



# NEWSLETTER

Canada-Ukraine Parliamentary Program  
Парляментарна Програма Канада-Україна  
Programme Parlementaire Canada-Ukraine

Established in 1990, CUPP was Canada's first program of assistance to Ukraine

**AUTUMN 2014  
ISSUE 1**



*"I cannot help but mention one particular program that has played a significant role in enhancing our people-to-people contact. I am talking about the Canada-Ukraine Parliamentary Program. During the years of independence, CUPP has hosted over a thousand students from Ukraine who were able to work as interns right here in the Canadian Parliament, helping us build Ukrainian democracy. Welcome back, dear colleagues. I also want to thank the Canadian Parliament and the Ukrainian diaspora for helping us breed a new generation of democratic and free Ukrainian leaders."*

Excerpt from Address of President Petro Poroshenko in the House of Commons Chamber, Ottawa on Wednesday, September 17, 2014.

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**CUPP 2014 Interns (33 students from universities in Belgium, Italy, Israel, Germany, Netherlands, United Kingdom and Ukraine will participate in the 24th CUPP program), before departure in Boryspil Airport.**

## History of CUPP

On July 16, 1990, the Ukrainian Parliament adopted the Declaration of Sovereignty, which declared that Parliament recognized the need to build the Ukrainian state based on the Rule of Law. On August 24, 1991, the Ukrainian Parliament adopted the Declaration of Independence, which the citizens of Ukraine endorsed in the referendum of December 1, 1991. Also in 1991, Canadians celebrated the Centennial of Ukrainian group immigration to Canada. To mark the Centennial, organizations planned programs and projects to celebrate this milestone in Canada's history.

The Chair of Ukrainian Studies Foundation of Toronto decided to mark the Centennial by establishing the Canada-Ukraine Parliamentary Program for university students from Ukraine. The Canada-Ukraine Parliamentary Program gives Ukrainian students an opportunity to work and study in the Ca-

nadian Parliament, and gain experience from which generations of Canadian, American and West European students have benefited. On the basis of academic excellence, knowledge of the English or French and Ukrainian languages, and on interest in the Westminster model parliamentary system of government, university students from Ukraine and foreign universities, can apply for a CUPP internship program. It is hoped that CUPP will contribute to the education of future leaders of Ukraine.

In 2014, 33 students from universities in Austria, Belgium, Finland, Italy, Israel, Netherlands, Poland, Switzerland, United Kingdom and Ukraine will complete a two-month internship in the House of Commons. Concurrently, university students from the University of Toronto, York University and the University of Ottawa will complete an internship as part of the Macdonald Laurier Program.

**People who worked on this issue of the Newsletter:**

*Andrei Bezruchonak, Oleksandr Pankiv, Alexandra Bardyn, Lucy Hicks, Roman Tyckivsky and Ihor Bardyn.*

**Layout:** *The Basilian Press, Toronto. Published by: Blank Press, Kyiv.*

**Cover Design:** *by Andrei Bezruchonak, CUPP 2012 Intern from Belarus.*

## Putin's Slogans of Convenience

by Ihor BARDYN

Director Canada-Ukraine Parliamentary Program



In Vladimir Putin's wars against Ukraine, the denial of history as well as slogans of convenience are being used to wage these wars.

*Marriages of convenience* to circumvent immigration laws to gain entry into a country and *passports of convenience* held by multiple passports holders are tools of convenience used to deceive governments and ordinary citizens.

In the age of taglines and slogans, marketing experts have invented hundreds of phrases to sell products or services. Nike's "*Just Do it*" or Coca-Cola's "*It's the real thing*" have been burrowed into the consciousness of a generation of youngsters. Putin and his followers resort to the same technique of burrowing slogans into people's consciousness.

Russia's Czars and Kremlin's dictators were among the first to use slogans of convenience such as "*ties of history*", "*shared history*" to camouflage or explain invasions, persecutions and wars against neighbouring countries.

What's behind these slogans of *ties of history*?

The banning by Russian czars and dictators of the Ukrainian language; the genocide of the 1930s resulting in the deaths of millions of lives; decades-long persecutions and exile to the Gulags of educators, writers, and the intelligentsia; maiming and blinding of Ukraine's champions of freedom the kobzari; assassination of political leaders; cruel ethnic cleansing and exile of Crimean Tatars; invasion and occupation of Ukraine, are *ties of history* rarely if ever admitted to by Russia's rulers.

It can be expected that Russian journalists would repeat slogans of *ties of history* or *shared history*, as these are part of the Putin Doctrine. Putin explains ties of history by calling upon common Slavic roots and common orthodox religion. But learning the complete history, including the persecutions

and genocide perpetrated by Russia upon neighbours, should western journalists accept Putin's slogans of *ties of history* to justify his domination over Ukraine?

The claim that Russia has a legitimate sphere of influence over Ukraine or the Baltic States because of strategic or defense considerations and is therefore justified in invading, Finlandizing or occupying neighbouring countries, as a preemptive measure, is a primitive and preposterous proposition. Are Russia's wars and aggression against neighbors to be tolerated because of their perceived fear? Under this pretext of fear of western influence and aggression, Russia's actions in its neighbourhood and further abroad are the most destabilizing and destructive to world peace.

To find a key to containing Putin's rule to within his borders, one should examine history since 1991.

The west may have won the Cold War because of the immolation of Soviet communism, but one of the most effective – measures the west came upon was to issue visas to students from the former Soviet Union, for cultural exchanges, studies at western universities and to undertake internships in western parliaments and enterprises.

Through these exchanges the students were exposed to the west's institutions and values and took these back to germinate in their homelands. The west's deployment of this soft power measure of allowing the youth of the former Soviet Union to live and study for a time, in the west should now become a sustained peaceful weapon against the spread of the Putin Doctrine and the reconstituted Soviet ideology.

This subtle soft power measure, worked to educate a new generation of young people who have no desire to perpetuate the

Soviet ideology.

And it was these students who studied at western universities, and completed parliamentary internship programs in the Canadian, European and German Parliaments, who were among those in the forefront of the peaceful protests in Kyiv in November/December 2013.

Western countries should continue to lessen visa procedures and offer more scholarship assistance for studies, to allow as many students as possible, from the countries of the former Soviet Union to continue to study and undertake cultural exchanges in the west.

This will make it easier for the next generation of Belarus, Russian and Ukrainian youth and future decision-makers to experience liberal-democratic institutions and values. And they will be prepared to replace Vladimir Putin, when he is retired.

Education in western countries should be promoted as a permanent policy of the west.

While wars were formerly fought to achieve territorial advantage, Putin's wars are being waged for economic advantage and a primitive tribal lust for power. Accommodation and appeasement of Putin will lead to a European war and destruction of civilized society. The EU's commercial interests and reliance on Russian gas are inconsequential when one considers the return to enslavement by Russia of its neighbours and whichever other European country Putin chooses to subjugate. Like Hitler, Putin must be stopped, at all costs.

## CUPP Interns



world  
trade  
institute

### Oleksandra BROVKO

**Born in:** Energodar, Zaporizhya region, Ukraine.

**Taras Shevchenko National University of Kyiv**, established in 1834. **Institute of International Relations.**

**Motto of the University:** "Utilitas honor et gloria". – "Utility honour and glory".

**World Trade Institute, University of Bern**, established in 1834.

**Motto of the University:** "A MILE ahead".

**Foreign languages:** English, French, Russian.

**Intern to Hon. Jason Kenney**, MP for Calgary SE.

**Dr. Taras Fecycz Scholarship** recipient.

**Last book read:** "До ефективних суспільств. Дороговкази в майбутнє"; "To the effective society. Roadmap for the future" by Bohdan Havrylyshyn.

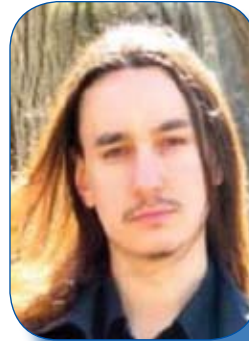
**Favourite quote by foreign author:** "We shall never surrender" - Winston Churchill.

**Favourite quote by Ukrainian author:** "Життя така велика ковзаниця, кому вдалось не падавши пройти" – Ліна Костенко; "Life is a huge risk for those who managed not to fall" – Lina Kostenko.

**Favourite musical recording:** "Ja pidu v daleki goru" by Kvitka Tsiskuk.

**Outstanding landmark or architecture in Ukraine:**

Khortytsia Island is the biggest island on the Dneph River and a unique natural and historical complex. The island is situated within the modern industrial city of Zaporizhia. Khortytsia is designated as a national museum. The rural landscape of the island features the Zaporizhian Cossack Museum and a Cossack horse show.



### Anton BURINKOV

**Born in:** Kaliningrad, Russia.

**Hometown:** Mykolaiv, Ukraine.

**Tavrida National V.I. Vernadsky University** was established in 1913. Faculty of Philosophy, Cultural and Political Studies. Department of Philosophy.

**Motto of University:** "Nosce te ipsum" – "Know thyself" – "Пізнай самого себе".

**Foreign languages:** English, Russian, German.

**Intern to Mylene Freeman**, MP for Argenteuil—Papineau—Mirabel, Quebec.

**2014 William & Antonina Bazylewych Scholarship** recipient

**Last book read:** "All the King's Men" by Robert Penn Warren.

**Favourite quote by Ukrainian author:** "Бути у світі й нічим не позначити свого існування – це здається мені жахливим" – Микола Гоголь; "Being in this world and left no sign after yourself seems to me horrible" – Michola Gogol.

**Favourite quote by foreign author:** "The highest activity a human being can attain is learning for understanding, because to understand is to be free" – Baruch Spinoza, "One of the sanest, surest, and most generous joys of life comes from being happy over the good fortune of others" – Robert Heinlein, "Approach everything rationally, and you become harsh. Pole along in the stream of emotions, and you will be swept away by the current. Given free rein to your desires, and you become uncomfortably confined. It is not a very agreeable place to live, this world of ours" – Sôseki Natsume.

**My favourite musical recording:** 3<sup>rd</sup> movement of Suite bergamasque; "Clair de Lune" by Claude Debussy.

**Outstanding landmark or architecture in Ukraine:**

**Aktovsky Canyon**, located on the river Mertvovod – one of the most beautiful places in Ukraine. Despite



the slightly intimidating name of the river and the local name of the canyon (Valley of the Devil) – it is one of the most beautiful canyons in Europe. The name of the river (Death Water) is chosen because of the high concentration of the hydrogen sulfide. The depth of the Valley of the Devil is up to 50 meters and spans an area of about 250 hectares. Difficult terrain and 100-meter granite and basalt cliffs beckon adventurers like moths to light. Aktovsky canyon – a unique ecosystem for the steppe region of Ukraine, offers a fantastic view and unforgettable memories.



**Iryna DOBROHORSKA**

**Born in:** Rozdil, Lvivska obl.

**Hometown:** Lviv, Ukraine.

**Ukrainian Catholic University** was established in 1963 in Rome. Faculty of Humanities (History).

**Motto of University:** "Візьми і зроби" – "Go ahead and do it".

**Foreign languages:** English, German, French, Polish.

**Intern to Ed Komarnicki**, MP for Souris-Moose Mountain Saskatchewan.

**Sen. Marta Bielish Scholarship** recipient

**Last book read:** Martin Pollack "The Dead Man in the Bunker".

**Favourite quote by Ukrainian author:** "Трішки терпіння. Трішки надії. Трішки любові. І трішки іронії." – Сергій Жадан; "A bit of patience. A bit of hope. A bit of love. And a bit of irony." – Serhiy Zhadan.

**Favourite quote by foreign author:** "The problem of the present epoch is how to achieve solidarity that would not only respect the "otherness" of another person, but also to allow hope for good from them" – Zygmunt Bauman.

**Favourite musical recording:** The Beatles – "A day in the life".

**Outstanding architecture landmark or architecture in Ukraine:** The Arch cathedral Basilica of the Assumption of the Blessed Virgin Mary in Lviv. A construction of it began in 1360 and the building was finally consecrated in 1481; the cathedral witnessed a number of significant moments in history and was visited by several Polish kings. It was one of the two churches in Lviv that were not closed during Soviet rule.



**Oleh FEDAY**

**Born in** Lviv, Ukraine.

**Hometown:** Toronto, Canada.

**Languages:** Ukrainian, Russian, English.

**York University, Faculty of Arts.**

**2011 Ukrainian Credit Union Scholarship** recipient  
**Intern to Jay Aspin**, MP for Nipissing–Timiskaming, Ontario

**Christina Bardyn Scholarship** recipient

**Macdonald-Laurier Program Intern**

**Last Ukrainian author read:** Ліна Костенко – "Збірка поезій".

**Last foreign author read:** "1984" – George Orwell

**Favourite Quote:** "І вам слава, сині гори, / Кригою окуті. / І вам, лицарі великі, / Богом не забуті. / Боріться – поборете! / Вам бог помагає! / За вас правда, за вас слава / І воля свята!" – Тарас Шевченко.

**Outstanding Landmark or Architecture:** The Swallow's Nest in Yalta, Ukraine, is one of the most magnificent buildings that I have seen in my life. It was built between 1911 and 1912 on a cliff that is 40m high. It overlooks the Black Sea and Crimean Mountains. It was designed by Russian architect Leonid Sherwood. The building is truly breathtaking, the view is amazing, and it is one of the most visited landmarks in Crimea. The building itself is small, 20m long and 10m wide, nonetheless beautiful. At one point the building survived a serious earthquake, a 7 on a Richter scale, only small damages occurred. Throughout its history it changed its purpose, going from restaurants to book clubs, but now it serves only as a tourist attraction. It will always be part of sovereign Ukraine.

**Oleksandra KARABILO****Born in:** Kerch, Ukraine.**Hometown:** Kerch.**Petro Mohyla Black Sea State University** was established in 1996 in Mykolaiv. Faculty of Political science, Department of Political science (Politology).**Motto of University:** "Created to be the best" – "Створений, щоб бути кращим".**Foreign languages:** Russian, English, Spanish.**Intern to Corneliu Chisu**, MP for Pickering–Scarborough East, Ontario.**Sen. Raynell Andreychuk Scholarship** recipient**Last book read:** "From Third World to First: The Singapore Story" by Lee Kuan Yew.**Favourite quote by Ukrainian author:** "Без бажання все важке, навіть найлегше." – Григорій Сковорода; "Without a desire everything is difficult even the easiest" – Grygory Skovoroda.**Favourite quote by foreign author:** "The unexamined life is not worth living" – Socrates.**Favourite musical recording:** Jamie Cullum – "These are the days", Peggy Lee – "Love", All Stars – "We Are The World", Queen – "We Are The Champions".**Outstanding landmark or architecture in Ukraine:****Ruins of Panticapaeum in Kerch.** Panticapaeum was an important city and port in Taurica (Tauric Chersonese), situated on a hill (Mt. Mithridates) on the western side of the Cimmerian Bosphorus, founded by Milesians in the late 7th-early 6th century BC. It is now modern-day Kerch in Ukraine. Strategically located on the western shore of the Kerch Strait, the city grew quickly and before the end of the century it was minting its own coins. As the leading trade, manufacturing, and cultural center on the northern coast of the Black Sea it became the capital of the Bosporan Kingdom, which arose in the 5th century. It was heavily damaged in Saumacus 'revolt and Diophantus' capture of the city at the end of the 2nd century BC and again by an earthquake ca 70 BC. Panticapaeum was rebuilt under Roman rule, and by the 1st century AD had regained its commercial importance. It began to decline

in the 3rd century as tribal raids disrupted the trade in the Black Sea and the Mediterranean Basin. Panticapaeum was destroyed by the Huns ca 370. Later a small town arose at the site, which in the Middle Ages became known as Bosphorus. The city was dominated by Mount Mithridates, on which the temples and civic buildings were placed. The slopes were terraced and covered with private villas. The large bay provided an excellent port. At its apogee the city occupied approx. 100 ha. Beyond the city walls was a large necropolis, which has been excavated since the end of the 19th century. It included a number of famous Kurhans, such as Melek-Chesmen kurhan, Tsarskyi kurhan, Zolota Mohyla, and Yuz Oba. The city itself has been excavated systematically since the Second World War.

**Olga KARKHANINA****Born in:** Novotroitsk, Kherson oblast, Ukraine.**Hometown:** Sudak, Crimea.**Vadym Hetman National Economic University of Kyiv** was established in 1906. Faculty of International Economics.**Motto of University:** "Здійснення вагомого вкладу у суспільний розвиток через дослідження, генерування нових знань, їх поширення та підготовку конкурентних фахівців і креативних особистостей". – "Contributing to society development through research, generating and spreading new knowledge, training competitive specialists and creative personalities".**Foreign languages:** Russian, English, Polish, German.**Intern to Joe Daniel**, MP for Don Valley East.**Vasyl Kereliuk Scholarship** recipient**Last book read:** Plato "The ideal state".**Favourite quote by Ukrainian author:** "Де злагода в сімействі, де мир і тишина, щасливі там люди, блаженна сторона" – Іван Котляревський; "The blessed place is where there is harmony in family, peace and quiet and happy people in it" – Ivan Kotlyarevskiy, "Раз добром нагріте серце вік не

прохолодне" – Тарас Шевченко; "A heart being once warmed with well-being will not be cold for centuries" – Taras Shevchenko.

**Favourite quote by foreign author:** "The only true wisdom is in knowing you know nothing" – Socrates, "We make a living by what we get, but we make a life by what we give" – Winston Churchill.

**Favourite musical recording:** Claude Debussy – "The song from a secret garden", Celine Dion – "I surrender".

**Outstanding landmark or architecture in Ukraine:**  
**Genoese fortress** – a fortress in the city of Sudak Crimea, Ukraine, built by the Genoese from 1371 to 1469 as a strong point of their colony Soldaia. The fortress is located on Surf mountain (elevation 157 m), which is also called Dzhenevez-Kaia. According to its origin the mountain is an ancient fossilized coral reef and presents in a gently sloping and steep cone-shaped array from the north and from the south respectively, which juts out into the Sudak Bay of Black Sea. The area of the fortress is almost 30 hectares. The convenient location of the fortress and powerful fortified structures made the fortress almost unassailable: from the west the fortress is difficult to reach, from the south and the east it is protected by the steep mountain walls, sloping down to the sea, and from the north-east, possibly, researchers have theorized that a moat once existed.



