra mjaðar* “the pitcher she [Heithrun in Valhalla] with bright mead”<sup>30</sup>.

BEER / MEAD appears to be a background phenomenon that marks natural order of things in a certain space: *ok at Gunnars Höllu ... // ok at bjóri svásu* “and to Gunnar’s hall to the tasty beer”<sup>31</sup>, *Umðu ölskalir* “ale-chalices rang”<sup>32</sup>, *Drukku þar dróttmegir, // en dyljendr þögðu, // vín í valhöllu* “The warriors were drinking there and kept silent [not trusting], wine in the battle-hall”<sup>33</sup>, *eta at ölkrásu* “eaten at beer [while drinking]”<sup>34</sup>, *öl, er drukkit er* “ale [you should praise] if it has been drunk”<sup>35</sup>, *þa wæs Geatmæcgum geador ætsomne // on beorsele benc gerymed* “to the Geats that gathered together, in the beer-hall a bench was assigned”<sup>36</sup>.

The set of scenarios, unfolding in the “beer-hall” encompasses rewarding the retainers, sharing the gifts, declaring loyalty, glorifying one’s deed’s, swearing oaths and bragging: *fættan golde, swa he Fresena cyn // on beorsele byldan wolde* “with bright gold, like his Frisian kin, in the beer-hall he meant to honor”<sup>37</sup>, *golde gegyrede gummanna fela // in ealobence oðrum gesellan* “[with gifts] made in gold, on the ale-bench honoring others thus”<sup>38</sup>, *ða gyt æghwylcum eorla drihten // þara þe mid Beowulfe brimlade teah // on þære medubence maþðum gesealde* “then to everyone who had come with Beowulf from across the sea the lord of earls an heirloom there at the ale-bench gave, precious gift”<sup>39</sup>, *þonne he on ealubence oft gesealde // healsittendum helm ond byrnan,* “he at ale-bench often-times bestowed on hall-folk helm and armor”<sup>40</sup>, *þæt healreced*

<sup>28</sup> *Ibid.*, 1

<sup>29</sup> *Grímnismál*, 13, <http://norroen.info/src/edda/grimnis/on.html>

<sup>30</sup> *Ibid.*, 25

<sup>31</sup> *Atlakviða*, 1, <http://norroen.info/src/edda/atlak/on.html>

<sup>32</sup> *Ibid.*, 34

<sup>33</sup> *Ibid.*, 2

<sup>34</sup> *Ibid.*, 35

<sup>35</sup> *Hávamál*, 81, <http://norroen.info/src/edda/havamal/on.html>

<sup>36</sup> *Beowulf*, 491-492, [http://www.sacred-texts.com/neu/ascp/a04\\_01.htm](http://www.sacred-texts.com/neu/ascp/a04_01.htm)

<sup>37</sup> *Ibid.*, 1093-1094

<sup>38</sup> *Ibid.*, 1028-1029

<sup>39</sup> *Ibid.*, 1050-1052

<sup>40</sup> *Ibid.*, 2867-2868

*hatan wolde, // medoærn micel, men gewyrcean* “[he wanted] a hall uprear, a great mead-house to build”<sup>41</sup>, *ðonne wæs þeos medoheal on morgentid, // drihtsele dreorfah ... blode bestymed* “then in the morning was the mead-hall, the warrior-hall... soaked with blood”<sup>42</sup>, *Ic ðæt mæl geman, þær we medu þegun, // þonne we geheton ussum hlaforde // in biorsele* “I remember the time when the mead we accepted, what we promised our lord in the beer-hall”<sup>43</sup>. The indicated scenarios reflect universal “stream-like” energy-information exchange involving iconic verbal “projective discourse” amplified by the configuration of the respective “operative space”. In particular, in the stereotype scenario of “oath taking” / “bragging”: *Ful oft gebeotedon beore druncne // ofer ealowæge oretmeccgas // þæt hie in beorsele bidan woldon // Grendles guþe mid gryrum ecga* “Often boasted men-of-rmor while drinking beer in ale-house to stay and meet Grendel’s power with the terror of blades”<sup>44</sup> the oath as a verbally materialized model of the state of affairs which is triggered and amplified by the “program carrying” substance that makes the program and the power of mind (shared electro-magnetic field) resonate and turns the scenario into a “micro-ritual” of fractal modeling.

BEER – DETERMINER (2), EFFECTOR that changes personal characteristics: *Erp né Eitil // öltreifa tvá* “[neither] Erp nor Eitil, the two drunk on beer”<sup>45</sup>, *wine min Unferð, // beore druncen ymb Breca spræce* “my friend Unferth, drunk with beer [you have said too much] talking about Breca”<sup>46</sup>.