**Petro KOCHERHAN**

**Born in:** Lviv, Ukraine.

**Hometown:** Lviv, Ukraine.

**Lviv National University (absentia)** Faculty of management (Ivan Franko National University in Lviv?).

**Motto of University:** "Patriae decori civibus educandis" – "Освічені громадяни; окраса Батьківщини" – "Educated people adorn their country".

**Foreign languages:** English, Russian, Polish.

**Intern to Peggy Nash, MP for Parkdale – High Park.**

**Antin Hlynka Scholarship** recipient

**Last book read:** "Three Comrades" by Erich Maria Remarque.

**Favourite quote by Ukrainian author:** "І все на світі треба пережити, бо кожен фініш – це по суті старт. І наперед не треба ворожити, і за минулим плакати не варт..." – Ліна Костенко; "Everything in the world is to be experienced, because every end – is essentially a beginning, At the onset there is no need to fight, and there is no use in crying for the past" – Lina Kostenko.

**Favourite quote by foreign author:** "Always acknowledge a fault. This will throw those in authority off their guard and give you an opportunity to commit more." – Mark Twain.

**Favourite musical recording:** Eagles "Hotel California".

**Outstanding landmark or architecture in Ukraine:**  
**Zolochiv Castle**, located in Lviv Oblast. Nowadays the Zolochiv Castle is a museum and is supervised by the department of the Lviv Art Gallery. The new castle that stands in place of the old wooden fort was built in Zolochiv in 17th century. It was designed by an Italian architect. Its original purpose was as a defensive fortress. In the castle's courtyard there are two palaces. The biggest of them is called the Grand Palace. The other is the Chinese Palace situated opposite the tower. The Chinese Palace of the Zolochiv Castle is a unique monument of architecture. There are only three Chinese Palaces in Europe and one of them tourists may admire in Zolochiv. The Chinese palace of Zolochiv was renewed in 2004 and opened to tourists. The Zolochiv Castle is also a part of the "Golden Horseshoe", a ring of three castles in Olesko, Zolochiv and Pidhirtsi. It is a very popular tourist route. The Zolochiv Castle attracts tourists with the beauty of its medieval architecture and by its artistic treasures. Certainly, the Zolochiv Castle is an architectural jewel and the pride of the Western Ukraine.



**Sofiya KOMINKO****Born in** Ternopil, Ternopils'ka Oblast, Ukraine.**Hometown:** Vancouver, British Columbia.**University of Ottawa**, Faculty of Arts; Communications and Political Science.**Languages:** Ukrainian, English, Russian, French.**Intern to the Honourable Jason Kenney**, MP for Calgary Southeast, Alberta.**Mazurenko Family Scholarship** recipient**Macdonald-Laurier Program Intern****Last Ukrainian author read:** "Записки українського самашедшого" – Ліна Костенко.**Last foreign author read:** "Seize the Day" Saul Bellow.**Favourite quote** – English: "Behold I do not give lectures or a little charity, When I give, I give myself." – Walt Whitman.**Favourite quote** – Ukrainian: "В усіх науках і мистецтвах плодом є вірна практика" – Г. С. Сковорода.**Favourite musical recording:** "Вночі" – Святослав Вакарчук.**Outstanding Landmark or architecture in Canada:**

Percé Rock located on the coast of the Gaspésie Peninsula, the city of Percé – home of the Percé Rock, welcomes many tourists annually. The large boulder is a natural landmark that impresses many with its size, colour, and beauty. Because of the many belvederes (Mt. Joli, Mt. Sainte-Anne and Pic de l'Aurore, just to name a few) situated here, the landmark can be viewed from many angles. It can also be observed by boat and by foot when the tide is low. Bonaventure Island (4.16 km<sup>2</sup>) faces the town of Percé. It has one of the most important gannet colonies in the world and many other species of birds such as puffins, cormorants and murres. The city is also a popular site for whale watching.

**Maria KROLENKO****Born in:** Kyiv, Ukraine.**Hometown:** Kyiv, Ukraine.**National University of Kyiv-Mohyla Academy** was established in 1615. Faculty of Sociology.**Motto of University:** "Tempus fugit, Academia sempiterna" – "Часплинний, Києво-Могилянська академія вічна" – "Time passes. Kyiv-Mohyla Academy remains eternal".**Foreign languages:** English, French, German, Russian.**Intern to Linda Duncan**, MP for Edmonton–Strathcona, Alberta.**Sen. Paul Yuzik Scholarship** recipient**Last book read:** "Дом, в котором..." – by Mariam Petrosyan.**Favourite quote by Ukrainian author:** "Я єстьна-род, якого Правдисила ніким звойована ще не була. Яка біда мене, яка чума косила! – а сила знову розцвіла" – Павло Тичина; "I am the nation, whose power of Truth Has yet to be conquered by anyone. What an evil, what a plague hurt me, still my strength blossomed once again" – Pavlo Tuchuna.**Favourite quote by foreign author:** "Be the change that you wish to see in the world." – Mahatma Gandhi**Favourite musical recording:** "Tessellate" – Alt-J, "Весна" – 5nizza.**Outstanding landmark or architecture in Ukraine:**

**The Tunnel of Love in Klevan.** I like this place not just because it's about love. But because it shows the power and beauty of nature. Nowadays it is one of the most famous places in Ukraine. And the only thing that was needed is to stop interfering in nature. It was created all by itself. I think it is one of the best decisions we have made in the last few years.



**Oleksiy KOVALENKO****Born in:** Kyiv, Ukraine.**Hometown:** Kyiv.**Taras Shevchenko National University of Kyiv**

was established in 1843. Faculty of Psychology.

**Motto of University:** "Корисність, Честь і Слава" – "Utility Honour and Glory" – "Utilitas Honor et Gloria".**Foreign languages:** English, Polish, Russian, Chinese (basic), Finnish (basic).**CUPP 2012, Kyiv Model Ukraine Conference,**

November 22-23 at National University of Kyiv Mohyla Academy, Ukraine, Participant of the conference.

**Intern to Raymond Cote**, MP for Beauport–Limoilou, Quebec.**Volodymyr Hrynyk Scholarship** Recipient**Last Ukrainian author read:** Дмитро Яворницький "Історія Українських козаків"; "The history of Ukrainian Cossacks" by Dmytro Yavornytsky.**Last foreign author read:** "The Facebook effect" by David Kirkpatrick.**Favourite quote by Ukrainian author:** "Ні про що не турбуватись, ні за чим не турбуватись – значить, не жити, а бути мертвим, адже турбота – рух душі, а життя – се рух" – Григорій Сковорода; "Being worried about nothing, being excited about nothing – means not to live but to be dead, as excitement is movement of a soul and life is movement itself." – Grigory Skovoroda.**Favourite quote by foreign author:** "Human history in essence is the history of ideas" – Herbert Wells, "My favorite things in life don't cost any money. It is really clear that the most precise resource we all have is time." – Steve Jobs.**My favourite musical recording:** Pikardiyska Terciya – "Hey plyve kacha", Volodumir Ivasyk – "Chervona Ruta", Simon and Garfunkel – "Scarborough Fair".**Outstanding landmark or architecture in Ukraine:****Saint Sophia Cathedral in Kyiv** might be called one of the oldest, most beautiful and outstanding architectural monuments of Kyivan Rus which has stood in its place for the last 11 centuries. The history of the com-

plex is full of mystery and secrets. From the latest archaeological research it was estimated to have been constructed at the beginning of the 11<sup>th</sup> century by Volodymyr the Great. Before that all historian sources were attributing the foundation of the complex to Volodymyr's son Yaroslav the Wise. Today, "Sofia Kyivska" is one of the city's best known landmarks and the first Ukrainian patrimony to be inscribed to the Worlds Heritage List along with the Kyiv Cave Monastery complex. Aside from its main building, the cathedral includes an ensemble of supporting structures such as the bell tower, the House of Metropolitan, and others. Originally the cathedral was a burial place of the Kyivan rulers including Vladimir Monomakh, Vsevolod Yaroslavich and of course the cathedral's Founder Volodymyr the Great. The complex of the Cathedral is the main component and museum of the National Preserve "Sophia of Kyiv" which is the state institution responsible for the preservation of the Cathedral complex as well as four other historic landmarks across the nation. Saint Sophia Cathedral together with Kyiv's – Pecherska Lavra are inscribed as UNESCO World Heritage Sites. On 21 August 2007, the Saint Sophia Cathedral was named as one of the Seven Wonders of Ukraine, based on votes by experts and the internet community. It is one of the greatest places in Kyiv you definitely should see.

**Nataliia MASLENNYKOVA****Born in:** Dnipropetrovsk, Ukraine.**Hometown:** Dnipropetrovsk, Ukraine.**Oles Honchar Dnipropetrovsk National University**

was established in 1918. Faculty of International Economics, Department of International Economic Relations.

**Motto of University:** "Docendo discimus" – "Навчаючи навчаюсь" – "By teaching we learn".**Foreign languages:** Russian, English, German (basic).

**Intern to Alexandrine Latendresse**, MP for Louis–Saint-Laurent, Quebec.

**2014 Sen. David Tkachuk Scholarship** recipient

**Last Ukrainian author read:** "Записки українського самашедшого" – Ліна Костенко; "Notes of Ukrainian madman" – Lina Kostenko.

**Last foreign author read:** "The Teachings of Don Juan: A Yaqui Way of Knowledge" by Carlos Castaneda.

**Favourite quote by Ukrainian author:** "Учіться, брати мої, думайте, читайте, і чужому навчайтесь, й свого не цурайтесь" – Тарас Шевченко; "Learn, my brothers, think and read, but never forget your own wisdom" – Taras Shevchenko.

**Favourite quote by foreign author:** "There are only two ways to live your life. One is as though nothing is miracle. The other is as though everything is a miracle" – Albert Einstein.

**Favourite musical recording:** Michael Bubble "I Am Feeling Good"; Ludovico Einaudi – Divenire; Bonobo – All in Forms; Burial – Archangel; Parovoz – Mila's Dream.

**Outstanding landmark or architecture in Ukraine:** Chersonesus was an ancient Greek colony founded approximately 2500 years ago in the southwestern part of Crimea, known then as Taurica. The ancient city is located on the shore of the Black Sea at the outskirts of Sevastopol and has been nicknamed the "Ukrainian Pompeii" and "Russian Troy". Chersonesus' ancient ruins are presently located in one of Sevastopol's suburbs. They are today a popular tourist attraction, protected by the state as an archaeological park. The buildings mix influences of Greek, Roman and Byzantine culture. The defensive wall is hundreds of meters long. Buildings include a Roman Amphitheatre and a Greek temple.



**Anna MELENCHUK**

**Born in** Lviv, Ukraine.

**Hometown:** Kyiv.

**Kyiv National Taras Shevchenko University** was

established in 1834. Faculty of international relations.

**Motto of University:** "Utilities Honor et Gloria" – "Корисність, честь та слава" – "Utility, Honour and Glory".

**Foreign languages:** English, German, Russian, Polish.

**Intern to Peter Julian**, MP for Burnaby-New Westminster.

**Sen. Michael Wall Scholarship** recipient

**Last book read:** "Statecraft: strategies for a changing world" by Margaret Thatcher.

**Favourite quote by Ukrainian author:** "Любіть Україну у сні й наяву, вишневу свою Україну, красу її, вічно живу і нову, мову її солов'їну" – Володимир Сосюра; "Love Ukraine in dreams and in reality, yours cherry Ukraine, it's beauty, always alive and new, its nightingale's language" – Volodymyr Sosyura.

**Favourite quote by foreign author:** "Ask not what your country can do for you, ask what you can do for your country" – John F. Kennedy.

**My favourite musical recording:** Chris de burgh "Lady in red".

**Outstanding landmark or architecture in Ukraine:** Buky Canyon is situated in the village Buky in the Cherkasy region on the river Hirskyj Tisch. It was formed 2 billion years ago and today is one of the most gorgeous and mysterious places in Ukraine. In 1975 this natural phenomenon became a state monument. Some people call it Little Switzerland. I visited this place last week and was really fascinated. Here you can find the remains of a handmade monument that look like Stonehenge. There are areas of this "Ukrainian Stonehenge" that remain unexplored. In some places cliffs are 20 meters that make this place interesting for rock climbers. It is also famous for its waterfall Vyr. A big water mill was constructed in the 19<sup>th</sup> century. If you go a little further you will see the first water power plant in Ukraine. I strongly encourage everyone to visit this place.



**Anastasia MELNYK****Born in:** Kyiv, Ukraine.**National University of Kyiv-Mohyla Academy**, established in 1654.**Motto of the University:** "Tempus Fugit, Academia Sempiterna".**Foreign languages:** English, French, German, Russian.**Intern to Chrystia Freeland**, MP for Toronto Centre.**John & Julia Stashuk Scholarship** recipient**Last book read:** "Speech Acts: An Essay in the Philosophy of Language" by John Searle. Reread "Totality and Infinity: An Essay on Exteriority" by Emmanuel Levinas.**Favourite quote by foreign author:** "To see a world in a grain of sand, / And a heaven in a wild flower, / Hold infinity in the palm of your hand, / And eternity in an hour." – William Blake.**Favourite quote by Ukrainian author:** "Світло бачиться тоді, коли світло в очах є" – Григорій Сковорода; One can see the light if he have it in his eyes." – Grygoriy Skovoroda.**Favourite musical recording:** Anton Batagov – "4U"; John Coltrane, Miles Davis, Duke Ellington – "In a Sentimental Mood"; Edvard Hagerup Grieg – Peer Gynt Suite No.1, Op. 46 – "Morning Mood".**Outstanding landmark or architecture in Ukraine:** South Coast of Crimea I took this picture at our secret place where we vacationed with my family every year until now. Far from civilization, five kilometers from the closest village, we went there every summer for the last 5 years so it is a little bit nostalgic to recall. I still think that it is one of the most beautiful landmarks in Ukraine.**PIERCE COLLEGE**  
*possibilities. realized.***Lyenyera MYEMYETOVA****Born in:** Yevpatoriya, Crimea, Ukraine.**Hometown:** Yevpatoriya.**Taurida National Vernadsky University, Crimea, Ukraine** (established in 1918). Faculty of Crimean Tatar and Oriental Philology.**Motto of the University:** "NOSCE TE IPSUM". – "Пізнай самого себе" – "Know thyself".**Pierce College in Lakewood, WA, US** (established in 1967). Faculty of Journalism.**Foreign languages:** Crimean Tatar (mother tongue) English, Russian, Ukrainian, Arabic (basic), Turkish (elementary).**Intern to Cheryl Gallant**, MP for Renfrew–Nipissing–Pembroke, Ontario.**Dopomoha Ukraini Foundation Scholarship** recipient**Last book read:** "Value Driven Intellectual Capital" by Patrick H. Sullivan.**Favourite quote by Ukrainian author:** "Учітесь, читайте, / і чужому научайтесь, й свого не цурайтесь" – Тарас Шевченко; "Learn, read / and learn from others, / but don't forget your own wisdom" – Taras Shevchenko; "Хочу, щоб ніколи, ніколи не зачерствіло серце" – Микола Стельмах; "I wish the heart never gets stale" – Mykola Stelmach; "Діла добрих – оновлюються, діла злих – гинуть" – Тарас Шевченко; "Deeds of good – renew, deeds of evil – die" – Taras Shevchenko.**Favourite quote by foreign author:** "Seek knowledge from the cradle till grave" – Prophet Muhammad, peace be upon Him, "If you think you're tops, you won't do much climbing" – Arnold Glasow.**My favourite musical recording:** Ukrainian and Tatar folk music.**Outstanding landmark or architecture in Ukraine:** **Khan-Dzhami, Yevpatoriya.** If you ever happen to be in ancient town of Yevpatoriya, make sure you visit the pearl of Crimean architecture – the magnificent Khan Dzhami mosque. The Khan-Dzhami was built in 1552 founded by Devlet Geray Khan by the prominent architect of Eastern world MimarHodzhi Sinan. It is one

of the most beautiful mosques and is also an important one: during the existence of Crimean Khanate (1443-1783) 18 Khans were inaugurated in this mosque and only after the ceremony did they go on to their capital Bakchisaray. Khan-Dzhami is a place where many relics were preserved. One of them is the holy book of Qur'an which dates back to the XII century. After the deportation of the Crimean Tatars the Khan-Dzhami was used as a storehouse. For a number of years a museum of atheism was situated there. Only in 1992, after Crimean Tatars began to come back to their ancestral motherland, the Khan Dzhami was returned to local Muslims. Today anyone is welcome to visit and learn about the Khan Dzhami. Once you enter this mosque, you can enjoy warm rays which pervade through the varicolored windows and sink into the atmosphere of tranquility.



### Oleg NAUMENKO

**Born in:** Kharkiv, Ukraine.

**Hometown:** Kyiv, Ukraine.

**University of Cambridge** (est. in 1209),

Faculty of History.

**Motto of University:** "Hinc lucem et pocula sacra" – "From this place, we gain enlightenment and precious knowledge" – "Від цього місця ми набуваємо просвіту та дорогоцінне знання".

**Foreign languages:** English, Russian, Polish (basic).

**Intern to Mike Wallace**, MP for Burlington.

**Michael Starr Scholarship** recipient

**Last Ukrainian author read:** Юрій Іздрик "Острів КРК та інші історії"; "KRC Island and other stories" by Yuriy Izdryk.

**Last foreign author read:** "Scenarios of Power" by Richard Wortman.

**Favourite quote by Ukrainian author:** "Нації вмирають не від інфаркту. Спочатку їм відбиває

мову" – Ліна Костенко; "Nations do not die under siege, their language is taken away first" – Lina Kostenko.

**Favourite quote by foreign author:** "Education is the most powerful weapon which you can use to change the world" – Nelson Mandela.

**Favourite music recording:** The Heavy "What makes a good man?"

**Outstanding landmark or architecture in Ukraine:** St. Andrew's Church (Андріївська Церква, Andriyivska Tserkva) is a Baroque-style church designed by Italian architect Bartolomeo Rastrelli. The church is included in the List of Mankind Treasures of Five Continents by the world society. St Andrew's church is a unique work of architecture and art that attracted Ukrainian, Russian and foreign masters. Thanks to Rastrelli's involvement the church acquired its unique baroque appearance and iconostasis with icons painted by St Petersburg artists. St Andrew's Church is the ecclesiastic center of the Ukrainian Autocephalous Orthodox Church in Kyiv, as well as part of one of the most picturesque locations in the city that includes Andriyivsky Descent with its numerous cafes, galleries and restaurants, making it a popular site among tourists from all over the world.



### Vasylyna ODNORIH

**Born in** Zhydachiv, Lviv region, Ukraine.

**National University of Kyiv-Mohyla Academy**, established in 1615. Law School.

**Motto of the University:** "Tempus fugit, Academia sempiterna" – "Час плинний, Києво-Могилянська академія вічна" – "Time passes, Kyiv-Mohyla Academy is eternal".

**Jagiellonian University**, founded in 1364. Faculty of Law and Administration.

**Motto of the University:** "Plus Ratio Quam Vis" – "Let reason prevail".



**Foreign languages:** English, Russian, Polish, French.

**Intern to Lawrence Toet**, MP for Elmwood-Transcona.

**Alexandra & Eugene Sukniarsky Scholarship** recipient

**Last book read:** "A Ukrainian Wherever" by Dr. Bohdan Hawrylyshyn.

**Favourite quote by Ukrainian author:** "Живе той, хто не живе для себе, хто для других виборює життя" – Василь Симоненко; "Lives not the one, who lives for himself, but the one, who is fighting for others" – Vasyl Simonenko.

**Favourite quote by foreign author:** "We are generally more persuaded by the reasons we discover ourselves than by those given to us by others" – Blaise Pascal.

**Favourite musical recording:** "Nuvole Bianche" by Ludovico Einaudi.

**Outstanding landmark or architecture in Ukraine:**

The Lubart's Castle, is a beautiful and well-preserved national monument of Ukraine, and is located in the old part of Lutsk, in Volyn region. It was one of the most powerful fortresses in Volyn at the time of the reign of Prince Lubart, Grand Duke of Lithuania. The legend, passed through generations, retells how Prince Lubart built a dam on the Styr River, put a draw-bridge to the Entrance Tower and gradually replaced the wooden fortifications with stone ones, adding chicken eggs to make the construction last forever. Later on, the year of 1429 was a moment of glory for the castle and its inhabitants. Lithuanian Prince Vytautas the Great gracefully invited European monarchs to visit Lutsk. Among others, the Holy Roman and German Emperor Sigismund, Danish King Eric IV, Polish monarch Wladyslaw II Jagiello, Gran Prince of Moscow and the ambassador of the Byzantine Emperor responded to the invitation. The legend about this event holds that such important questions as forming the coalition against the Ottoman Empire and providing equal rights for Catholic and Orthodox churches were raised by the mighty leaders. Although many pages of the history of the Castle have been explored a lot still remains undiscovered. In honor of its rich past the knights' tournament called "Sword of Lutsk Castle" is held there annually. Just as in the 14<sup>th</sup> century, the castle of Lubart still rises over the city reminding us of the magnificent history of the land and is an inspiration for the future.



**Mykhailo OLEKSIENKO**

**Born in:** Odesa, Ukraine.

**Hometown:** Odesa, Ukraine.

**Odessa National Polytechnic University** was established in 1918. Institute of Business, Economics and Business Administration, major in Computer Science.

**Motto of University:** "Ex Professo" – "By Profession".

**City Business School** was established in 2012. Major in Business Administration.

**Motto of University:** "New Level! New Life!"

**Foreign languages:** Russian, English, German.

**Intern to Peter Goldring**, MP for Edmonton Centre-East.

**Humeniuk Family Scholarship** recipient

**Last Ukrainian author read:** Serhii Zhadan "Бір Мак та інші історії".

**Last foreign author read:** "Roman Tales" by Alberto Moravia.

**Favourite quote by Ukrainian author:** "Не допускай такої мислі, / Що Бог покаже нам неласку. / Життя людського строки стислі. / Немає часу на поразку".

**Favourite quote by foreign author:** "There are worse crimes than burning books. One of them is not reading them" – Ray Bradbury, "All human actions have one or more of these seven causes: chance, nature, compulsion, habit, reason, passion, and desire." – Aristotle.

**Favourite musical recording:** "Californication <Ukrainian Style>" – Jaroslav Dzhuz; "Rendez-Vous" Okean Elzy.

**Outstanding landmark of architecture in Ukraine:**

**The Odessa National Academic Theater of Opera and Ballet** was the first in Ukraine at its time of construction. The first theater was opened in 1810, but in 1873 it was completely destroyed by fire. The city invited Viennese architects, F. Felner and H. Helmer, to draft a new building. It took nearly fifteen years for Odesa to rebuild the Opera House and it was opened

on October 1st, 1887. The popular magazine "Forbes" included the Odessa Opera House into a list of the most important sights in Eastern Europe. The uniqueness of the Odessa Opera House is its acoustics. A whisper can be heard in the hall, which houses 1636 seats, very well in any part of it. There is also a "secret" organ – when the instrument is not in use, the organ pipes above the boxes of the second circle are closed with venetian blinds. Undoubtedly, the most impressive part of the building is its auditorium, which is decorated in Rococo style. All the parts inside are very in tune with each other: the dome, columns, arches, bas-reliefs, candles and gilding, combine with the amazing colour of the walls and ceilings.



### Khrystyna OLIARNYK

**Born in:** Zhovti Vody, Dnipropetrovsk region, Ukraine.

**Hometown:** Zhovti Vody.

**National University of** Kyiv-Mohyla Academy was established in 1615. Faculty of Law.

**Motto of University:** "*Tempus fugit, Academia sempiterna*" – "Час плинний, Києво-Могилянська академія вічна" – "Time passes. Kyiv-Mohyla academy remains eternal".

**Foreign languages:** English, Spanish, Russian.

**Intern to Mike Sullivan**, MP for York South–Weston, Ontario.

**Anna Mazurenko Scholarship** recipient

**Last book read:** "The Monk Who Sold His Ferrari" by Robin Sharma.

**Favourite quote by Ukrainian author:** "Борітеся – поборите" – Тарас Шевченко.

**Favourite quote by foreign author:** "You are only given a little spark of madness. You must not lose it" – Robin Williams.

**My favourite musical recording:** Low Deep T – "Casablanca".

**Outstanding landmark or architecture in Ukraine:**

The monastery of Pochaiv (in Ternopil region) from the late 18<sup>th</sup> century is considered to be a holy

place for Ukrainians. Even in the works of Taras Shevchenko you can find proof of this argument. In his poems "The Blind Woman" and "The Captive" a number of his heroes go to Kyiv and Pochaiv to pray. According to the legend, the monastery was founded in 1240 when the monks of the Kyivan Cave Monastery settled on Pochaiv Mountain. The history says that Anna Gojska was the owner of Pochaiv so she founded the cloister here on Nov.14, 1597. Later Anna Gojska ordered the transfer of a miraculous icon of the Holy Virgin to Pochaiv. This icon healed Anna's brother who was blind from birth. Today this icon is a sacred object of the monastery. Another famous legend about the Pochaiv is about how the Mother of God protected the monastery from the attack by the Turks in July 1675. As legend says, Iov Zalizo, who by this time had died and been canonized, appeared with the Virgin Mary over Trinity Church. The Holy Virgin diverted the Turkish arrows from the monastery, and the frightened invaders left Pochaiv. This legendary event is reflected in Ukrainian religious folk songs. Nowadays for millions of Ukrainians the town of Pochaiv appears as a "second Jerusalem". For me this place has a special atmosphere. I used to come here with my grandma in my early childhood.



### Olga OSYPCCHUK

**Born in:** Korostyshiv, Zhytomyrska oblast, Ukraine.

**Hometown:** Kyiv.

**Taras Shevchenko National University of Kyiv, Institute of International Relations**, established in 1834. Faculty of International Law, specialty – European law.

**Motto of University:** "Utilitas Honor et Gloria" – "Користь, честь та слава" – "Utility, Honour and Glory".

**Kyiv National Economic University**, established in 1906. Faculty of Law.



**Foreign languages:** English, Russian, Spanish.  
**Intern to Hoang Mai**, MP for Brossard–La Prairie, Quebec.

**Cathy Obal Scholarship** recipient

**Last Ukrainian author read:** "Записки українського скаженого" – Ліна Костенко; "Notes by the Ukrainian Lunatic" by Lina Kostenko.

**Last book read:** "48 Laws of Power" by Robert Greene.

**Favourite quote by a Ukrainian author:** "Дай Боже нам любити Україну понад усе сьогодні маючи, щоб не довелося гірко любити її, втративши" – В'ячеслав Чорновіл; "Oh Lord, let us love Ukraine above all we have today, in order not to love it bitterly after we lose it" – Vyacheslav Chornovil.

**Favourite quote by foreign author:** "You have your way. I have my way. As for the right way, the correct way, and the only way, it does not exist" – Friedrich Nietzsche.

**Favourite musical recording:** "Je veux" by ZAZ, "Na nebi" and "Vstavai" by Okean Elzy

**Outstanding landmark or architecture in Ukraine:** **Saint Andrew's Church.** It is a major Baroque church located in Kyiv. The church was constructed in 1747-1754 and the author of the project was the famous Imperial architect of St. Petersburg – Bartolomeo Rastrelli. As with many baroque buildings, Saint Andrew's Church is notable for its unusual elegance, luxurious decor, exquisite refinement, and airiness of form. But even more impressive is the church's interior – suited for a luxurious palace – which was also designed by the great Rastrelli. Its key decoration is the original bright-red iconostasis, made of linden wood and covered with gold. Now the church operates as a museum and there are also liturgies held every morning and evening.



**Monika OTASOVIE**

**Born in:** Kharkiv, Ukraine.

**Institute of International Relations Taras Shevchenko National University of Kyiv**, established in 1834.

**Motto of the University:** "Utilitas, honor et gloria" – "Utility, honour and glory".

**Foreign languages:** English, Spanish, Russian.

**Macdonald-Laurier Program Intern**

**John & Myroslava Yaremko Scholarship** recipient

**Last book read:** "The Life of Benjamin Franklin" – autobiography.

**Favorite book:** The Bible.

**Favorite quote by foreign author:** "...because there is no effort without error and shortcoming; but who does actually strive to do the deeds; who knows great enthusiasms, the great devotions; who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who neither know victory nor defeat." – Theodore Roosevelt.

**Favorite quote by Ukrainian author:** "Я жива, і буду вічно жити, бо в серці маю те, що не вмирає" – Леся Українка.

**Favorite musical recording:** "Я не здамся без бою" – Святослав Вакарчук.

**Outstanding landmark or architecture in Ukraine:** **SOFIYIVSKIY PARK.** It is one of the world's most famous garden-park art creations. There are many scenic areas including waterfalls, fountains, ponds and a stone garden. It is one of the most famous examples of late 17th or early 18th century European landscape garden design that has been preserved to the present time.



MP Ted Opitz and Maksym Synytsya, CUPP 2014 Intern.

**Daria PANKRATOVA****Born in:** Kyiv, Ukraine.**Hometown:** Kyiv.**National University of Kyiv-Mohyla Academy** was established in 1615. Faculty of Social Sciences and Social Technologies, Department of Sociology.**Motto of University:** "Tempus fugit, Academia sempiterna." – "Час плине, Києво-Могилянська Академія вічна" – "Time passes, Kyiv Mohyla Academy remains eternal".**Foreign languages:** English, Russian, Turkish, French.**Intern to Stella Ambler**, MP for Mississauga South, Ontario.**2014 Dr. Yuri & Dr. Oksana Fedyna Scholarship** recipient**Last book read:** "The Elephant in the Room: Silence and Denial in Everyday Life" by Eviatar Zerubavel.**Favourite quote by Ukrainian author:** "У щастя людського два рівних є крила: Троянди й виноград, красиве і корисне" – Максим Рильський; "Human fortune has two equal wings: Roses and grapes, beautiful and useful" – Maksym Rylskiy.**Favourite quote by foreign author:** "What lies behind us and what lies before us are tiny matters compared to what lies within us" – Oliver Wendell Holmes.**Favourite musical recording:** Млада – "Весно моя".**Outstanding landmark or architecture in Ukraine:****The fortress of Khotyn** which is located approximately 70 km away from Chernivtsi. Khotyn is undoubtedly one of the most interesting historical landmarks in Ukraine. It dates from 10<sup>th</sup> century when Khotyn fort was built as a defensive point of the Kyiv Rus' south west border. The fortress of Khotyn has witnessed many heroic battles and feats, and is especially famous for the Khotyn battle which broke out between united Polish and Cossacks troops and the Ottoman army. Nowadays the fortress belongs to the Reservation of History and Architecture and serves as an open air museum. Khotyn is a great place to enjoy breathtaking scenery and feel the spirit of history.**OLESYA POGORELOVA****Born in** Odesa, Ukraine.**Hometown:** Toronto .**University of Toronto** was established in 1827. Faculty of Economics, and Department of Political Science.**Motto of University of Toronto:** "Tantum Nobis Creditum" – "As a tree through the ages".**Foreign languages:** Ukrainian, French.**Intern to Peter Goldring**, MP for Edmonton East, Alberta.**Malanchuk Family Scholarship** recipient**Macdonald-Laurier Program Intern****Last Ukrainian author read:** "Останній Постріл" – Роман Колісник.**Last book read:** "The Wealthy Barber Returns" – David Chilton.**Favourite quote by Ukrainian author:** "Не завидуй багатому, Багатий не знає. Ні приятні, ні любові – Він все те наймає"; "Do not be jealous of the rich one, the rich one does not know. No goodness, no love – He hires for those" – Taras Shevchenko.**Favourite quote by foreign author:** "The simple things are also the most extraordinary things, and only the wise can see them." – Paulo Coelho.**My favourite musical recording:** "Another World" – One Direction.**Outstanding landmark or architecture in Ukraine:** Hoverla Mountain is the highest mountain in Ukraine and is part of the Carpathian Mountains. It is located in the Eastern Beskids, in the Chornohora region. The mountain is a great tourist attraction and since the 20<sup>th</sup> century has been gaining popularity as an extreme sports site. As someone who has climbed the mountain I can honestly say it's one of the most beautiful places in Ukraine.

**Maksym POPOVYCH****Born in:** Novyy Rozdil, Ukraine.**Hometown:** Kyiv.**Leiden University** was founded in 1575 by William, Prince of Orange. Leiden Law School. Advanced LL.M in European and International Business Law.**Motto of University:** "Praesidium Libertatis" - "Bastion of Freedom".**National University of Kyiv-Mohyla Academy** was founded in 1615. Faculty of Law, LL.B.**Motto of University:** "Tempus fugit, Academia Sempiterna" - "Time passes, the Academy is eternal" - "Час плиний, Києво-Могилянська академія - вічна".**Foreign languages:** English, French, Russian, Dutch.**Intern to James Bezan**, MP for Selkirk-Interlake.**Michael Luchkovich Scholarship** recipient**Last book read:** "Les Misérables" by Victor Hugo.**Favourite quote by Ukrainian author:** "Немає нічого страшнішого за необмежену владу в руках обмеженої людини" - Василь Симоненко; "There is nothing more dangerous than unlimited power in the hands of a trivial mind" - Vasyl Symonenko.**Favourite quote by foreign author:** "Strive not to be a success, but rather to be of value" - Albert Einstein.**Favourite music recording:** "Caruso" by Lucio Dalla.**Outstanding landmark or architecture in Ukraine:****Chernivtsi National University** - The main campus of the university is on the list of UNESCO World Heritage Sites. The architectural ensemble serves also as the Residence of the Bukovyna and Dalmatian Metropolitans. Undoubtedly, the campus is a top attraction in Chernivtsi. It is also a powerful representation of the multiculturalism of Bukovyna. The University is given national status nowadays and is a member of the European University Association.**Denys SAMOILENKO****Born in :** Kharkiv, Ukraine.**Hometown:** Kharkiv.**National University of "Kyiv-Mohyla Academy".**

Faculty of Social Sciences and Social Technologies, Department of Political Science.

**University of Kharkiv** (Vasyl Karazin National University of Kharkiv) was established in 1804.

Faculty of History, Department of Modern and Contemporary History.

**Motto of University:** "Cognoscere, docere, erudire." - "Learn, teach, educate".**Foreign languages:** English, Polish, German, Dutch, Russian.**Intern to Bev Shipley**, MP for Lambton-Kent-Middlesex, Ontario.**Josef & Maria Siecinsky Scholarship** recipient**Last Ukrainian author read:** "From facebook & glamor to Wikileaks and media-communications." by Heorhiy Pocheptsov.**Last foreign author read:** "The Future of Power" by Joseph Nye S. Jr. At the global information age is rendering these traditional markers of power. And it goes along with the power shifting decisively toward commercial systems. In short, the changes in politics and communication over the past dozen years have tended on balance to enhance the applicability of the power model in the world. The increase in corporate power and global reach, the mergers and further centralization of the resources, and the decline of public broadcasting, have made a new configuration of power systems.**Favourite quote by Ukrainian author:** "Коли поетові бракне повітря, він помирає, а коли бракне свободи, він перетворюється на пророка." - Юрій Вінничук.**Favourite quote by foreign author:** "I am not bound to win, but I am bound to be true. I am not bound to succeed, but I am bound to live by the light that I have. I must stand with anybody that stands right, and stand with him while he is right, and part



with him when he goes wrong.” – Abraham Lincoln, “America will never be destroyed from the outside. If we falter and lose our freedoms, it will be because we destroyed ourselves.” – Abraham Lincoln.

**Favourite musical recording:** Pink Floyd – “Another Brick in the Wall”.

**Outstanding landmark or architecture in Ukraine:** **Kharkiv National University** V. N. Karazin Kharkiv National University is one of the oldest universities in Eastern Europe. The University was founded in November 1804, on the initiative of the prominent educator V.N. Karazin. The University community contributed a lot for raising up of Ukrainian sovereign state. Namely due to that fact Kharkiv became the major defender of Ukrainian culture in the East. The history of Kharkiv National University is associated with well-known Ukrainian personalities such as P. Hulak-Artemovskiy, M. Kostomarov, O. Potebnya, H. Skovoroda and many others.

**Favourite quote by a Ukrainian author:** “Судить серцем а не по обличчю” – Григорій Сковорода; “Judge by the heart and not by the face” – Hryhoriy Skovoroda.