If the “default systemic settings” are violated or deviate to a considerable extent during scenarios’ unfolding, this model becomes BEER – AFFLICTOR: *Ölr ertu, Loki, // svá at þú ert örviti, //- hví né lezk-a-ðu, Loki?* “Ale-stupid you are, Loki, as are your deeds. Why don’t you leave it be, Loki?”<sup>47</sup>, *vegnest verra // vegr-a hann velli at // en sé ofdrykkja öls* “the worst food for the road is over-drinking of ale”<sup>48</sup>, *Er-a svá got // sem gótt kveða // öl alda sonum, // því at færa veit // er fleira drekk síns til geðs gumi* “Less good than most say there is in ale for men; the more he drinks the less he controls his mind”<sup>49</sup>, *Óminnishegri heitir // sá er yfir öldrum þrumir; //hann stelur geði guma* “The bird of forgetfulness is called the one soaring over beer and stealing people’s

<sup>41</sup> *Beowulf*, 68-69, [http://www.sacred-texts.com/neu/ascp/a04\\_01.htm](http://www.sacred-texts.com/neu/ascp/a04_01.htm)

<sup>42</sup> *Ibid.*, 484-486

<sup>43</sup> *Ibid.*, 2633-2635

<sup>44</sup> *Ibid.*, 480-483

<sup>45</sup> *Atlakviða*, 37, <http://norroen.info/src/edda/atlak/on.html>

<sup>46</sup> *Beowulf*, 530-531, [http://www.sacred-texts.com/neu/ascp/a04\\_01.htm](http://www.sacred-texts.com/neu/ascp/a04_01.htm)

<sup>47</sup> *Lokasena*, 47, <https://etext.old.no/Bugge/lokasenn.html>

<sup>48</sup> *Hávamál*, 11, <http://norroen.info/src/edda/havamal/on.html>

<sup>49</sup> *Ibid.*, 12

minds”<sup>50</sup>, *Ölur eg varð, // varð ofurölvi* “drunk I was, dead-drunk”<sup>51</sup>, *því er ölör bazt, // at aptr um heimtir // hverr sitt geð gumi* “he best of beer-drinking is if one brings his wisdom back home”<sup>52</sup>, *ver þú við öl varastr* “be wary of beer”<sup>53</sup>, *Bar hann hana bjóri // því at hann betr kunni // svá at hon í sessi // um sofnaði* “He overcame her with beer, as he was cleverer, so on the bench she fell asleep”<sup>54</sup>.

BEER / MEAD – INFORMATION CARRIER, i.e. a material mediator of energy-information interactions: *jöll ok áfu færi ek ása sonum, // ok blend ek þeim svá meini mjöð* “Bale and hatred I bring to the gods, and venom I mix with their mead”<sup>55</sup>, *Drekkr mjöð Mímir // morgun hverjan // af veði Valföðrs* “Mead drinks Mimir each morning from Valfather’s pledge”<sup>56</sup>.

BEER / MEAD – DRINK OF THE GODS: *Ægir, er öðru nafni hét Gymir, hann hafði búit ásum öl* “Ægir, who was also called Gymir, had prepared ale for the gods”<sup>57</sup>, indicating isomorphic proximity between the system (“primary” human reality) and the over-system (sacral sphere).

BEER / MEAD – SYMPTOM that marks properly unfolding social practices and rituals, in particular the symptom of two systems’ resonating or a system’s recognizing and accepting a new component and their mutual “tuning” due to the enhanced mental states triggered by the drink: *Gunnlöð mér of gaf // gullnum stóli á // drykk ins dýra mjaðar* “Gunnljoð gave to me on a golden throne a drink of precious mead”<sup>58</sup>, *ásu at biðja // at mér einn gefi // mæran drykk mjaðar* “to ask of the gods that me someone gives a good drink of mead”<sup>59</sup>, *þá gekk Sif fram ok byrtaði Loka í hrímkálki mjöð ok mælti*: “Then Sif came forward and poured for Loki some mead in a crystal cup, and said”<sup>60</sup>, *Heill ver þú nú, Loki, // ok tak við hrímkálki // fullum forns mjaðar* “Hail you, Loki, and take the crystal cup of old mead”<sup>61</sup>; *öl var drukkit, // sumt var ólagat, // sjaldan hittir leiðr í líð*. “the ale was drunk or not served, unwelcome is the hated one”<sup>62</sup>, *ok fyr jötna // öl fram borit* “and to giants ale was