**Favourite quote by a foreign author:** “The illiterate of the 21st century will not be those who cannot read and write, but those who cannot learn, unlearn, and relearn” – Alvin Toffler.

**Favourite musical recording:** ‘Hej Sokoly’ – a famous Ukrainian folk song.

**Outstanding landmark or architecture in Ukraine:** the Sviatohirsk Lavra or the Sviatohirsk Cave Monastery (Ukrainian Свято-Успенська Святогірська Лавра) is a historic Orthodox Christian monastery near the city of Sviatohirsk in Donetsk Oblast of eastern Ukraine. The monastery is located on the right bank of the Seversky Donets River. The name comes from the hill on which it sits – Sviatohirsk or Holy Hill.



### Artem SHAIPOV

**Born in:** Artemivs'k, Ukraine.

**Hometown:** Artemivs'k.

**Taras Shevchenko National University of Kyiv,** Law Faculty, established in 1834.

**Motto of University:** “Utilitas honor et Gloria” – ‘Utility honor and glory’.

**University of Cambridge,** Law Faculty, established in 1209.

**Motto of University:** “Hinlucem et pocula sacra” – “From here, light and sacred draughts”.

**Foreign languages:** English, Russian, Chinese, German.

**2013 Model Ukraine White Paper Committee participant in Ottawa.**

**Intern to Mark Adler,** MP for York Centre.

**John Sopinka Scholarship** recipient

**Last book read:** ‘The Art of Thinking Clearly’ by Rolf Dobelli.



### Vasylysa SHEININA

**Born in:** Kharkiv, Ukraine.

**Hometown:** Ramat Gan, Israel.

**University of Kharkiv;** Vasyl Nazarovych Karazin Kharkiv. National University was established in 1804, Faculty of Philology, department of General and Applied Linguistics. Bachelor of Arts in Applied Linguistics.

**Motto of University:** “Cognoscere. Docere. Erudire” – “Пізнавати. Навчати. Просвіщати” – “To learn. To educate. To enlighten”.

**Foreign languages:** Russian, English, German, Hebrew.

**Intern to Larry N. McGuire,** MP for Brandon-Souris  
**Mazurenko Family Scholarship** recipient

**Last book read in Ukrainian:** “Голова Якова” – Любко Дереш; “Jacob’s Head” by Lubko Deresh.

**Last book read in English:** “The Seven Habits of Highly Effective People” by Stephen R. Covey.

**Favourite quote by a Ukrainian author:** “О, коли

бми в ганебних справах були такі ж соромливі і боязкі, як це часто ми буваємо боязкі і хибно соромливі у порядних вчинках!" – Григорій Сковорода; "Oh, if we were as shy and timid in disgraceful doings as we often falsely are in decent deeds!" – Hryhoriy Skovoroda.

**Favourite quote by foreign author:** "Never, never, never give up" – Sir W. Churchill.

**Favourite musical recording:** "Thank you" by Dido Armstrong, "Taka yak ty", "Yayidudodomu", "Vid-pusty" by OkeanElzy, "Vesna" by 5'nizza.

**Outstanding landmark or architecture in Ukraine:**

**Taras Shevchenko Monument in Kharkiv.** This monument was chosen as the #1 wonder of Kharkiv and does deserve the rank. The monument created by sculptor MatveyManizer and architect Yosef Langbard was erected on the 24<sup>th</sup> of March 1935 in the Shevchenko city park. The composition is more than 16 meters high; the height of the poet's sculpture is 4.5 meters. It was created in a social realism style with some elements of Stalin Baroque. The figure of the Kobzar symbolizes the struggle for justice and rights of the people. A sculptural group of workers and peasants surrounds the statue of Shevchenko. There are 16 figures. Part of them symbolizes heroes of Shevchenko's poems who struggled for freedom and equality, while the rest are representing revolutionaries: a miner, a collective farmer, a Red Army soldier and a woman – all of them are characters of the Soviet epoch. There are a few local legends regarding the monument. According to one of them rubbing a toe of one of the monument's figures brings luck. Another legend says that those who will find a dray wheel in the construction of the monument can make a wish and it will come true (and I always suggest that my guests try to find it when they come to visit Kharkiv). This monument is considered to be one of the most beautiful and meaningful sculptures of the Kobzar in the world, and I hope that it will be preserved by future generations of Ukrainians as a symbol of our love for freedom and democratic values.



**Varvara SHMYGALOVA**

**Born in:** Kyiv, Ukraine.

**Hometown:** Kyiv.

**National University of "Kyiv-Mohyla Academy"**

was established in 1615. Faculty of Social Sciences and Social Technologies. Department of Political Science.

**Motto of University:** "Tempus fugit, Academia sempiterna" – 'Time passes. Kyiv-Mohyla Academy is eternal' – "Час плінний, Києво-Могилянська академія – вічна".

**Foreign languages:** English, Russian, French (basic).

**Intern to Hon. Laurie Hawn, MP for Edmonton Centre, Alberta.**

**2014 Tetiana Mackiw Scholarship recipient**

**Last book read:** "A Time to Love and a Time to Die" by Erich Maria Remarque.

**Favourite quote by Ukrainian author:** "Свободане може бути дозованою" – Ірен Роздобудько; "Freedom can't be partial" – Iren Rozdobudko, "Жах не в тому, що щось зміниться, – жах у тому, що все може залишитися так само" – Ліна Костенко; "Horror is not in that things will change, but in that things will remain the same" – Lina Kostenko.

**Favourite quote by foreign author:** "If you truly want something, sooner or later you will receive it" – Joanne Harris, "Being powerful is like being a lady. If you have to tell people you are, you aren't" – Margaret Thatcher.

**Favourite musical recording:** Океан Ельзи "Вставай", Zaz "J'Aime A Nouveau".

**Outstanding landmark or architecture in Ukraine:** **Kyiv Landscape Alley** is a significant and outstanding creative area. The alley replaced the ruined defensive walls of the Upper Town, which situated over the Honchary natural boundary. It starts behind the National Museum of Ukrainian history and extends up to the buildings №№ 36 and 40 on the Great Zhytomir-ska street. It was founded by architect Avraam Miletskiy in the early 1980s. Since the year 2009 famous Kyiv sculpture Konstantin Scretutskiy has begun the

reconstruction and transfiguration of the Landscape Alley. He populated it with a variety of fantastic characters: cats with plenty of feet, elephant-fountains, giant sparrows, multicolored baby dolls and green rabbits. Landscape Alley is a perfect place to enjoy the picturesque vista of the Dnipro River and old Podil. The Alley is my favorite spot for meeting with friends, and it is enjoyable to read a book on one of its artist's artistic benches. Lots of people used to take a picture or even have a photo session here, among the grass, trees, fountains and fantastic characters. Furthermore, a visitor of the Landscape Alley during the summer time on Thursdays and Fridays is able to watch a movie in the Lab Garage – another creative space with the cinema in the open air, for free. All the above mentioned makes Kyiv Landscape Alley mandatory “a must see” for everyone.



Turun yliopisto  
University of Turku

### **Liliya SHMYHEL'SKA**

**Born in:** Lviv, Ukraine.

**Hometown:** Lviv.

**University Pompeu Fabra, Barcelona.** Faculty of Political and Social Sciences: Bachelor's Degree in Political and Administrative Science. The University was established in 1990 upon the initiative of the Government of Catalonia to promote principles of freedom, democracy, justice, equality and independence.

**University of Turku, Finland.** Finnish-Nordic Society and Culture (Erasmus). It is Finland's first Finnish university established in 1920.

**Motto of University:** “From a Free People to Free Science and Learning”.

**Foreign languages:** English, Spanish, Catalan, Russian.

**Intern to Harold Albrecht,** MP for Kitchener-Conestoga.

**Emil Telizyn Scholarship** recipient

**Last book read:** “Oscar and the Lady in Pink” by Éric-Emmanuel Schmitt.

**Favourite quote by Ukrainian author:** “Якби ви вчилися так, як треба, / То й мудрість була би своя.” – Тарас Шевченко; “If you study as well as you should, then you would have your own wisdom” – Taras Shevchenko.

**Favourite quote by foreign author:** “The weak can never forgive. Forgiveness is the attribute of the strong” – Mahatma Gandhi.

**Favourite musical recording:** Океан Ельзи “Я їду додому”, “Carol of the Bells” Kvitka Cisyk, George Moustaki – “Ma liberté”, Andrea Bocelli – “Canto Della Terra”, U2 – “Beautiful day”.

**Outstanding landmark or architecture in Ukraine:**  
**Lions of Lviv/Rynok Square.** **Lions of Lviv:** Through centuries, my city has had plenty of names. When the Poles took over the land, the place became known as Lwow. Between the 18<sup>th</sup> and 20<sup>th</sup> centuries when the city was under the Austro-Hungarian Empire, they called it Lemberg. On the other hand, some Latin books christened it as Leopoldis. However, the original name Lviv has a beautiful history and unusual translation. In 13<sup>th</sup> century King Danylo Halytsky founded a hill-top fort here for his unique son whose name was Lev, which in Ukrainian means “lion”. Since that, the place was called “the city of Lion's” or Lviv and has always taken this animal as its symbol. Nowadays, Lviv has more than 4500 sculptures of lions. They impress in their astonishing variety: there are lion sages and visionaries, formidable and meek, those that chew grapes or those that even have wings to fly. All of these sculptures make the architecture of the city exceptionally charming and mysterious. As lions embody courage, the locals believe that they protect Lviv. It says that all honourable citizens who had defended or contributed to Lviv's development, after passing away, became lions in order to stay guardians of their city forever. **Rynok Square.** Rynok Square also known as Market Square is in the heart of Lviv surrounded by approximately fifty unique architectural monuments which date back to the 16-20<sup>th</sup> centuries. They are all listed by UNESCO as World Heritage sites. Firstly, the Square appeared in the 14<sup>th</sup> century when German colonists laid the foundations for a classical European town with a traditional market (rynok) space. The Polish king desired to build a town according to the most innovative technologies of the time, and for that he invited builders from Germany. In the following centuries the architectural perfection of Rynok Square was completed by Italian and Austrian architects. Nowadays, Rynok Square continues to be the center of Lviv's social, economic and cultural life. For its citizens, this is the place where history meets modernity and the coziest part of Lviv.



**Christina SHOUP****Born in** Toronto, Ontario.**Hometown:** Toronto, Ontario.**University of Toronto** – English, Political Science, and History.**Languages:** English and Ukrainian.**Intern to Jay Aspin, MP** for Nipissing–Timiskaming, Ontario.**Atamanchuk Family Scholarship** recipient**Ukrainian National Youth Federation** National Secretary, West Toronto branch President.**Last Ukrainian author read:** *Yellow Boots* – Vera Lysenko.**Last foreign author read:** *As You Like It* – William Shakespeare.**Favorite English quote:** “One day your life will flash before your eyes; make sure it’s worth watching.” – Unknown.**Favorite Ukrainian quote:** “Не той дурний, хто не знає... але той, хто знати не хоче.” – Григорій Сковорода.**Favorite musical recording:** *Cop Car* by Keith Urban.**Favorite Ukrainian musical recording:** *Play Me, Musician* by Ruslana Lyzhychko.

**Brief Biography:** In the past three years I have become more involved in the Ukrainian community in Canada through the Ukrainian National Youth Federation, beginning as National and West Toronto branch secretary and moving on to become branch president. My current occupation is at Transport Canada in Aviation Security as part of the Federal Student Work Experience Program. I very much enjoy working and contributing to Canada’s transportation system. Once graduated from the University of Toronto, I hope to use the knowledge I have gained from my experience with Transport Canada and the MLP program to continue working for the Government of Canada.

**Andrii SOROKHAN****Born in:** Chernivtsi, Ukraine.**Hometown:** Kyiv, Ukraine.**University:** Kyiv School of Economics was established in 1996 by Indiana University Economics faculty members at the National University Kyiv-Mohyla Academy, Faculty of Economics, and M.A in Financial Economics.**University:** Yurii Fedkovych National University of Chernivtsi was established in 1875 by Emperor Franz Josef and in 1989 named after the famous Ukrainian writer Yuriy Fed'kovich, College of Economics Science, Department of economic and mathematical modeling.**Moto of University:** “Vivat Academia!” – “Хай живе університет!” – “Long live the university!”**Foreign Languages:** English, Russian.**Intern to Mike Warawa, MP** for Langley.**Daria Telizyn Scholarship** recipient**Last book read:** Viktor Frankl “Man’s search for meaning”.**Favorite quote by Ukrainian author:** “Світло відкриває нам те, про що ми у темряві лише здогадувалися.” – Григорій Сковорода; “The light reveals us to what we were trying to guess in the dark” – Hryhorii Skovoroda.**Favorite quote by foreign author:** “Everybody is a genius. But if you judge a fish by its ability to climb a tree, it will live its whole life believing that it is stupid.” – Albert Einstein**Favorite musical recording:** George Ezra – “Budapest”.

**Outstanding landmark of architecture in Ukraine:** Central Square is the heart of one of the most beautiful cities in Eastern Europe and Bukovina Region -- Chernivtsi. Ancient twisting streets broken by tight turns stretch to the mountains from the river Prut. On gentle terraces they form a dense street net which is cut by wide roads heading for the Central square of Chernivtsi. Central Square was founded on the initiative of Austrian Emperor Joseph II, who had been to

Chernivtsi before and gave an order to local authorities to construct a proper square for market and fair organization.



### **Pavlo SOROKIN**

**Born in:** Kyiv, Ukraine.

**Ukrainian State University of Finance and International Trade (USUFIT)** established in 2007. Major studied International Economics and Management.

**Foreign languages:** English, Russian, German.

**Intern to Hon. Jason Kenney**, MP for Calgary Southeast.

**John & Myroslava Yaremko Scholarship** recipient

**Last book read:** Jerome David Salinger "The Catcher in the Rye".

**Favourite quote by English author:** "Our doubts are traitors, and make us lose the good we oft might win, by fearing to attempt." (William Shakespeare).

**Favourite quote by a Ukrainian author** (in both English and Ukrainian): "Світ ловив мене, та не спіймав" – Григорій Сковорода; "The world caught me, but it didn't" – Hryhorii Skovoroda.

**Favourite musical recording:** Gary Jules – "Mad World".

**Outstanding landmark or architecture in Ukraine:** **St. Michael's Golden-Domed Cathedral** is a functioning monastery in Kyiv, which is located in the center of the capital. The Cathedral was built in 1108-1113 by the grandson of Yaroslav the Wise, Prince of Kyiv – Sviatopolk Izyaslavich. It's a 6 Cross-domed church with three naves and a gilded dome. The church was 7-domed in the early 20<sup>th</sup> century. St. Michael's Cathedral was built with stone and brick on lime solution technique "mixed masonry". The walls of the cathedral are decorated with mosaics and frescoes. It was one of the largest cathedrals of ancient Kyiv.



### **Maksym SYNNTSA**

**Born in:** Kherson, Ukraine.

**Hometown:** Kyiv.

**Kyiv-Mohyla University (National University of "Kyiv-Mohyla Academy")** was established in 1615. Faculty of Economics, Department of Economic Theory.

**Motto of University:** "Tempus fugit, Academia sempiterna" – "Час плинний, Києво-Могилянська академія – вічна" – "Time passes. Kyiv-Mohyla Academy is eternal".

**National Academy of Public Administration**, Office of the President of Ukraine. Higher School of Public Administration. Master Program in Public Administration.

**Motto of University:** "Patria et honor" – "Вітчизна та честь" – "Motherland and honor".

**Foreign languages:** English, German, Russian.

**Achievements: 2014, Roman Tychkivskyy, CUPP 2014.**

**(Kyiv-Mohyla University). Scholarship** recipient  
**Intern to Ted Opitz**, MP for Etobicoke Centre.

**Sen. John Ewasew Scholarship** recipient

**Last book read:** "To the Efficient Societies: Guides to the Future." by Bohdan Havrylyshyn.

**Favourite quote by Ukrainian author:** "Учітесь, читайте, і чужому научайтесь, й свого не цурайтесь" – Тарас Шевченко; "Learn, read, and learn from others but don't deny your own wisdom" – Taras Shevchenko.

**Favourite quote by foreign author:** "To strive, to seek, to find and not to yield" – Alfred Lord Tennyson.

**My favourite musical recording:** Trust Company "Stronger", Linkin Park "What I've done", George Michael "Last Christmas".

**Outstanding landmark or architecture in Ukraine:** **Askania-Nova** is a biosphere reserve and sanctuary located in my native Kherson Oblast, Ukraine, within the dry Taurida steppe near Oleshky Sands. The reserve consists of a zoological park, a botanical (dendrological) garden, and an open territory of virgin

steppes. The nature reserve was established in 1898 by Friedrich-Jacob Eduardovych Falz-Fein around the German colony of Askania-Nova in Tavriia. It was one of the first private reserves in Ukraine. In 1983, Askania-Nova was reorganized into a biosphere reserve and the following year it was designated as the Soviet member of the World Network of Biosphere Reserves of UNESCO. The reserve consists of the acclimatization zoo, arboretum, and virgin steppe sanctuary – the last such area in Europe and has a total area of 825 km<sup>2</sup>. The Askania-Nova wetland Great Chapli Depression is registered on the International list of the Ramsar Convention and has an area of 4x6 km. In 2008, Askania was named one of the Seven Natural Wonders of Ukraine.



**Anna URUKOVA**

**Born in:** Pavlograd, Dnipropetrovsk region, Ukraine. **Hometown:** Pavlograd.

**Education:** *Erasmus Mundus Action 1 Joint Degree Master Program: Master of Arts in Economics of Globalization and European Integration.*

**1) Xiamen University, China** (est. 1921). Wang Yanan Institute for Studies in Economics.

**2) University of Antwerp, Belgium** (est. 2003). Department of Applied Economics.

**3) University of Bari "Aldo Moro"** (est. 1925). Department of Economic Science and Mathematic Methods. Bachelor's degree in International Economics.

**National Technical University of Ukraine "Kyiv Polytechnic Institute"** (est. 1898). Faculty of Management and Marketing.

**Erasmus Mundus Action 2 EMERGE exchange program.**

**University of Graz, Austria** (est. 1585). Faculty of

Business Administration.