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<sup>50</sup> *Ibid.*, 13

<sup>51</sup> *Ibid.*, 14

<sup>52</sup> *Ibid.*, 14

<sup>53</sup> *Ibid.*, 131

<sup>54</sup> *Völundarkviða*, 28, <http://norroen.info/src/edda/volund/on.html>

<sup>55</sup> *Lokasena*, 3, <https://etext.old.no/Bugge/lokasenn.html>

<sup>56</sup> *Völuspá*, 28, <http://norroen.info/src/edda/voluspa/onmob.html>

<sup>57</sup> *Lokasena*, 1, <https://etext.old.no/Bugge/lokasenn.html>

<sup>58</sup> *Hávamál*, 53, <http://norroen.info/src/edda/havamal/on.html>

<sup>59</sup> *Lokasena*, 6, <https://etext.old.no/Bugge/lokasenn.html>

<sup>60</sup> *Ibid.*, 53

<sup>61</sup> *Ibid.*, 53

<sup>62</sup> *Hávamál*, 66, <http://norroen.info/src/edda/havamal/on.html>

brought”<sup>63</sup>, *Ölvi bergja // lézktu eigi mundu, // nema okkr væri báðum borit* “No ale you promised to drink unless it were brought for us both”<sup>64</sup>, *þær bera Einherjum öl* “[valkyries] that bring einheriers ale”<sup>65</sup>, *Hwilum for duguðe dohtor Hroðgares // eorlum on ende ealuwæge bær* “at times to the hero-earls Hrothgar’s daughter the ale-cup brought”<sup>66</sup>.

BEER / MEAD – EVENT, a marker of typical sets of low-level scenarios pertaining to interpersonal interactions: *Við eld skal öl drekka* “by the fire drink ale”<sup>67</sup>, *ok ek drykk of gat // ins dýra mjaðar, // ausin Óðreri* “and I drank of that awesome mead poured into Othrerir”<sup>68</sup>, *vín var í könnu, // varðir kálkar, // drukku ok dæmðu, // dagr var á sinnum* “wine was in the jar, the dear chalice; [they] drank and talked day and night”<sup>69</sup>, *þonne cwið æt beore se ðe beah gesyhð, // eald æscwiga* “Thus spoke over beer, as he the ring saw, the old ash-wielder”<sup>70</sup>, *ealodrincende oðer sædan, // þæt hio leodbealewa læs gefremede* “drinking ale the others said that she of these folk-horrors fewer did”<sup>71</sup>. Designations of beer marked low-level scripts: *Hringdene æfter beorþege gebun hæfdon* “Ring-Danes after beer-drinking rested”<sup>72</sup>, where “beer-drinking” metonymically names entertainment. As a “void marker” it refers to a broken scenario, cf. the monster’s attack: *Denum eallum wearð, // ceasterbuendum, cenra gehwylcum, // eorlum ealuscerwen* “all Danes, castle-dwellers, clansmen and earls were bereft of their ale”<sup>73</sup>. References to a typical action / event involving BEER function as qualifying signs denoting discrete individuals: *Sák-a ek brúðir // bíta breiðara // né inn meira mjöð // mey of drekka* “I knew no women that ate so much or more mead could drink”<sup>74</sup>.

As an “energy-containing” component of social interactions and ritualistic practices, BEER / MEAD acquired axiologically positive features of “valuable resource” and “subject of accumulation”, recognized by both the gods and men: *Öl görðir þú, Ægir* “Ale you brewed, Ægir”<sup>75</sup>, while the following curse points at the vanity of storing the resource; while BEER itself could be a symbolic token of hierarchical recognition and consequent “power endowment” via the drink: *medoful manig magas þara //*

<sup>63</sup> *Prymskviða*, 24, <http://norroen.info/src/edda/thrym/on.html>

<sup>64</sup> *Lokasena*, 9, <https://etext.old.no/Bugge/lokasenn.html>

<sup>65</sup> *Grímnismál*, 36, <http://norroen.info/src/edda/grimnis/on.html>

<sup>66</sup> *Beowulf*, 2020-2021, [http://www.sacred-texts.com/neu/ascp/a04\\_01.htm](http://www.sacred-texts.com/neu/ascp/a04_01.htm)

<sup>67</sup> *Hávamál*, 83, <http://norroen.info/src/edda/havamal/on.html>

<sup>68</sup> *Ibid.*, 140

<sup>69</sup> *Rígsþula*, 31, <https://etext.old.no/Bugge/rigstula.html>

<sup>70</sup> *Beowulf*, 2042-2043, [http://www.sacred-texts.com/neu/ascp/a04\\_01.htm](http://www.sacred-texts.com/neu/ascp/a04_01.htm)

<sup>71</sup> *Ibid.*, 1945-1946

<sup>72</sup> *Ibid.*, 116-117

<sup>73</sup> *Beowulf*, 767-769, [http://www.sacred-texts.com/neu/ascp/a04\\_01.htm](http://www.sacred-texts.com/neu/ascp/a04_01.htm)

<sup>74</sup> *Prymskviða*, 25, <http://norroen.info/src/edda/thrym/on.html>

<sup>75</sup> *Lokasena*, 65, <https://etext.old.no/Bugge/lokasenn.html>

*swiðhicgende on sele þam hean, // Hroðgar ond Hroþulf*. “many a mead-cups received the mighty-in-spirit in that hall, Hrothgar and Hrothulf”<sup>76</sup>.