**Foreign languages:** English, German, Russian, Polish, Chinese, Italian.

**Intern to Ève Péclet**, MP for La Pointe-de-l'Île, Quebec.

**Atamanchuk Family Scholarship** recipient

**Last Ukrainian author read:** Володимир

Винниченко – "Білий ведмідь та чорна пантера";

Volodymyr Vynnychenko – "White bear and black panther".

**Last foreign author read:** Dambisa Moyo "Dead Aid".

**Favourite quote by Ukrainian author:** "Найвища краса – це краса вірності. Люди, які накидаються на все, які розмінюють свої почуття направо і наліво, кінець кінцем мусять відчувати себе злидарями" – Олесь Гончар; "The greatest beauty is the beauty of faith. People, who rant about everything, who fritter away their energy, must feel in the end as paupers" – Oles Honchar.

**Favourite quotes by foreign author:** "Education is the most powerful weapon which you can use to change the world", "I learned that courage was not the absence of fear, but the triumph over it. The brave man is not he who does not feel afraid, but he who conquers that fear" – Nelson Mandela.

**Favourite musical recordings: Ukrainian –**

Бумбокс – "Вона носила квіти в волоссі", Океан

Ельзи – "Не питай", Скрибін – "Люди як кораблі",

**Foreign –** Junkie XL "Divergent" soundtracks, Ed Sheeran – "I see fire".

**Outstanding landmark or architecture in Ukraine:**

**House with Chimaeras** is an Art Nouveau building, located in the center of Ukraine's capital city of Kyiv. Adjacent to the President of Ukraine's office, it serves nowadays as a presidential residence for official and diplomatic ceremonies, but initially it was built by the Ukrainian architect Vladislav Gorodetsky as his own upmarket apartment building (1901-1902). The building bears the name "House with Chimaeras" not only because of ornate decorations of strange, creepy animals, which were born in the imagination of Italian architect Emilio Sala, who worked with Gorodetsky, but also because of the architectural style known as chimaera decoration in which animal figures are applied as decorative elements to the building. Due to his unique style Gorodetsky was dubbed the Gaudi of Kyiv.





**Anastassia VITKOVITSKY****Born in Yaroslavl, Russia.****Hometown:** Toronto, Canada.**Languages:** Ukrainian, English, Russian.**York University, Faculty of Liberal Arts and Professional Studies – Professional Writing.****Intern to Robert Goguen, MP for Moncton–Riverview–Dieppe, New Brunswick.****Humeniuk Family Scholarship** recipient**Macdonald Laurier Program Intern****Last Ukrainian author read:** Nikolai Gogol's "Taras Bulba".**Last foreign author read:** Truman Capote's – "In Cold Blood".**Favourite Quote:** "The days pass, the nights pass, / As does summer. Yellowed leaves / Rustle, eyes grow dim, / Thoughts fall asleep, the heart sleeps, / All has gone to rest, and I don't know / Whether I'm alive or will live, / Or whether I'm rushing like this through the world, / For I'm no longer weeping or laughing..." – Taras Shevchenko.**Favourite Song:** Океан Ельзи – Стріляй.**Outstanding Landmark or Architecture:** The city of Lviv – with its abundant contents of remarkable architecture – is in itself an outstanding landmark in Ukraine. It entails both Ukrainian and Italian sculptural and architectural styles of design. In fact, the Ivan Franko Park – the oldest park of Ukraine – was laid out in Lviv by Italians who also refined much of the city after the Great Fire in 1527. Lviv's city streets are an ancient maze of mosaic; brick tiles pave winding walkways piece by piece. Stone gargoyles, kings, warriors, damsels and lions ornament every corner throughout the city, emanating an air of ancient Rome. Amongst the city's modern nightlife venues, cultural sites of libraries, theaters, cathedrals and magnificent fountains stand at large. At night, grave shadows crawl up their profiles from the showcasing lights beaming up at them. Lviv's built-in beauty gives the city the individuality and prestige to portray the soul and history of Ukraine on a global scale. Its air laced with the alluring clash of both modern and antique, Lviv hypnotises and mystifies both tourists and its residents.**Arsen YEVCHUK****Born in:** Lutsk, Volyn region, Ukraine.**Hometown:** Odesa.**National University "Odesa Law Academy"** was established in 1847. Institute of Prosecution and Investigation, Law Department.**Motto of University:** "Vivat Academia!" – "Слава Академії!"**Foreign languages:** Russian, English.**Intern to Bal Gosal, MP for Bramalea–Gore–Malton, Ontario.****Edward Schreyer Scholarship** recipient**Last book read:** "The Hunger Games" by Suzanne Collins.**Favourite quote by Ukrainian author:** "Роби справу чесно, з душею – і твоє до тебе прийде. Це не означає, що завтра з'являться золоті гори. Треба бути терплячим, але істину золотих слів для нинішнього покоління закривають золоті гори" – Богдан Ступка.**Favourite quote by foreign author:** "No one is useless in this world who lightens the burdens of another" – Charles Dickens.**Favourite musical recording:** Океан Ельзи "Така, як ти".**Outstanding landmark or architecture in Ukraine:** Shatsky Lakes. Shatsky Lakes is one of the most wonderful places in Ukraine. It appeared more than 10 thousand years ago when the last continental glaciers contracted. There are tens of crystal-clear lakes with unsurpassed beauty that are filled with water from artesian sources. The largest and deepest lake of Ukraine, Svityaz (is approximately 30 m<sup>2</sup>, deep is 57 m square) is one of them. In the middle of the lake you can see the small island with a great number of beautiful plants. Local people say that there exists a path that helps to come from the bank to the island on foot. The lake is surrounded by exotic flowers. Pure air, beautiful landscapes and charming silence makes Shatsky Lakes my favourite place to escape from the harshness of the city.

**Petro ZALIZNIAK****Born** Lviv, Ukraine.**Hometown:** Lviv.**University of Kyiv** (Taras Shevchenko National University of Kyiv) established in 1827, Faculty of Law, Department of Land and Environmental Law.**Motto of University:** "Utilitas, honor et gloria" – "Utility, Honour, and Glory".**Intentional University College of Turin**, Italy, established in 2006, LLM and MSc in Comparative Law, Economics and Finance Programs.**Harvard University**, Harvard School of Law, established in 1636.**Motto of University:** "Veritas"; "Truth"; "Правда".**Foreign languages:** English, French, Italian, Russian.**Achievements:** 2013 Olya HALYABAR, CUPP 2004, (Danylo Halyts'kyj Medical University) & Jerry LUCAS Scholarship recipient**Intern to Hon. Wayne Easter**, MP for Malpeque.**Walter Surma Tarnopolsky Scholarship** recipient**Last Ukrainian author read:** Pavlo Zahrebelniy "Miracle"; Павло Загребельний "Диво".**Last book read:** "Steve Jobs" by Walter Isaacson.**Favourite quote by English author:** "If you hear a voice within you say, 'You cannot paint,' then by all means paint and that voice will be silenced" by Vincent van Gogh.**Favourite quote by a Ukrainian author:** "It is high time for us to live for Ukraine" by Ivan Franko; "Нам пора для України жити" – Іван Франко.**Favourite musical recording:** "My Ukraine" by Natalia Buchynska.**Outstanding landmark or architecture in Ukraine:** Saint Michael's Cathedral in Kyiv, Ukraine. St. Michael's Cathedral is located opposite Saint Sophia's Cathedral. The original, built by Kniaz Sviatopolk in 1108, was destroyed by the Soviet regime in the 1930s for having "no historical value." The reconstructed cathedral was completed in May 2000. Its sky blue exterior and glittering golden domes add a stunning layer

to a cityscape that has become a mix-mash of crumbling ancient and newer constructions. A sobering reminder of Stalin's inhumane policies stands to the right as you exit the church grounds. This is a monument to the victims of Holodomor (starvation): A famine orchestrated in part by the Soviet leadership in an attempt to squash the peasantry, as many as 10 million Ukrainians perished from 1932-33. Keeping watch over the square are the reconstructed statues of Princess Olga, Apostle Andrew, St. Cyril and St. Mephodus.

**Viktoriia ZALOZNA****Born in:** Kyiv, Ukraine.**Hometown:** Kyiv.**Maastricht University** was established in 1976. Faculty of Arts and Social Sciences. Master in European Studies.**Motto of University:** "Leading in Learning".**Kyiv-Mohyla University** (National University of "Kyiv-Mohyla Academy") was established in 1615. Faculty of Social Sciences. Bachelor in Political Science.**Motto of University:** "Tempus fugit, Academia sempiterna" – "Час плинний, Києво-Могилянська академія – вічна" – "Time passes. Kyiv-Mohyla Academy is eternal".**Foreign languages:** English, French, Russian.**Intern to Robert Goguen**, MP for Moncton-River-view-Dieppe.**Sen. Denise Batters Scholarship** recipient**Last book read:** "Atlas Shrugged" by Ayn Rand.**Favourite quote by Ukrainian author:** "Терпіння кайдани – то всесвітський сором, забути їх, не розбивши, – гірший сором" – Леся Українка; "Bearing chains – is worldwide shame, Forgetting them without breaking – is a worse shame" – Lesya Ukrainka.**Favourite quote by foreign author:** "Who controls

the past controls the future. Who controls the present controls the past" – George Orwell.

**My favourite musical recording:** Maybeshewill – "Not for Want of Trying", Enter Shikari – "System", The Kooks – "Sway".

**Outstanding landmark or architecture in Ukraine:** **Saint Sofia Cathedral, situated in the heart of Kyiv**, is one of the main landmarks of Christianity in Ukraine. The name of the Church comes from Hagia Sofia Situated in Constantinople. Its foundations were laid in the early 11th century. The Cathedral contains original mosaics and wall paintings of the Byzantine tradition. Also, the first library in Kyivan Rus was created by Yaroslav the Wise on the territory of the Saint Sofia. The great value of this landmark is not only its significant cultural role but also its immense political and social symbolism. Nowadays, it is the home of the Kyiv Patriarchate of the Ukrainian Orthodox Church which signifies its independence from the Moscow Patriarchate. In addition, the Cathedral is a UNESCO World Heritage site. Therefore, Sobor Sviatoyi Sofiyi is a great symbol of Ukrainian religious, cultural traditions, history and independence.



**Denys ZBOROSHENKO**

**Born in:** Kyiv, Ukraine.

**Hometown:** Kyiv, Ukraine.

**National University of Kyiv-Mohyla Academy** was established in 1615. Faculty of Law.

**Motto of University:** "Tempus fugit, Academia sempiterna" – "Час плинний, Києво-Могилянська академія вічна" – "Time passes. Kyiv-Mohyla Academy remains eternal".

**Foreign languages:** English, Russian.

**Intern to Gerald Keddy**, MP for South Shore–St. Margaret's, Nova Scotia.

**Ramon Hnatyshyn Scholarship** recipient

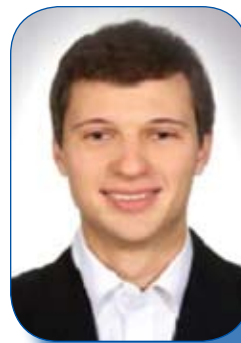
**Last book read:** "Parallel Lives" by Plutarch.

**Favourite quote by Ukrainian author:** "Учітесь, читайте, і чужому навчайтесь, і свого не цурайтесь" – Тарас Шевченко; "Think and read, and to your neighbours' gifts pay heed, yet do not thus neglect your own" – Taras Shevchenko, "З усіх утрат втрата часу найтяжча" – Григорій Сковорода; "Of all the losses the loss of time is the hardest" – Gregory Skovoroda.

**Favourite quote by foreign author:** "A journey of a thousand miles begins with the first step" Lao-Tzu.

**Favourite musical recording:** Eagles – "Hotel California".

**Outstanding landmark or architecture in Ukraine:** **Lakes of Shatsk**, located in Volyn Oblast, are a group of 24 of the most beautiful lakes in Ukraine. They are included to Shatsky National Natural Park and each year attract thousands of tourists who come not only from Ukraine but also from neighboring Belarus and Poland. It is a real miracle that these lakes were skirted by a radioactive cloud from Chernobyl and now constitute one of the most picturesque parts of our country. The biggest lake of the group, Svityz, is also the deepest lake in Ukraine, which is very impressive because 80 % of the lake does not even reach 3 meters in depth. It is said that every lake has its special healing properties which are different from one another. That is why for the best therapeutic effect it is preferable to swim in every major lake at least once during one's vacation.



**Tsezarii ZHYDETSKYI**

**Born in:** Lviv, Ukraine.

**Hometown:** Cologne, Germany.

**University:** National Technical University of Ukraine "Kyiv Polytechnic Institute" was founded in 1898. Faculty of Management and Marketing M.Sc. degree in Economy of Enterprise.

**Moto of University:** "sit primum" – "будь першим" – "be first".



**University:** Ruhr University Bochum was established in 1962. Faculty of Economics M.Sc. degree in Management and Economics.

**Moto of University:** "menschlich – weltoffen – leistungsstark" (Germ.) – "людяний – відкритий для світу – високоефективний" – "People-centered – Cosmopolitan – High-performance".

**Foreign Languages:** English, German, Polish, Russian.

**Intern to Paul Calandra,** MP for Oak Ridges–Markham, Ontario.

**Malanchuk Family Scholarship** recipient

**Last book read:** Ernest Hemingway "For Whom the Bell Tolls".

**Favorite quote by Ukrainian author:** "Життя пройде, немов вода, і відцвіте, немов вишнева гілка... в житті одна помилка – не біда, біда, коли усе життя – помилка." – Л. Костенко; "Life will pass, like water and fade like a cherry branch. One mistake in life – it does not matter, what matters, is when one's whole life – is a mistake" – Lina Kostenko.

**Favorite quote by foreign author:** "veni, vidi, vici"; "I came, I saw, I conquered" – Julius Caesar.

**Favorite musical recording:** Frank Sinatra – "I Love You, Baby".

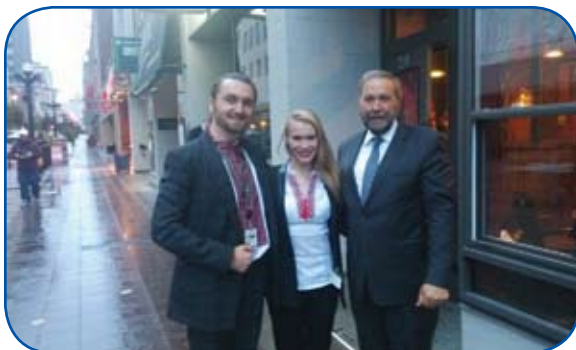
**Outstanding landmark of architecture in Ukraine:** The Dominican church and monastery in Lviv, Ukraine is located in the city's Old Town, east of the market square. In 1749 Józef Pотоcki laid the cornerstone for the present day Baroque church, commonly attributed to Jan de Witte. The church was consecrated in 1764 by the Latin archbishop of Lviv Wacław Hieronim Siemakowski. The Dominicans managed to safely survive through the reign of the Austrian emperor Joseph II, who closed many other monasteries. In 1865 a neo-baroque bell tower was added to the complex. In the years 1885-1914 a controversial renovation of the facade and interior was carried out. After World War II the complex was occupied by soviets, used as warehouse and in the 1970s changed into a museum of religion and atheism. With the collapse of the Soviet Union the church was given to the Ukrainian Greek Catholic Church and now serves as a parish church.



Historian Borys Gengalo on excursion with CUPP 2014 Interns. From L to R: Tsezarii Zhydetskyi, Masha Korolenko, Anna Melenchuk, Iryna Dobrohorska, Oleg Naumenko, Borys Gengalo.



L to R: Denis Samoilenko, Pavlo Sorokin, Denys Zboroshenko, Mykhail Oleksiienko, Maksym Synytsya, Artem Shaipov, Viktoriia Zalozna, Olga Karhanina, Borys Gengalo, Olga Osypchuk, Petro Zalizniak, Andrew Sorokhan.



At Brixton's pub. L to R: Oleksiy Kovalenko, Anna Urukova, Thomas Mulcair (leader of NDP).



Historian Borys Gengalo on excursion with CUPP 2014 Interns.



At Brixton's pub. L to R: Anna Urukova, MP Raymond Cote (NDP), Oleksiy Kovalenko.

**Oleksandra BROVKO**

Khortytsia Island on the Dniper River.

**Anton BURINKOV**

Aktovsky Canyon on the Mertvovod River.

**Iryna DOBROHORSKA**

The Arch Cathedral Basilica of the Assumption of the Blessed Virgin Mary in Lviv.

**Oleh FEDAY**

The Swallow's Nest in Yalta, Ukraine.

**Oleksandra KARABILO**

Ruins of Panticapaeum in Kerch.

**Olga KARKHANINA**

Genoese Fortress in Sudak, Crimea.



**Petro KOCHERHAN**



Zolochiv Castle in Lviv oblast.

**Sofiya KOMINKO**



Perce Rock on the coast of the Gaspesie Peninsula.

**Maria KOROLENKO**



The Tunnel of Love in Klevan.

**Oleksiy KOVALENKO**



St. Sophia Cathedral in Kyiv.

**Nataliia MASLENNYKOVA**



Chersoneses – Greek colony.





**Anna MELENCHUK**



Buky Canyon in the village of Buky in the Cherkasy region.

**Anastasia MELNYK**



South coast of Crimea.

**Lyenyera MYEMYETOVA**



Khan-Dzhami, Yevpatoriya.

**Oleg NAUMENKO**



St. Andrew's Church in Kyiv.

**Vasylyna ODNORIH**



The Lubart's Castle in the old part of Lutsk.

**Mykhailo OLEKSIENKO**



The Odesa National Academic Theater of Opera and Ballet.

**Khrystyna OLIARNYK**



Monastery of Pochaiv in Ternopil region.

**Olga OSYPOCHUK**



St. Andrew's Church in Kyiv.

**Monika OTASOVIIE**



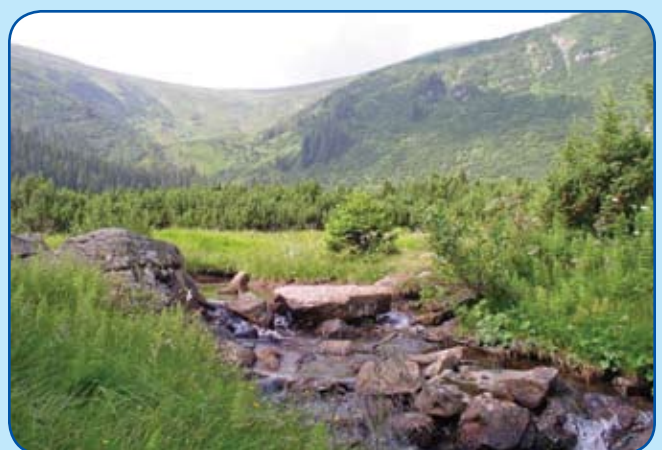
Sofiyivskiy Park.

**Daria PANKRATOVA**



The Fortress of Khotyn.

**Olesya POGORELOVA**



Hoverla Mountain.



**Maksym POPOVYCH**



Chernivtsi National University.

**Denys SAMOILENKO**



Kharkiv National University.

**Artem SHAIPOV**



Sviatohirsk Lavra in Sviatohirsk Cave Monastery.

**Vasylysa SHEININA**



Taras Shevchenko Monument in Kharkiv.



**Varvara SHMYGALOVA**

Kyiv Landscape Alley.

**Liliya SHMYHELKA**

Lions of Lviv on Rynok Square.

**Andrii SOROKHAN**

Central Square in Chernivtsi.

**Pavlo SOROKIN**

St. Michael's Golden-Domed Cathedral in Kyiv.

**Maksym SYNYTSYA**

Biosphere Reserve and Sanctuary Askania-Nova in Tavriia, Kherson oblast.



**Anna URUKOVA**



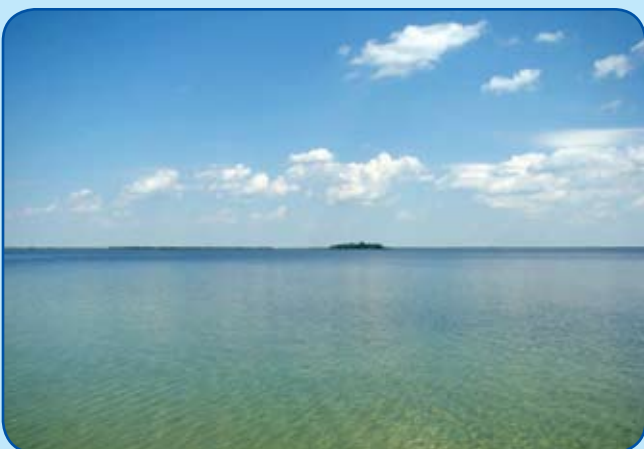
House with Chimaeras in Kyiv.

**Anastassia VITKOVITSKY**



The city of Lviv.

**Arsen YEVCHUK**



Shatsky Lakes.

**Petro ZALIZNIAK**



St. Michael's Cathedral in Kyiv.

**Viktoriia ZALOZNA**



St. Sofia Cathedral in Kyiv.

**Denys ZBOROSHENKO**



Lakes of Shatsk in Volyn oblast.

**Tsezarii ZHYDETSKYI**

The Dominican Church and Monastery in Lviv.

I received a green light from James Bezan to use his quote on our Program in our publications:

*"There is a brilliant internship program on the Hill which empowers young Ukrainians and gives them an opportunity to observe the governance processes in Canada"*

*Member of Parliament  
Selkirk-Interlake, Manitoba*

**Ukraine's Quest for Mature Nation Statehood  
Roundtable/Ukraine's Euro-Atlantic Future:  
International Forum Fusion Event:  
"Divining the Outcome of the EP Summit in  
Vilnius"**

**September 23, 2013  
Washington, D.C.**



CUPP 2014 after arrival at Ottawa on Sep. 10, 2014.  
1st row L to R: A. Shaipov, V. Odnorih, A. Sorokhan,  
T. Zhydetskyi, I. Dobrohorska, A. Melenchuk,  
O. Kovalenko, M. Oleksiienko, D. Samoilenko,  
A. Urukova, P. Sorokin. 2nd row: P. Kocherhan,  
O. Osypchuk, O. Karabilo, K. Oliiarnyk, O. Karhani-  
na, N. Maslennikova, V. Zalozna, V. Sheinina,  
V. Shmygaleva, L. Shmyhelska, D. Pankratova,  
P. Zalizniak, L. Myemyetova. 3rd row: O. Naumenko,  
A. Burinkov, D. Zboroshenko, M. Popovych.



Artem Shaipov, Rev. Petro  
Galadza, Petro Zalizniak.



MP Ed Komarnicki  
and Iryna Dobrohorska.



Petro Kocherhan and MP ..... at .....



# Peace, Order and Good Government: the Canadian Road to the Rule of Law

By **Errol Mendes** (Professor of Law), **Michelle Bloodworth** (Student at Law, University of Ottawa),  
**Andrew Coleman** (Student at Law, University of Ottawa) and **Allan Rock** (Professor of Law and President, University of Ottawa)

## 1. Introduction

This Conference exploring "*Different Roads to the Rule of Law*" provides an opportunity for academics, practising lawyers, senior public servants and others to examine the rule of law in various contexts.

This paper will briefly discuss some aspects of Canada's experience with the rule of law, and especially in relation to our relatively recent constitutional patriation (in 1982). It will refer to our efforts to integrate the rule of law into our country's political, legal and constitutional structure. It will also acknowledge the significant challenges that Canada, like many other countries, faces in living up to this principle's lofty ideals.

While Canada is renowned for its political and constitutional emphasis on "peace, order and good government" (words embodied in the preamble to the *Constitution Act, 1867*, our founding document) Canada has now codified a substantial conception of the rule of law in its modern constitution, in particular in the *Canadian Charter of Rights and Freedoms*.

This paper will touch upon the roots of the rule of law concept, internationally and in Canada, and then examine the influence of our constitutional changes in 1982 on the role and content of the rule of law in our country. It will also discuss Canada's more recent experience with the rule of law, especially as shaped by responses to the global terrorism phenomenon in the past decade.

## 2. The British Common Law and International Roots of the Canadian Rule of Law

The rule of law is the basic principle underlying all legal systems. Though the

ideas that make up the rule of law have roots that reach back into early written history, most people trace the modern concept to the eminent 19<sup>th</sup> century jurist the Honourable A. V. Dicey, who famously outlined three principles that give meaning to the rule of law:

1. The "absolute supremacy or predominance of regular law as opposed to the influence of arbitrary power, excluding the existence of arbitrariness, or prerogative, or even of wide discretionary authority on the part of the government;"
2. Equality "before the law, or the equal subjection of all classes to the ordinary law of the land administered by the ordinary law courts;" and
3. The "rights of individuals as defined and enforced by the courts."<sup>1</sup>

Dicey's definition remains intuitively appealing today. But while he sought to capture the *general* nature of the rule of law, his theory is primarily a manifestation of a particular moment in the history of the British common law tradition. While the contemporary understanding of the rule of law remains indebted to Dicey, the concept has undergone a series of changes since his time.

Even the strongest aspect of Dicey's definition, the form of the rule of law, falls short of present day practice. For example, the idea of rights flowing from the common law of the courts, as opposed to the constitution, sits uncomfortably in a constitutional monarchy, as exists in Canada. The same is true to an even greater extent in the United States, a federal constitutional republic. Additionally, certain facets of Dicey's definition, such as the strict prohi-

bition of delegated power, are foreign to contemporary English law, which accepts as proper the delegation of powers in administrative law. And so, even in common law systems, the leading scholars on the subject prefer modified versions of Dicey's definition, which tend to focus on equality under the law, and other aspects analytically derived from Dicey's definition.

In one of the most succinct and elegant contemporary books on the subject, former Lord Chief Justice of England and Wales, Lord Thomas Bingham describes the core of the rule of law as being "that all persons and authorities within the state, whether public or private, should be bound by and entitled to the benefit of laws publicly and prospectively promulgated and publicly administered in the courts."<sup>2</sup> While Bingham's definition offers a modern and culturally neutral take on the rule of law, it is clearly missing a major facet of Dicey's definition: the emphasis on individual rights. There is good reason for this, as the issue of content has been one of the major points of disagreement over the rule of law.

Those on one end of the spectrum hold that "the rule of law means literally what it says... people should obey the law and be ruled by it."<sup>3</sup> This is sometimes called the "thin," formal, definition of the rule of law, or more derogatorily the *rule by law*. It can be satisfied through any enforceable system of rules that regulates

<sup>2</sup> Thomas Henry Bingham, "The Rule of Law" [The Sixth Sir David Williams Lecture, Cambridge, 16 November 2006] in Francis Neate, ed, *The Rule of Law: Perspectives from Around the Globe* (London, United Kingdom: Reed Elsevier as Lexis Nexis, 2009) at 245.

<sup>3</sup> Francis Neate, "Introduction: A Brief History of the Development of the Concept of the Rule of Law" in Francis Neate, ed, *The Rule of Law: Perspectives from Around the Globe* (London, United Kingdom: Reed Elsevier as Lexis Nexis, 2009) at 6.

<sup>1</sup> AV Dicey, *Introduction to the Study of the Law of the Constitution* (London: Macmillan and Co, 1886) at 202-204.

the actions of its members. The problem is that if the rule of law is reduced to the *rule by law*, then it would lead to the absurd conclusion that apartheid in South Africa and Aryan supremacy in National Socialist Germany followed the rule of law. Short of preventing anarchy, in the most basic sense of the word, there is little benefit to such a system. In fact, the risks that such regimes entailed for large segments of the population—anyone who did not belong to the Afrikaner minority in Apartheid South Africa and anyone who did not belong to the Aryan master race in National Socialist Germany—would have made anarchy preferable. The danger of an exclusively "thin" definition of the rule of law is that if it is reduced beyond a certain point it simply ceases to exist, and as John Locke famously said: "wherever law ends, tyranny begins."<sup>4</sup>

On the other side of the spectrum is the "thick," or substantive, definition of the rule of law. This is a "broad concept that includes democratic principles and ensures [the] protection of individual and minority rights."<sup>5</sup> While this definition is obviously appealing on its face, the problem with the "thick" definition is that "everyone is for it, but has contrasting convictions about what it is."<sup>6</sup>

Ultimately, the rule of law must surely include both formal and substantive aspects; a full understanding of the principle must comprise both the "thin" and "thick" definitions. In this way, *the rule of law* means that (i) the law governs individuals and governments, but also that (ii) the content of the law must meet certain basic standards by protecting individual and minority rights.

The challenge of attaining consensus on this second or *substantive* component of the rule of law becomes difficult in the cross-cultural context, where different and sometimes contrasting conceptions of

rights often clash.<sup>7</sup> But the content of the rights granted by the rule of law is exactly what distinguishes the principle of the rule of law from the mere rule by law. It is by fleshing out the content of the rule of law that equality is reinforced and arbitrary power is limited. This is the challenge that faces statespersons, jurists, and the citizenry at large in the pursuit of the rule of law.

The challenge is not insurmountable. It simply requires openness and a willingness to look beyond superficial differences. For example, countries that follow the civil law, and in particular those that follow the Romano-Germanic tradition, such as Germany, Russia, and the Ukraine, may not necessarily use the term "rule of law"; instead, they may use the term "*Rechtsstaat*." Translated literally, *Rechtsstaat* means "'law governs state'... [t]he...analogue [to] 'rule of law'...a concept meaning the predominance (or supremacy) of legal standards in the life of a civil society and state."<sup>8</sup> Conversely, *Rechtsstaat* implies that the state does not rule the law, but that the law rules the state.

What is important here though is not the specific words used, but the principle pursued. Concepts analogous to the rule of law are found in legal systems throughout the world. And as a result of globalization we are able to communicate with greater frequency and facility than ever before, facilitating a process whereby our diverse perspectives on the law can be shared, and the rule of law everywhere can be strengthened.

In September of 2005, the Council of the International Bar Association ("IBA"), which is representative of 195 bar associations and law societies worldwide, illustrated that global perspective when it passed a resolution describing what had unanimously been agreed upon as the key ele-

ments of the rule of law:

[A]n independent, impartial judiciary; the presumption of innocence; the right to a fair and public trial without undue delay; a rational and proportionate approach to punishment; a strong and independent legal profession; strict protection of confidential communications between lawyer and client; equality of all before the law; these are all fundamental principles of the Rule of Law.

Accordingly, arbitrary arrests; secret trials; indefinite detention without trial; cruel or degrading treatment or punishment; intimidation or corruption in the electoral process, are all unacceptable.

The Rule of Law is the foundation of a civilised society. It establishes a transparent process accessible and equal to all. It ensures adherence to principles that both liberate and protect. The IBA calls upon all countries to respect these fundamental principles.<sup>9</sup>

The elements in the first paragraph of the IBA resolution provide a strong starting point from which jurists and governments can work towards a unified principle for the rule of law. They also point to the difficult work ahead. While most of the elements of the IBA resolution are without question "fundamental," they are not similar in meaning or impact. They reflect a mixture of procedural and substantive elements, and the tension in many domestic contexts, and increasingly in the international context, over the thick and thin conceptions of the rule of law: whether it is primarily procedural in nature or whether it is infused and interlinked with fundamental human rights and even with the concept of democratic legitimacy. What the IBA resolution does provide is a truly global starting point from which to address the issues surrounding the rule of law.

<sup>4</sup> Thomas Henry Bingham, *The Rule of Law* (London; New York: Allen Lane, 2010) 213 at 8.

<sup>5</sup> Neate, *supra* note 3 at 6.

<sup>6</sup> Thomas Henry Bingham, *The Rule of Law* (London; New York: Allen Lane, 2010) 213 at 5.

<sup>7</sup> Neate, *supra* note 3 at 7.

<sup>8</sup> VD Zorkin, President of the Constitutional Court of the Russian Federation, "Rule of Law and Legal Awareness" in Francis Neate, ed, *The Rule of Law: Perspectives from Around the Globe* (London, United Kingdom: Reed Elsevier as Lexis Nexis, 2009) at 43.

<sup>9</sup> Neate, *supra* note 3 at 8.

Canada has grappled with many of these issues in its relatively short history, both in terms of fending off the *rule by law* and resisting the temptation to reduce the rule of law principle to mere definition. In so doing, Canadians have developed a robust rights-based constitutional conception of the rule of law. It is a conception that is rooted in Canada's history and that continues to evolve as the Canadian legal system develops.

### 3.1. The Evolution of the Rule of Law in Canada

Canada is a country twice colonized, first by the French and then by the English. In 1763, after a period of struggle between the two powers, Canada became a British colony and thereby inherited much of its constitutional structure from its colonial master. This link between Canada and the United Kingdom is explicitly recognized in the *Constitution Act, 1867*, which created the Dominion of Canada out of former British colonies. The preamble of that Act notes that these provinces wished to be united "with a Constitution similar in Principle to that of the United Kingdom."<sup>10</sup> With this short phrase, centuries of British constitutional law were imported into the new country, including the principle of the rule of law.<sup>11</sup> As popularized by Dicey, the principle was integral to the British constitution. Yet the precise means by which this guiding principle could be applied was not clear, nor was the manner in which it would interact with the written text of the Canadian constitution.

While Canada began gaining some independence in the 1840s (for example, the introduction of responsible government in several British North American colonies), the hallmark of colonial control persisted until 1982. Prior to that date, Canada's main constitutional text, the *British North America Act* (now known as the

*Constitution Act, 1867*), was an act of the British Parliament, and could therefore only be amended with British consent. When Canada patriated its constitution in 1982 so that it could be amended in Canada, it also took the opportunity to enact a constitutional *Charter of Rights and Freedoms*. The *Charter* has had a tremendous impact on Canadian law as a whole and specifically on how the rule of law is understood and protected in Canada. This is best shown by first looking at the rule of law in Canada before the *Charter's* arrival.

### 3.2. The Rule of Law in Canada Before the Charter of Rights and Freedoms

Perhaps the most famous and illustrative example of a *pre-Charter of Rights and Freedoms* case dealing with the rule of law is the Supreme Court of Canada's landmark decision in *Roncarelli v Duplessis*.<sup>12</sup> Frank Roncarelli, a successful restaurant owner in Montreal, used his personal funds to bail fellow Jehovah's Witnesses out of jail. These individuals had been imprisoned for distributing pamphlets critical of the government of Quebec and the Catholic Church. The chief prosecutor of Montreal, concerned about the effect of Roncarelli's actions on the campaign against Jehovah's Witnesses, spoke with Premier Maurice Duplessis, who in turn spoke with the Chairman of the Quebec Liquor Commission. In December 1946, Roncarelli not only found his liquor license revoked, but was also told that he was "forever" barred and to warn others that they too would face retribution if they contributed to any activity related to the Jehovah's Witnesses' campaign. Roncarelli, his restaurant no longer profitable without a liquor license, was forced to close his establishment and sued the Premier for damages.

Roncarelli's legal counsel in the case included F.R. Scott, a law professor and constitutional expert at McGill University who had studied Dicey's elucidation of the rule of law at Oxford. As Scott himself put

it, he borrowed barristers' gowns and entered the provincial court in order to deliver his class lectures. He saw the case as an opportunity to put into practice an idea that he had been teaching his students for years: that everyone, including political leaders, are subject to the ordinary law of the land.<sup>13</sup>

Justice Rand's decision in *Roncarelli* is one of the most famous articulations of the principle of the rule of law in Canadian jurisprudence. He declared that the fact that the granting of liquor licenses in the province was discretionary did not allow the Premier to interfere and maliciously deny one to Roncarelli:

In public regulation of this sort there is no such thing as absolute and untrammelled 'discretion', that is that action can be taken on any ground or for any reason that can be suggested to the mind of the administrator; no legislative Act can, without express language, be taken to contemplate an unlimited arbitrary power exercisable for any purpose, however capricious or irrelevant, regardless of the nature or purpose of the statute.<sup>14</sup>

The articulation of this principle alone, while significant, was not unprecedented in Canadian law. For example, the Upper Canada Court of King's Bench in 1830 asserted that statutory discretion must be exercised for "sound," "bona fide," and not "arbitrary" reasons. The judges found that the "laws we enjoy extend equal protection to all," that courts can intervene when discretion is abused, and that these principles were "inherent in the constitution."<sup>15</sup> Chief Justice Sir John Beverley Robinson remarked, when discussing public officials, that it "is not their public character alone,

<sup>10</sup> *Constitution Act, 1867* (UK), 30 & 31 Vict, c 3, preamble, reprinted in RSC 1985, App II, No 5.