Therefore, ALCOHOL in Germanic mythic space connected a number of conceptual spheres associated with different planes of reality. As the sacral sphere and “human world” were fractal copies of each other, ALCOHOL functioned as the energy-informational mediator between them and a required facilitator of social hierarchic rituals. ALCOHOL’s basic features would be profiled at level 4 of its semantic / conceptual construct, explicitly highlighting the connection to the polar levels 1 and 7. Verbal designations of BEER / MEED symbolically-metonymically refer to the basic features of SPACE and reveal positive connotations that associate it with VALUES shared in the state of “augmented consciousness”. However they also indicate that ALCOHOL was recognized as both an EFFECTOR and AFFLICTOR testifying to balance and rationality of the respective worldview, thus providing negative or neutral connotations to semantic quanta allocated at mutually causative levels 3 :: 5 within the construct, moderately positive or neutral connotations to the allusively represented features at levels 2 :: 6.

### **ALCOHOL in present-day pop culture**

We identify the present stage of civilization’s development as “linguo-creative” for it is marked by conscious and determined verbal creation of alternative realities based on deliberately generated secondary myths in a variety of discourses. We have chosen verbal designations of ALCOHOL in modern English lyrics for analysis as this phenomenon arguably reflects the nature of the current globalized pop-culture. The said designations that rarely go beyond structurally simple units “*beer*”, “*ale*”, “*whiskey*”, “*wine*” and “*mead*” are analyzed within syntactically extended assertive discourse constructs.

The said designations demonstrate the following semantic patterns and respective cognitive models.

ALCOHOL – LIFESTYLE: *I hate the sound of an alarm clock in my ear. When I've been up all night downing a case of beer<sup>77</sup>, I get in from work at 2 a.m. and sit down with beer. Turn on late night TV and then wonder why I'm here<sup>78</sup>, But I just love the life I lead; another beer is what I need<sup>79</sup>, Another round of whiskey; Another shot of gin; The bar-maid*

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<sup>76</sup> *Beowulf*, 1014-1017, [http://www.sacred-texts.com/neu/ascp/a04\\_01.htm](http://www.sacred-texts.com/neu/ascp/a04_01.htm)

<sup>77</sup> Anvil, *I'm Trying To Sleep*. Plugged In Permanent, 1996, <http://www.darklyrics.com/a/anvil.html>

<sup>78</sup> Iron Maiden, *2 A.M.* The X-Factor, 1995, <http://www.darklyrics.com/i/ironmaiden.html>

<sup>79</sup> Motorhead, (*We Are*) *The Road Crew*, Ace of Spades, 1980, <http://www.darklyrics.com/m/motorhead.html>

rings 'last orders'; *Get the last ones in; The place is full of laughter. The glasses full of beer; It takes me to a simple life, that's nearly disappeared*<sup>80</sup>.

As a component of a lifestyle ALCOHOL may appear as REMEDY: *Your world full of creeps, Zombies walk the street, 9 to 5 barely alive, Have a beer go to sleep, And start all over again*<sup>81</sup>; *I might stay in school or die in prison, Either way it's my decision one more beer and heavy metal - And I'm just fine*<sup>82</sup>. The bio-system exists and functions in a routine mode sustained by the beverage yet rather deprived of any sense beyond automatic scripts. The abuse of the substance results into the shift or distortions of the system's basic settings: *He sees himself as the saviour of the world. His will is strong and he's feeling good, I've known him since the first taste of beer I will meet him many times in a year*<sup>83</sup>. The insufficiency or inadequacy of ALCOHOL as REMEDY is actually recognized: *A have barely come to the point, To make a motherfucking sure bitch, Wanna wish, Mix beer with pure wine*<sup>84</sup> thus reflecting a borderline existence or a system's "near-crash state" close to auto-destruction. In a general sense this conceptual pattern reflects the universal tendency of systems' towards "optimization" based on fundamental operations of procedural simplification and reduction.