<sup>11</sup> AV Dicey, *Introduction to the Study of the Law of the Constitution* (London: Macmillan & Co, 1908); Mark Carter, "The Rule of Law, Legal Rights in the *Charter* and the Supreme Court's New Positivism" (2008) Queen's LJ 453 at 458.

<sup>12</sup> *Roncarelli v Duplessis*, [1959] SCR 121 at 140, 16 DLR (2d) 689 [Roncarelli].

<sup>13</sup> Mark D Walters, "Legality as Reason: Dicey, Rand, and the Rule of Law" (2010) 55 McGill LJ 563 at 565; Sandra Djwa, *The Politics of the Imagination: A Life of F.R. Scott* (Toronto: McClelland & Stewart, 1987) at 308, 311.

<sup>14</sup> *Roncarelli*, supra note 13 at 140.

<sup>15</sup> *Phillips v Redpath and McKay* (1830), Draper 68 at 72, 79, 84, 87, (UCKB) Robinson CJ and Macaulay J.



but their conduct in that character, which constitutes their protection, and that conduct therefore must be shewn by them to be legal whenever it is brought into question in a court of law."<sup>16</sup>

The decision in *Roncarelli* was nonetheless novel and significant. It was the first time the rule of law principle had been articulated by the highest court in the country. Moreover, the constraints on public officials imposed by the Court were explicitly placed in the context of the rule of law, a "fundamental postulate of our constitutional structure."<sup>17</sup> For the first time, the Canadian Supreme Court pronounced that the rule of law was a limit on the exercise of executive power.

The *Roncarelli* decision stands as a beacon in the Canadian conception of the rule of law. It made explicit the principle that the legal, and especially punitive, authority of the state must not be used by those in power to punish or silence political, religious, or social opponents of the government.<sup>18</sup> This abuse of power by any government would also be a violation of the *Universal Declaration of Human Rights* and the multilateral human rights treaties constituting the International Bill of Rights.<sup>19</sup>

### 2.3. The Rule of Law in Canada After the Charter

The adoption of the *Canadian Charter of Rights and Freedoms* was a milestone in Canadian constitutional

law and particularly for the rule of law. The preamble to the *Charter*, which recognizes that Canada "is founded upon the principles that recognize the supremacy of God and the rule of law," marks the first time that the rule of law was explicitly mentioned in a Canadian constitutional enactment. Moreover, the *Charter* codified many of the rights traditionally considered part of a substantive, or "thick," view of the rule of law. For instance, section 2 of the *Charter* recognizes "freedom of conscience and religion," "freedom of thought, belief, opinion and expression," "freedom of peaceful assembly," and "freedom of association."<sup>20</sup> Section 7 states that "[e]veryone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice."<sup>21</sup> Other sections also codify many traditional elements of the rule of law, including a prohibition against "unreasonable search and seizure,"<sup>22</sup> "the right not to be arbitrarily detained or imprisoned,"<sup>23</sup> the right to *habeas corpus*,<sup>24</sup> and the presumption of innocence in criminal proceedings.<sup>25</sup> In fact, the entire enterprise of constitutionalizing rights can be understood as an expression of the rule of law: action by governments and legislatures must conform to certain basic precepts.

Thus, after the enactment of the *Charter*, the rule of law in Canada could no longer be seen solely as an independent, unwritten constitutional principle; it is closely intertwined with, and must be interpreted in light of, specified constitutional rights.

While the *Charter* codified some elements of the rule of law, the principle also arises in Canada in circumstances *apart* from the *Charter*. In these instances, when faced with litigants invoking the rule of law independently of any codified *Charter* rights, the Supreme Court has adopt-

ed a very formalistic, or "thin," definition of the rule of law. The *Reference re Manitoba Language Rights* is a clear example of this approach. The *Manitoba Act, 1870*, the terms by which the province of Manitoba joined Confederation, specified that acts of the legislature and all other public documents must be enacted in both English and French. Yet, as of 1890, the province ceased publication of the French version of acts and public records. After a series of legal challenges, the Supreme Court was asked to determine the legal force of Manitoba's unilingual statutes; in effect, were over ninety years of Manitoba laws invalid because they had not been enacted in French as well as English?

The Court declared that the rule of law has two essential aspects, which were in conflict in this case. First of all, the rule of law means "that the law is supreme over officials of the government as well as private individuals, and thereby preclusive of the influence of arbitrary power." For this reason, "this Court must find the unconstitutional laws of Manitoba to be invalid and of no force and effect."<sup>26</sup> Yet the rule of law also "requires the creation and maintenance of an actual order of positive laws which preserves and embodies the more general principle of normative order."<sup>27</sup> The invalidation of almost a century of provincial laws would depart from that principle and leave the province in legal chaos. Recognizing that to strike down the entire body of laws in Manitoba immediately would itself create a rule of law vacuum, the Court arrived at a pragmatic solution. The Court granted a delayed declaration of invalidity, allowing the provincial government sufficient time to translate, re-enact, print, and publish its laws in French. The Supreme Court applied a procedural concept of the rule of law here because the substance of the laws was not in issue: only their form.

One of the greatest challenges Canada has faced in the past forty years has been the rise of the sovereignty movement

<sup>16</sup> *Ibid* at 75,84,87; Mark D Walters, "Legality as Reason: Dicey, Rand, and the Rule of Law" (2010) 55 McGill LJ 563 at 568.

<sup>17</sup> *Roncarelli*, *supra* note 13 at 142.

<sup>18</sup> See, for example, the implied bill of rights cases: *Reference re Alberta Statutes - The Bank Taxation Act; The Credit of Alberta Regulation Act; and the Accurate News and Information Act*, [1938] SCR 100, [1938] 2 DLR 81; *Saumur v Quebec (City)*, [1953] 2 SCR 299, [1953] 4 DLR 641; *Switzman v Elbling*, [1957] SCR 285, 7 DLR (2d) 337.

<sup>19</sup> *Universal Declaration of Human Rights*, GA Res 217(III), UNGAOR, 3d Sess, Supp No 13, UN Doc A/810, (1948) 71; *International Covenant on Civil and Political Rights*, 19 December 1966, 999 UNTS 171, Can TS 1976 No 47, 6 ILM 368; *International Covenant on Economic, Social and Cultural Rights*, 16 December 1966, 993 UNTS 3, Can TS 1976 No 46, 6 ILM 360.

<sup>20</sup> *Canadian Charter of Rights and Freedoms*, s 2, Part I of the *Constitution Act, 1982*, being Schedule B to the *Canada Act 1982* (UK), 1982, c 11 [*Charter*].

<sup>21</sup> *Ibid*, s 7.

<sup>22</sup> *Ibid*, s 8.

<sup>23</sup> *Ibid*, s 9.

<sup>24</sup> *Ibid*, s 10(c).

<sup>25</sup> *Ibid*, s 11(d).

<sup>26</sup> *Re Manitoba Language Rights*, [1985] 1 SCR 721 at para 59, 19 DLR (4th) 1.

<sup>27</sup> *Ibid* at para 60.

in the province of Quebec. While sovereignty was handily defeated in a 1980 provincial referendum, the population of Quebec rejected independence in a second, 1995 referendum by only a very narrow margin.

Both referenda had been conducted in the absence of clear ground rules to govern the process. The provincial government was free to formulate the ballot question as it saw fit. There was no agreement among the parties (provincial and federal) about the numerical margin required to achieve success: would an affirmative vote by "50% plus one" of voters mean that the proposition had been adopted? Or would a more substantial majority be required for success, given the serious nature of the issue.

More important still, there was a complete lack of clarity about the consequences of an affirmative vote, whatever the margin. Would separation follow automatically, or would a process be required? What process, and with what purposes? The close result in 1995 demonstrated, at least to the Government of Canada, that clarity was needed as to the constitutional legitimacy and manner by which Quebec could secede from the rest of Canada. The government therefore referred three questions to the Supreme Court:

- 1) Under the Canadian Constitution, can Quebec unilaterally secede from Canada?
- 2) Does international law give Quebec the right to unilaterally secede from Canada? and
- 3) If there is a conflict between domestic and international law as to the legality of unilateral secession, which would take precedence?

In the *Reference re Secession of Quebec* decision, the Supreme Court had fresh occasion to consider the rule of law in Canada. It found that the rule of law (along with constitutionalism) is one of four fundamental tenets of the Canadian constitution. While the written constitution must take primacy, these unwritten consti-

tutional principles "may in certain circumstances give rise to substantive legal obligations [...] which constitute substantive limitations upon government action."<sup>28</sup> In the case at bar, the Court found that while unilateral secession of a province is not permitted under the Canadian constitution, the interplay of certain unwritten principles (federalism, democracy, respect for minorities, and constitutionalism and the rule of law) require that "considerable weight be given to a clear expression by the people of Quebec of their will to secede from Canada."<sup>29</sup> Such an expression would, again as per the unwritten constitutional principles, create an obligation on all parties to Confederation to enter into negotiations, which would be governed by those same principles.<sup>30</sup> By placing equal weight on all four of these unwritten principles, the Court recognized that a simple expression of majority will is not enough to legitimize a fundamental constitutional change, such as the secession of a province. A democratic expression must be balanced against the rights of minorities, the rule of law, and, in the Canadian context, the country's federal structure.

In its discussion of the rule of law, the Court expanded slightly on its definition from the *Manitoba Language Rights* case, adding "that the exercise of all public power must be based on a legal rule."<sup>31</sup> The Supreme Court also defined a separate principle clearly related to the rule of law: constitutionalism. The Court explained that "the constitutionalism principle requires that all government action comply with the Constitution," while the "rule of law principle requires that all government action must comply with the law, including the Constitution."<sup>32</sup> As such, the principle of constitutionalism is one component of the wider rule of law.

<sup>28</sup> *Reference re Secession of Quebec*, [1998] 2 SCR 217 at para 54, 161 DLR (4th) 385 [*Secession Reference*].

<sup>29</sup> *Ibid* at paras 84, 87.

<sup>30</sup> *Ibid* at paras 88, 90.

<sup>31</sup> *Ibid* at para 71, quoting from *Reference re Remuneration of Judges of the Provincial Court (PEI)*, [1997] 3 SCR 3 at para 10, 150 DLR (4th) 577.

<sup>32</sup> *Secession Reference*, *supra* note 29 at para 72.

The Canadian Supreme Court's revised definition of the rule of law that emerges from the *Quebec Secession Reference* therefore comprises four elements: first, the same law must govern governments and private individuals alike, precluding arbitrary power; second, there must be a body of positive laws; third, public power can only be exercised where supported by a legal rule; and fourth, all government action must be consistent with the Constitution (the principle of constitutionalism).

In the aftermath of the *Secession Reference*, there was debate about the circumstances in which these unwritten principles, including the rule of law, could be invoked and how far Canadian courts would go to protect them. In subsequent cases, the Supreme Court made it clear that the rule of law, when invoked as an independent legal principle, cannot override written provisions of the constitution and should be interpreted in a restrictive light. This approach is evident in the Court's unanimous ruling in *British Columbia v Imperial Tobacco Canada Ltd.* There, a group of tobacco product manufacturers sued the government of British Columbia alleging that its *Tobacco Damages and Health Care Costs Recovery Act* was unconstitutional for, among other reasons, violating the rule of law.<sup>33</sup> The Act allows the British Columbia government to sue tobacco product manufacturers to recover medical expenses incurred by the provincial health care system in treating individuals exposed to those products. The tobacco companies alleged that the Act violated the rule of law in that it was retrospective and "establishes a number of evidentiary and procedural innovations designed to assist the government's case."<sup>34</sup>

Justice Major, after quoting the definition of the rule of law from the *Quebec Secession Reference*, found that the Act does not contravene the rule of law, since "none of the principles that the rule of law embraces speak directly to the

<sup>33</sup> *Tobacco Damages and Health Care Costs Recovery Act*, SBC 2000, c 30.

<sup>34</sup> Carter, *supra* note 12 at 455.



terms of legislation."<sup>35</sup> This understanding of the rule of law, as Mark Carter explains, "is in fact procedural enough to support almost any legislative objective, however morally objectionable."<sup>36</sup> The true normative force of the rule of law, as expounded by Justice Major, is as a constraint on executive and judicial action. Legislative actions are only limited by the rule of law "in the sense that they must comply with legislated requirements as to manner and form (i.e., the procedures by which legislation is to be enacted, amended and repealed)."<sup>37</sup>

In *Imperial Tobacco*, the Court is clearly concerned to avoid confusion between the principle of the rule of law and the content of specific *Charter* rights. Justice Major notes that "many of the requirements of the rule of law proposed by the appellants are simply broader versions of rights contained in the *Charter*."<sup>38</sup> A claim invoking the substantive rule of law must therefore be framed in terms of a breach of a specific, written constitutional right. However, the Court implicitly recognizes that the substantive rule of law has become entrenched in the Canadian constitution: Canadian litigants have the protection of the "thick" rule of law through specific *Charter* provisions.

The Supreme Court in the *Quebec Secession Reference* also asserted that there are fundamental principles that all those who govern must adhere to, and that those principles will become operative where there are ambiguities or gaps in the written constitution or specific legislation under attack. It is implicit in the judgment that the unwritten principles of the Canadian Constitution prohibit the use of raw legislative or punitive powers to trample on the democratic or human rights of individuals and minority groups in society.

### 3.4. Recent Challenges to the Rule of Law in Canada:

<sup>35</sup> *British Columbia v Imperial Tobacco Canada Ltd*, 2005 SCC 49 at para 59, [2005] 2 SCR 473 [*Imperial Tobacco*].

<sup>36</sup> Carter, *supra* note 12 at 465.

<sup>37</sup> *Imperial Tobacco*, *supra* note 36 at para 60.

<sup>38</sup> *Ibid* at para 65.

## Terrorism and National Security

While it is difficult enough to remain committed to the rule of law in the best of times, the difficulties increase exponentially in the face of real or perceived threats to the security of a country and its inhabitants. This is by no means a new phenomenon, but the challenge of reaching a balance has been cast into sharp relief since the September 11, 2001 attacks in the United States and the start of the "Global War on Terror".

To paraphrase American Supreme Court Justice Robert Jackson, a constitution is not a suicide pact: a country must be able to defend itself against internal and external threats in order to preserve the very structures that ensure the rule of law.<sup>39</sup> But at the same time, too vigorous an attempt to maintain a nation's security can erode to insignificance the rule of law and the rights enjoyed by its citizens. The Canadian experience with this dichotomy in the past decade has been one of substantial interaction between Parliament, the government, and the courts in order to determine the proper contours of the rule of law in these circumstances.

In the aftermath of the September 11, 2001 attacks, the Canadian Parliament enacted the *Anti-Terrorism Act*.<sup>40</sup> This omnibus Act made significant amendments to a number of federal statutes with the goal of improving Canada's ability to combat terrorism. Some of the most contentious provisions amended the Canadian *Criminal Code* to permit (i) preventative arrests of individuals before they commit terrorist acts, and (ii) investigative hearings requiring individuals believed to have information related to a terrorist offence to answer questions before a judge.<sup>41</sup>

These and other provisions in the

<sup>39</sup> *Terminiello v City of Chicago*, 337 US 1 at 36 (1949) (Justice Jackson, in dissent).

<sup>40</sup> Bill C-36, *An Act to amend the Criminal Code, the Official Secrets Act, the Canada Evidence Act, the Proceeds of Crime (Money Laundering) Act and other Acts, and to enact measures respecting the registration of charities in order to combat terrorism*, 1st Sess, 37th Parl, 2001.

<sup>41</sup> *Ibid*, cl 4, ss 83.28, 83.3.

*Anti-Terrorism Act* provoked significant criticism, with commentators alleging violations of *Charter* rights and the rule of law.<sup>42</sup> To its credit, even in the fevered post-September 11 atmosphere and despite taking these unprecedented steps, the government included a sunset clause stating that the preventative arrest and investigative hearing provisions of the *Anti-Terrorism Act* would expire in 2007 in the absence of further Parliamentary action to extend them. In the result, Parliament did not act anew and those provisions expired, but calls to revive them, such as the introduction of Bill S-3 in October 2007 and of Bill S-7 in June 2011, demonstrate that the controversy over these provisions is by no means at an end.<sup>43</sup>

Interestingly, those provisions were never used in the context of combating Al-Qaeda. The preventative detention sections of the *Criminal Code* have never been invoked at all, and the investigative hearing provisions were employed only once: in the context of the trial of those alleged to have perpetrated the 1985 Air India bombing. This use of investigative hearings was challenged, but a majority of the Supreme Court found no violation of the *Charter*.<sup>44</sup> Justices Iacobucci and Arbour, writing for the majority, placed Canada's response to the threat of terrorism ex-

<sup>42</sup> See e.g. Kent Roach "Did September 11 Change Everything? Struggling to Preserve Canadian Values in the Face of Terrorism" (2002) 47 McGill LJ 893; David M Paciocco, "Constitutional Casualties of September 11: Limiting the Legacy of the *Anti-Terrorism Act*" (2002) 16 SCLR (2d) 185; W Wesley Pue, "The War on Terror: Constitutional Governance in a State of Permanent Warfare?" (2003) 41 Osgoode Hall LJ 267.

<sup>43</sup> Bill S-3, *An Act to amend the Criminal Code (investigative hearing and recognition with conditions)*, 2nd Sess, 39th Parl, 2008 (passed first reading in the House of Commons on 7 March 2008, after having being passed by the Senate, when Parliament was dissolved for the 2008 Canadian federal election); Bill S-7, *An Act to amend the Criminal Code, the Canada Evidence Act and the Security of Information Act*, 1st Sess, 41st Parl, 2011 (passed by the Senate and passed second reading in the House of Commons, as of October 19, 2012).

<sup>44</sup> *Application under s. 83.28 of the Criminal Code (Re)*, 2004 SCC 42, [2004] 2 SCR 248.