Derivative senses and conceptualized features result from mapping the initial "textual program" of ALCOHOL's designations against a variety of contexts and secondary myths. Hence the patterns:

ALCOHOL – BACKGROUND CONTEXT / ACTION MARKER where the script involving ALCOHOL is sporadic rather than regular yet natural resulting from the LIFESTYLE patterns: *Leave here; turn back; More beer, one track*<sup>85</sup>, *The fading light brings up a summer's night, Hot is the city here, I sit and drink my beer*<sup>86</sup>, *Now twenty years later, Sitting by the beer, Remembrance comes awake*<sup>87</sup>, *Shot of whisky I'll be on my way.*

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<sup>80</sup>Saxon, *Ballad of The Working Man*, Call To Arms, 2011, <http://www.darklyrics.com/s/saxon.html>

<sup>81</sup> Alice Cooper, *Sanctuary*, Brutal Planet, 2000, <http://www.darklyrics.com/a/alicecooper.html>

<sup>82</sup> Manowar, *Return Of The Warlord*, Louder Than Hell, 1996, <http://www.darklyrics.com/m/manowar.html>

<sup>83</sup> Korpiklaani, *Happy Little Boozier*, Tales Along This Road, 2006, <http://www.darklyrics.com/k/korpiklaani.html>

<sup>84</sup> Children of Bodom, *Roadkill Morning*, Blooddrunk, 2008, <http://www.darklyrics.com/c/childrenofbodom.html>

<sup>85</sup> Rage, *Round Trip*, Perfect Man, 1988, <http://www.darklyrics.com/r/rage.html>

<sup>86</sup> Rage, *Serial Killer*, 21, 2012, <http://www.darklyrics.com/r/rage.html>

<sup>87</sup> Sodom, *Capture The Flag*, Better Off Dead, 1990, <http://www.darklyrics.com/s/sodom.html>

*Back in the saddle pull on the reins<sup>88</sup>, Saddle my horse as drink my last ale<sup>89</sup>, Being drunk and weary I went to Molly's chamber... There's whiskey in the jar-o.<sup>90</sup>*

ALCOHOL – FOCAL CONTEXT MARKER that encompasses ALCOHOL – PLACE MARKER: *Little red house, potato field. Little forest, lake as far as you can see. Woodshed, for my home brewed beer, perfect place for drunkards like me<sup>91</sup>* and ALCOHOL – PERSONAL MARKER: *I'm a dirt talking, beer drinking woman chasing minister's son<sup>92</sup>, Your legendary prowess in drinking much beer, recorded in song for all people to hear.<sup>93</sup>; They got a sixth sense, they know why you're here. They can smell the fear thru the smoke and the beer<sup>94</sup>, Beer drinkers, hell raisers, yeah. Well, baby, don't you wanna come with me?<sup>95</sup>, Whiskey, gin and brandy. With a glass I'm pretty handy<sup>96</sup>.*

The absence of the said feature expected in a certain context (in regard to the inchoative secondary myth) signals of a strange / false person coming from a strange possibly hostile space: *The rumours told of a man // Who had come from the other side the seas // ... Smelling not of beer but flowers<sup>97</sup>.*

ALCOHOL – EMOTIONS that could be both negative and positive resulting from the lack of the system's mental auto control decreased by the beverage's impact: *Stepping out, I'm leaving here, // No use crying, crying in my beer<sup>98</sup>; Vodka, you're feeling stronger. Vodka, no more feeling bad. Vodka, your eyes are shining. Vodka, you are the real MAN.*

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<sup>88</sup> Manowar, *Outlaw. Louder Than Hell*, 1996,  
<http://www.darklyrics.com/m/manowar.html>

<sup>89</sup> Manowar, *Crown and Ring*, Kings of Metal, 1988,  
<http://www.darklyrics.com/m/manowar.html>

<sup>90</sup> Metallica, *Whiskey in the Jar*, Garage. Inc., 1998,  
<http://www.darklyrics.com/m/metallica.html>

<sup>91</sup> Korpiklaani, *Let's Drink*, Tervaskanto, 2007,  
<http://www.darklyrics.com/k/korpiklaani.html>

<sup>92</sup> Alice Cooper, *Guilty*, Alice Cooper Goes To Hell, 1976,  
<http://www.darklyrics.com/a/alicecooper.html>

<sup>93</sup> Alestorm, *Scraping The Barrel*, Back Through Time, 2011,  
<http://www.darklyrics.com/a/alestorm.html>

<sup>94</sup> Alestorm, *Sunset Babies (All Got Rabies)*, Dirty Diamonds, 2005,  
<http://www.darklyrics.com/a/alestorm.html>

<sup>95</sup> Motorhead, *Motorhead*, Motörhead, 1977,  
<http://www.darklyrics.com/m/motorhead.html>

<sup>96</sup> AC/DC, *Have a drink on me. Back In Black*, 1980,  
<https://www.azlyrics.com/a/acdc.html>

<sup>97</sup> Bathory, *One Rode To Asa Bay*, Hammerheart, 1990,  
<http://www.darklyrics.com/b/bathory.html>

<sup>98</sup> Motorhead, *Bite The Bullet Mot*, Ace Of Spades, 1980,  
<http://www.darklyrics.com/m/motorhead.html>

Vodka, wipes away your tears. Vodka, removes your fears. Vodka, everyone is gorgeous. Vodka, yeah vodka<sup>99</sup>, Without beer I've got no fun<sup>100</sup>, Stop crying in your beer, out with the bails, soon you'll be on course again, with wind in the sails<sup>101</sup>, But you know it breaks my heart to leave you camelback my high school. And now alone cryin' in my beer 'cause old friends said goodbye I guess I'll be leavin' too<sup>102</sup>, It's all escape I'm crying in my beer, come on let's escape just get me out of here<sup>103</sup>.

ALCOHOL – RECOGNITION, where the beverage facilitates social interactions and marks resonating subsystems: So I walked outside into the street. From a hall I heard thunder and screams, I walked inside so I could hear, And the guy beside me gave me a beer<sup>104</sup>.

ALCOHOL – STIMULUS for either a socially relevant or axiologically void scenario: More wine more beer, we got to make a move to make it out of here<sup>105</sup> To bring back beer to the lands of the free. This is his quest, his true destiny<sup>106</sup>, My legs from Madrid are causing me fear, My Japanese arms just want to drink beer<sup>107</sup>, For beer I'm working, For beer I'm fighting. For beer I'll do whatever I have to. When drunk I'm talking. When drunk I'm joking. When drunk I can be as I've always wanted to be.<sup>108</sup>, Rum, the finest potion, It gives me quite the notion to vomit over your face. Beer, so cold as ice. Its taste it will suffice. Drinking through night and through day. This is the meaning of life. A voyage into the unknown, a tankard of mead, is all that I need to enter the partying zone<sup>109</sup>.

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<sup>99</sup> Korpiklaani, *Vodka*, Karkelo, 2009,

<http://www.darklyrics.com/k/korpiklaani.html>

<sup>100</sup> Rage, *Mental Decay*, Execution Guaranteed, 1987,

<http://www.darklyrics.com/r/rage.html>

<sup>101</sup> Turisas, *Ten More Miles*, Turisas, 2013,

<http://www.darklyrics.com/t/turisas.html>

<sup>102</sup> Alice Cooper, *Alma Mater*, School's Out, 1972,

<http://www.darklyrics.com/a/alicecooper.html>

<sup>103</sup> Alice Cooper, *Escape*, Welcome To My Nightmare, 1975,

<http://www.darklyrics.com/a/alicecooper.html>

<sup>104</sup> Manowar, *Die for Metal*, Warriors of the World, 2002,

<http://www.darklyrics.com/m/manowar.html>

<sup>105</sup> Saxon, *Three Sheets To The Wind (The Drinking Song)*, Battering Ram, 2015,

<http://www.darklyrics.com/s/saxon.html>

<sup>106</sup> Alestorm, *The Huntmaster*, Captain Morgan's Revenge, 2008,

<http://www.darklyrics.com/a/alestorm.html>

<sup>107</sup> Alestorm, *Wooden Leg Pt. 2*, Curse Of The Crystal Coconut, 2020,

<http://www.darklyrics.com/a/alestorm.html>

<sup>108</sup> Korpiklaani, *Beer*, Voice Of Wilderness, 2005,

<http://www.darklyrics.com/k/korpiklaani.html>

<sup>109</sup> Alestorm, *No Grave But The Sea*, No Grave But The Sea, 2017,

<http://www.darklyrics.com/a/alestorm.html>



ALCOHOL – EVENT implying the break from routine scenarios, “reloading” and indulging into pleasure-giving activities. While no extra significance is ascribed to the event respective landmarks may vary from “fun” / “pleasure” to “the loss of consciousness / control” and basically narrowed to the feature “process”: *I drank Dallas whiskey and lost my mind*<sup>110</sup>, *Bring us pints of beer. If you don't drink, you can leave. Bring us pints of beer. We gonna drink now and here*<sup>111</sup>, *From evening to morning and morning to evening I wanna drink something stronger than a man ... Cause that's what I am. Beer, beer, I want beer, from beer I get really drunk. Beer, beer, I need more beer, So much I pass out.*<sup>112</sup>, *We are going to attack. Another barrel's cracked tonight. On the banner beer and booze, we rape the bottles on the loose*<sup>113</sup>.

Deviation from usual life scenarios may manifest a hint at “rebellious”, “antisocial”, “reputation” and “adventure”: *Rum, beer, quests and mead. These are the things that a pirate needs. Raise the flag and let's set sail Under the sign of the Storm of Ale*<sup>114</sup>, *Another beer, last call is near, move up a gear. There's still time for some more! Vodka shots, Three in a row. Hell, why not! The fact is no good story ever starts with drinking tea! Alcohol! All night long! One more song! Legends of tomorrow!*<sup>115</sup>, *Oh, dizzy, drunk and fightin'. On tequila, white lightnin'. Yes, my glass is getting shorter. On whiskey, ice and water*<sup>116</sup>, *I'm drinkin' whiskey on the rocks... Pour me a double, here come trouble*<sup>117</sup>.

ALCOHOL – CELEBRATION that expands the EVENT landmark implying the connection to the historically prior variant of the world (re-appreciated myth-related reverberating worldview and the set of scenarios typical for a “mead hall”) or a modeled “gaming/re-enactment reality” based on Scandinavian / Germanic mythology. The focus is thus on celebrating victory, reward, commemorating the fallen warriors, glorifying the king and sacral beings: *It's the eve of the bloodshed: Women and*

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<sup>110</sup> W.A.S.P., *Blind In Texas*, The Last Command, 1985, <http://www.darklyrics.com/w/wasp.html>

<sup>111</sup> Korpiklaani, *Bring Us Pints Of Beer*, Karkelo, 2009, <http://www.darklyrics.com/k/korpiklaani.html>

<sup>112</sup> Korpiklaani, *Beer, Voice Of Wilderness*, 2005, <http://www.darklyrics.com/k/korpiklaani.html>

<sup>113</sup> Rage, *Bottlefield*, Extended Power, 1990, <http://www.darklyrics.com/r/rage.html>

<sup>114</sup> Alestorm, *No Grave But The Sea*, No Grave But The Sea, 2017, <http://www.darklyrics.com/a/alestorm.html>

<sup>115</sup> Turisas, *No Good Story Ever Starts With Drinking Tea*, Turisas, 2013, <http://www.darklyrics.com/t/turisas.html>

<sup>116</sup> AC/DC, *Have a drink on me*, Back In Black, 1980, <https://www.azlyrics.com/a/acdc.html>

<sup>117</sup> AC/DC, *Whiskey on the Rocks*, Ballbreaker, 1995, <https://www.azlyrics.com/a/acdc.html>

mead! From the skulls of my foes tomorrow, I'll drink. There are warriors with broadswords. Heroes clad in mail of copper are on beer intoxicated, by the beer are much embittered<sup>118</sup>, Long war is now past, only good men have lasted, they need women, meat, beer and rum<sup>119</sup>, May beer flow as long as we can stand on two<sup>120</sup>, Raise the tankards filled, Give me one more beer. And we'll dance until the end, Raise the tankards filled, All the enemies have died!<sup>121</sup>, So pour the beer for thirsty men, a drink that they have earned. And pour a beer for those who fell, for those who did not return. Raise your horns! Raise them up to the sky! We will drink to glory tonight. Raise your horns for brave fallen friends. We will meet where the beer never ends<sup>122</sup>, Hail the dead and the goat that gives us mead<sup>123</sup>.

ALCOHOL – VALUE / COMMODITY: They took everything and anything. As long as it once belonged to me. The rats got all the money; the roaches licked the cupboards clean of TV dinners and beer<sup>124</sup>, They say all the best things in life are free, so give all your beer and your rum to me. We are here to drink your beer and steal your rum at the point of a gun. Your alcohol to us will fall, Cause we are here to drink your beer<sup>125</sup>, Life has many pleasures, and we had our fill of food and of wenches and beer. Yet the beer was too good and the gals were too sweet and now in my old age it's gone<sup>126</sup>.

ALCOHOL – PERSONIFIED ENTITY / AGENT: I'll wash away your lies. And have you hypnotized. There'll be no compromise today. I'll share your life of shame. I think you know my name. I'll introduce myself today. I'm the demon alcohol. I'm the demon alcohol, I'll get you<sup>127</sup>.

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<sup>118</sup> Ensiferum, *Way Of The Warrior, Two Paths*, 2017,  
<http://www.darklyrics.com/e/ensiferum.html>

<sup>119</sup> Korpiklaani, *Wooden Pints*, Spirit Of The Forest, 2003,  
<http://www.darklyrics.com/k/korpiklaani.html>

<sup>120</sup> Turisas, *In The Court Of Jarisleif*, The Varangian Way, 2007,  
<http://www.darklyrics.com/t/turisas.html>

<sup>121</sup> White Skull, *Beer, Cheers, Forever Fight*, 2009,  
<http://www.darklyrics.com/w/whiteskull.html>

<sup>122</sup> Amon Amarth, *Raise Your Horns*, Jomsviking, 2016,  
<http://www.darklyrics.com/a/amonamarth.html>

<sup>123</sup> Amon Amarth, *Hidrun, Great Heathen Army*, 2022,  
<http://www.darklyrics.com/a/amonamarth.html>

<sup>124</sup> Megadeth, *Bite The Hand, Endgame*, 2009,  
<http://www.darklyrics.com/m/megadeth.html>

<sup>125</sup> Alestorm, *Drink, Sunset On The Golden Age*, 2014,  
<http://www.darklyrics.com/a/alestorm.html>

<sup>126</sup> Alestorm, *Pirate Song, Black Sails At Midnight*, 2009,  
<http://www.darklyrics.com/a/alestorm.html>

<sup>127</sup> Ozzy Osbourne, *Demon Alcohol, No Rest for the Wicked*, 1988,  
<http://www.darklyrics.com/o/ozzyosbourne.html>

ALCOHOL – SUPERNATURAL: *We drink a lot that demon drop...Whiskey on the rocks, elixir from the top*<sup>128</sup>.

Verbal representations of ALCOHOL in modern English song lyrics testify to its ambivalence in the pop-cultural context. Systems' "auto-diagnostics" and outer (social) appraisal of its effects may coincidentally be negative, yet ALCOHOL is still a part of individual and social practices. The extensive use of ALCOHOL for both sustaining one's scheduled and primitive existence and attempting to "step "out of the box" is dialectic if not paradox. The basic conceptualized features of ALCOHOL are similar to those in the archaic worldviews though they are mostly allocated at levels 2::6 of the semantic / conceptual construct. Those being actually semantically overloaded, we speak of the worldview's inversion. It is manifested in the hypertrophy of emotional implications of ALCOHOL consumption (level 2 of the construct) which cancels the impact of the level 3 regulator and the unnatural positive implications of ALCOHOL's features allocated at the axiological level 6 of the construct. Feature of alcohol pertaining to level 4 scripts and scenarios are either of background quality or blank. The connection to level 7 is realized only in a small segment of the worldview consciously targeting "the old ways" within modern sub-cultures. Hence, we speak of the auto-destructive secondary mythology of the present-day civilization, at least in its verbal pop-cultural image.

### **Conclusions**

Apart from being a nutrition factor involved in basic metabolic processes, ALCOHOL is a universal phenomenon that functions as the "assembly point" of energy-information clusters responsible for shaping cultural patterns. Semantically, it is a diachronically variable "singularity" encompassing a number of products of metaphorical (myth-based) categorization. Its verbal image connects a number of semantic spaces and their material (though not necessarily accessible empirically) counterparts. It enters a wide range of scenarios and impacts their unfolding depending on the status of the mythic space within a worldview.

ALCOHOL is represented in the archaic Germanic languages and respective worldviews as a substance capable of bringing different planes of existence into resonance. Beverages' names are iconic designations of sacral-magic combination (as any act of cooking in the mytho-poetic context is) of the basic energies or elements: "earth" (material ingredients), "water" (liquid basis for resonating with essentially liquid protein-based bio-systems), "fire" (thermal processing and informational input from the sacral over-system), and "air" (fluid fugacious connector,

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<sup>128</sup> AC/DC, *Whiskey on the Rocks*, Ballbreaker, 1995, <https://www.azlyrics.com/a/acdc.html>

attractor). The said designations demonstrate a healthy differentiation between the useful and harmful effects of ALCOHOL. The beverages' properties were projected onto the places of socially important practices and their participants, all being traced to the fundamental scenario of endowing the systems with proper qualities and resources transmitted from the over-system (sacral sphere) via the proxy (king, lord).

Modern European language and conceptual worldviews demonstrate fundamental desacralization of ALCOHOL and scenarios involving it. Being still a part of social practices it no longer facilitates hierarchical interactions but mediates equi-ranking systems' "phatic intercourse" that mostly pursues positive sensations and runs no adaptive, sustainable or "progressive development scripts". As the modern days' secondary myths provide a number of categorizational operators and "navigation markers", ALCOHOL has turned into an existentially obligatory simulacrum both celebrated and arguably disapproved. Modern English song lyrics signal the ambivalent status of ALCOHOL in the pop-culture. It is recognized as a part of a minimalist life-style involving a limited number of activities and a means of "shielding off" a bio-system's auto-diagnostics and suppressing stimuli for change. It is the same concept that is celebrated as a stimulus for a "rebel life-style" and defying an over-system. This paradox results from the overwhelming rise in information volume, regulations, limitations combined with critical environmental issues, a multitude of constantly generated fake realities and other entropy factors that keep this technologically advanced world from being a happy "brave new one" and force bio-vital systems to ignore the harmful impact.

Readdressing traditional worldviews and turning to ethnic mythic traditions amplified by TV and music industry, as well as gaming and re-enactment movements are reflected in the use of ALCOHOL's designations in scenarios mirroring Germanic concepts of WAR, HONOR, VICTORY, DEATH etc. A number of features of ALCOHOL that were implicit in the reverberating worldview have been explicated as "supernatural", "personified", "value" etc.

However, ALCOHOL's generalized semantics "brewed" in the mythic space of the present-day pop-culture testifies to its role as an entropic factor rather than an energy-information facilitator. The subconscious tendency of bio-systems towards "optimization" that unfolds as continuous operational simplification and reduction may eventually result into the systems' degradation.

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