PLICITLY within the context of the tension between security and the rule of law: "[a]lthough terrorism necessarily changes the context in which the rule of law must operate, it does not call for the abdication of law."<sup>45</sup> The Justices remarked that:

The challenge for a democratic state's answer to terrorism calls for a balancing of what is required for an effective response to terrorism in a way that appropriately recognizes the fundamental values of the rule of law. In a democracy, not every response is available to meet the challenge of terrorism. At first blush, this may appear to be a disadvantage, but in reality, it is not. A response to terrorism within the rule of law preserves and enhances the cherished liberties that are essential to democracy.<sup>46</sup>

While the balance between the rule of law and security was discussed in the abstract, the Court did not analyse the principle in any detail, nor explicitly apply the rule of law to the provisions at issue: its reasons were confined to the *Charter*, judicial independence, retrospectivity, and the independence of Crown counsel. Ultimately, the Court found that the provisions were not unconstitutional, as the information gained through an investigative hearing could not be used against the witness except in perjury prosecutions.

In response to the events of 9/11, the Canadian government also breathed new life into existing measures as part of its efforts to combat terrorism. The most controversial of these was the use of security certificates, issued under the *Immigration and Refugee Protection Act*, against non-citizens suspected of terrorist activities.<sup>47</sup> The process for issuing security certificates has been in place since 1978 to remove non-citizens from Canada for human rights violations, membership in organized crime, or threats to national se-

curity.<sup>48</sup> A certificate is to be reviewed and signed by both the Minister of Public Safety and the Minister of Citizenship and Immigration when a non-citizen is deemed inadmissible to Canada on one of the grounds noted above. The signed certificate is then referred to the Federal Court where a judge reviews the evidence against the individual. The evidence at issue is often classified and is not released publicly, or even to the person named in the certificate. If the judge finds the certificate reasonable, it becomes a removal order and the government may begin the process of deporting the named individual.

This process strikes at the heart of the difficulty of balancing *Charter* rights and the rule of law more generally with national security threats, and has been subject to significant criticism.<sup>49</sup>

The Supreme Court had occasion to consider the constitutionality of the security certificate regime in *Charkaoui v Canada (Citizenship and Immigration)* and unanimously found that it violated sections 9 (the right against arbitrary detention or imprisonment) and 10(c) (the right to have the validity of detention determined by means of habeas corpus) of the *Charter*. However, the court rejected arguments that the security certificate process infringed upon the rule of law. Neither the inability to appeal the reasonableness of the certificate, nor the automatic detention of foreign nationals and detention of permanent residents on the basis of an executive decision offend the rule of law.

The Court, echoing its reasoning in *Imperial Tobacco*, found that "[t]he constitutional protections surrounding arrest and detention are set out in the *Charter*, and it is hard to see what the rule of law could add to these provisions."<sup>50</sup> It is

clear from this decision that the provisions of the *Charter* are now serving as the source of what could be called the "substantive" content of the rule of law in Canada.

In response to this ruling, Parliament amended the security certificate regime. Provision was made for special advocates who would be appointed by the court to participate in security certificate hearings to protect the interests of named person. However, these special advocates are not in a solicitor-client relationship with the named individuals and, after having reviewed the confidential information, may not communicate with anyone about the proceedings except where authorized by the judge.<sup>51</sup>

It is not only legislative provisions that have given rise to questions about the proper balance between the rule of law and security in Canada; the government of Canada's actions in fighting the "War on Terror" and its commitment to cooperating with its allies to do so, have in some circumstances undermined its rule of law obligations towards its citizens.

An example is the case of Omar Khadr, a Canadian citizen captured at the age of 15 in Afghanistan during combat and detained by American authorities in the Guantanamo Bay detention camp for a decade. Notably both the Canadian and American Supreme Courts have extensively recognized the violations of human rights at the detention camp in cases such as *Canada (Justice) v Khadr* (2008),<sup>52</sup> *Canada (Prime Minister) v Khadr* (2010),<sup>53</sup> *Rasul v Bush*,<sup>54</sup> and *Hamdan v Rumsfeld*.<sup>55</sup> Representatives of the Canadian Security Intelligence Service ("CSIS") as well as the Canadian Department of Foreign Affairs and International

<sup>45</sup> Ibid at para 6.

<sup>46</sup> Ibid at para 7.

<sup>47</sup> *Immigration and Refugee Protection Act*, SC 2001, c 27, s 77.

<sup>48</sup> Public Safety Canada, "Security Certificates" (2012), online: Public Safety Canada <<http://www.publicsafety.gc.ca>>.

<sup>49</sup> See e.g. Jonathan M. Coady, "Conditional Release of Terror Suspects in Canada: Lessons from the United Kingdom" (2010) 36 Queen's LJ 251; David Matas, "Inadmissibility Certificates" (2011) 98 ImmLR (3d)

<sup>50</sup> *Charkaoui v Canada (Citizenship and Immigration)*, 2007 SCC 9 at para 137, [2007] 1 SCR 350.

<sup>51</sup> Bill C-3, *An Act to amend the Immigration and Refugee Protection Act (certificate and special advocate) and to make a consequential amendment to another Act*, 2nd Sess, 39th Parl, 2008.

<sup>52</sup> *Canada (Justice) v Khadr*, 2008 SCC 28, [2008] 2 SCR 125.

<sup>53</sup> *Canada (Prime Minister) v Khadr*, 2010 SCC 3, [2010] 1 SCR 44 [Khadr 2010].

<sup>54</sup> *Rasul v Bush*, 542 US 466 (2004).

<sup>55</sup> *Hamdan v. Rumsfeld*, 548 US 557 (2006).



Trade traveled to Guantanamo Bay to interrogate Khadr. CSIS in particular was criticized for its actions, with the Security Intelligence Review Committee finding the agency "failed to give full consideration to Khadr's possible mistreatment by US authorities before deciding to interact with them" and "failed to take into account that while in US custody, Khadr had been denied certain basic rights which would have been afforded to him as a youth."<sup>56</sup> The Supreme Court of Canada also found that the government of Canada had violated Khadr's constitutional rights through its participation in his interrogation.<sup>57</sup>

Despite many calls for Khadr's return to Canada, the Canadian government continually resisted these efforts. It was not until September 29, 2012, with Khadr having spent more than a third of his life at Guantanamo Bay, that he was repatriated to serve the remainder of his sentence in Canada.

Another person who suffered from Canada's post-September 11th emphasis on counter-terrorism was Maher Arar. A dual Canadian and Syrian citizen, Arar was suspected by Canadian and American authorities of being a member of Al Qaeda. On his way home to Canada after a vacation in Tunis, he was detained in the United States and then deported to Syria. There, he was detained for almost a year and was tortured at the hands of Syrian officials. Justice O'Connor, who led the Canadian Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar, concluded that there was no evidence that Arar had any links to terrorist activities or that he was a risk to Canadian security. Justice O'Connor also found that the Royal Canadian Mounted Police had provided American authorities with incorrect information about Arar which the U.S. relied upon to detain him.<sup>58</sup>

<sup>56</sup> Canada, Security Intelligence Review Committee, *CSIS's Role In The Matter Of Omar Khadr*, 2008, online: Security Intelligence Review Committee <<http://www.sirc-csars.gc.ca>>.

<sup>57</sup> *Khadr* 2010, *supra* note 54 at para 25.

<sup>58</sup> Canada, Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar, *Report of the Events Relating to Maher Arar: Analysis and Recommendations*

The true extent of the involvement of Canadian officials in Arar's deportation is still debated.

It is becoming clear that the test of a nation's true commitment to the rule of law occurs when there is a real or perceived threat to the security or vital interests of the state. While there has been trenchant criticism of Canada's withdrawal from the most rigorous application of the rule of law with regards to perceived threats to national security from terrorist acts, the courts in Canada have insisted that there are limits to how far the Canadian government can go in loosening the traditional foundations of the rule of law. These include the absolute prohibition on complicity in torture by government officials, the need to maintain critical aspects of the open court system and the right of full answer and defense in criminal trials.

#### 4. Giving substantive content to the rule of law in Canada through the interpretation of the Charter by the Supreme Court of Canada

While a cursory examination of Canada's actions in the "War on Terror" and the reluctance of Canadian courts to adopt a substantive (or "thick") understanding of the rule of law might suggest that the rule of law has little normative force in Canada, this is not the case. The decisions of the Supreme Court of Canada interpreting the *Charter* offer governments in Canada, and indeed around the world, guidance as to what the substantive content of the rule

(Ottawa: Publishing and Depository Services, Public Works and Government Services Canada, 2006), online: Security Intelligence Review Committee <<http://www.sirc-csars.gc.ca>>.

One of the recommendations of Justice O'Connor was to institute an inquiry into the detention of Abdullah Almalki, Muayyed Nureddin, and Ahmad El Maati in Syria. Former Supreme Court Justice Frank Iacobucci was appointed to lead the inquiry and he concluded that the actions of the Canadian Royal Canadian Mounted Police and Canadian Security Intelligence Service indirectly lead to the torture of these three men. See "Federal officials contributed indirectly to torture of Canadians: report" *CBC News* (21 October 2008), online: *CBC News* <<http://www.cbc.ca/news/canada/story/2008/10/21/inquiry-iacobucci.html>>.

of law should be.

Our Supreme Court has in fact interpreted citizens' rights in the *Charter* as, in effect, substantive notions of the rule of law. This trend is especially marked in the Court's interpretation of section 7, which provides that "[e]veryone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice."<sup>59</sup>

The Supreme Court's most recent major section 7 case, *Canada (Attorney General) v PHS Community Services Society*,<sup>60</sup> involved a supervised drug injection facility operating in the Downtown Eastside of Vancouver, an area known for its extremely high incidence of poverty, drug use, and crime. Looking for creative solutions to the area's woes, local, provincial, and federal authorities co-operated with community groups to open the Insite facility in 2003. There, drug users are provided with clean injection equipment and medical professionals are onsite to intervene in the event of an overdose. The facility can only legally operate if provided with a medical and scientific exemption by the federal Minister of Health from the blanket prohibition on the possession of illegal drugs in the *Controlled Drugs and Substances Act*.<sup>61</sup> While this exemption was provided by the federal Minister of Health when Insite first opened its doors, the exemption was not renewed in 2008, by which time a federal government of a different political stripe had been elected. The Court found that while the Minister of Health has the discretion whether or not to provide an exemption under the Act, this executive discretion can only operate within the bounds of the law.

In *PHS Community Services*, a unanimous Supreme Court considered three principles of fundamental justice in its section 7 analysis: arbitrariness, gross disproportionality, and overbreadth. It

<sup>59</sup> *Charter*, *supra* note 21 at s 7.

<sup>60</sup> *Canada (Attorney General) v PHS Community Services Society*, 2011 SCC 44 at para 132, [2011] 3 SCR 134 [*PHS Community Services*].

<sup>61</sup> *Controlled Drugs and Substances Act*, SC 1996, c 19, s 56.

found that the Minister's decision not to renew Insite's exemption ran afoul of all three principles.

Asking that a law or executive decision conform to these principles is in fact asking that it comport with a substantive notion of the rule of law. A consideration of these principles demands that courts inquire into the object of an impugned law or government action and then determine if the content of the law or substance of the action bears a sufficient relationship to this object. To demand that a law not be arbitrary involves asking whether the provision is necessary or consistent with the state objective (the jurisprudence on the proper standard is not yet settled).<sup>62</sup> Gross disproportionality occurs where a "state actions or legislative responses to a problem [...] are so extreme as to be disproportionate to any legitimate government interest."<sup>63</sup> Finally, a law or state action will be overbroad where the means chosen are not necessary to achieve the state's objective.<sup>64</sup>

This close relationship between section 7 and the rule of law is not a recent evolution: it can be traced back to one of the earliest cases interpreting section 7, the *Reference re Section 94(2) of the Motor Vehicle Act*.<sup>65</sup> The impugned section of British Columbia's *Motor Vehicle Act* in that case provided that an individual who drove without a valid driver's licence or with a suspended licence faced mandatory imprisonment. Moreover, this was an absolute liability offence: for a conviction, the Crown needed only establish proof of driving, whether or not the driver knew of the prohibition or suspension. Justice Lamer, as he then was, in his majority decision, found that "[a] law that has the potential to convict a person who has not really done anything wrong offends the principles of fundamen-

tal justice."<sup>66</sup> In effect, the legislative provision in question would have imprisoned an individual who may not have known that he or she was violating the law. In defining the principles of fundamental justice, Justice Lamer explained that such principles are "recognized as essential elements of a system for the administration of justice which is founded upon a belief in 'the dignity and worth of the human person' (preamble to the *Canadian Bill of Rights*, RSC 1970, App III) and on 'the rule of law' (preamble to the *Canadian Charter of Rights and Freedoms*)."<sup>67</sup> The result is to give the rule of law a more defined and precise application than any unwritten principle could assume.

Thus, when the rule of law is invoked as an independent principle outside of the *Charter* context, the Canadian Supreme Court has endorsed a "thin," procedural understanding of the concept. However, in determining the content of *Charter* rights, the Court has given effect to much of the "thick," substantive understanding of the rule of law.

### Conclusion: The Rule of Law in Canada Affirms the Evolving Global Approach

On September 24, 2012, in the first meeting of its kind, world leaders, representatives from around the globe (including delegates from the Ukraine), ministers of justice, prosecutors, UN officials, and members of civil society convened at the United Nations in New York for the General Assembly's High Level Meeting on the Rule of Law. The delegates adopted a declaration affirming that the rule of law, human rights, and democracy are interlinked and mutually reinforcing of the core values of the UN.<sup>68</sup>

The UN High Commissioner for Human Rights gave her support for the declaration,

stating "the rule of law without human rights is only an empty shell". At the same time, "the rule of law constitutes the backbone for the legal protection of human rights."<sup>69</sup> She urged states to take ownership of these rule of law principles, and to strengthen the rule of law based on international human rights law. She urged all nations to ratify the main human rights treaties while withdrawing reservations that undermine the strength of their commitments to the rule of law and human rights contained in those instruments.

Following the High Level Meeting, several countries at the Sixth Committee of the UN General Assembly, including the Ukraine, pledged to strengthen the rule of law domestically and internationally. In the case of the Ukraine, this included commitments to public administration reform, judicial reform, anti-corruption initiatives, and criminal justice reform.<sup>70</sup>

In Canada, judgments of our highest court have helped ensure the evolution of the rule of law in full conformity with the declaration. From the landmark *pre-Charter* decision in *Roncarelli*, to *post-Charter* decisions in *PHS Community Services* and *Motor Vehicle Act*, judgments of the Supreme Court of Canada have aligned our constitution's interpretation with basic human rights. Like many other countries, however, Canada has at times struggled to live up to its commitment to the rule of law, with its response to terrorism a leading example.

Those of us involved in the process should take advantage of international conferences like this one not only to share our comparative experience with the rule of law, but also to encourage respect for the principle throughout the world, to urge implementation of the UN declaration so recently made, and to assert the fundamental importance of the rule of law to the protection of human rights everywhere.

<sup>69</sup> *Ibid.*

<sup>70</sup> See Oleksandr Pavlichenko, "Statement by Mr. Oleksandr Pavlichenko, Counsellor, Legal Adviser, Permanent Mission of the Ukraine to the United Nations, on Agenda item 83, 'The Rule of Law at the national and international levels' at the Sixth Committee, 67th session of the UN General Assembly," (10 October 2012), online: United Nations <<http://papersmart.un.org/ga/sixth/sites/papersmart.un.org.ga.sixth/files/ukraine-englishagendaitem83.pdf>>

<sup>62</sup> *PHS Community Services*, *supra* note 61 at para 132.

<sup>63</sup> *Ibid* at para 133.

<sup>64</sup> *R v Heywood*, [1994] 3 SCR 761 at para 51; *R v Demers*, 2004 SCC 46 at para 39, [2004] 2 SCR 489.

<sup>65</sup> *Reference re s 94(2) of Motor Vehicle Act (British Columbia)*, [1985] 2 SCR 486, 24 DLR (4th) 536.

<sup>66</sup> *Ibid* at para 2.

<sup>67</sup> *Ibid* at para 30.

<sup>68</sup> See the website of the UN High Commissioner for Human Rights website for the description of the outcome of the High Level Meeting on the Rule of Law at Office of the High Commissioner for Human Rights, "Rule of law without human rights is an empty shell" (5 October 2012) online: OHCHR <<http://www.ohchr.org/EN/NewYork/Stories/Pages/Ruleoflawmeeting.aspx>>.



## "I Fear the Day that Technology Will Surpass Human Interaction"

by Paul Robert MAGOCSI

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I am coming to you as someone who is of advanced age, or, as the French so graciously say, *de troisième âge*. With age, so they say, comes experience and, hopefully, wisdom. I am also coming to you as someone who is an academic. It is in this context that I wish to share a few observations about the academic and civic world in which we all function in these early decades of the twenty-first century. My observations will be limited to three topics about which we all should be concerned. These are what I would call (1) the bureaucratic mindset; (2) the challenges of modern technology; and (3) commitment to the world's multicultural reality.

It only requires a cursory glance at history for one to realize that governments come and go, but bureaucracies remain. Even when a state disappears, it is not uncommon for bureaucrats from a previous regime to remain and be employed – because they are needed – by the new state. In general, bureaucrats are constrained by regulations they are expected to follow in order to uphold what all states hold most dear – social order. The all-embracing need to follow and to enforce regulations – and this includes collecting and dispensing tax money – is what I have in mind when speaking about the bureaucratic mindset.

One of the greatest impediments to the proper functioning of the academic world is precisely the bureaucratic mindset. When libraries are not open seven days a week, when university faculty are

forced to leave their workplaces – like factory workers – at five or six o'clock each day and are barred from their university desks or laboratories on weekends and during long holidays, when creative scholars are expected to be "at work" for a fixed number of hours each week – these are examples of the bureaucratic mindset at work. I remember my disbelief when I learned from academic colleagues that they needed to calculate – in the manner of elementary school children – how many times their name was cited in publications by other scholars. It makes no difference what is the relevance of a given scholar's work, or the quality of the study in which it is cited. All that seems to matter is that a citation exists and can be counted. And from where do such regulations come? Inevitably they come from a bureaucrat who is likely to have little understanding of the intellectually creative process, but who feels obliged to quantify somehow that process so that it can be made part of a universal regulatory mechanism.

If the mindset of bureaucrats is bad enough, perhaps even worse is the tendency of academics to adopt that mindset when they are called on to become themselves administrators in the universities they serve. More often than not, one's former academic colleague becomes one's bureaucratically minded administrator-adversary.

To be sure, there are administrators, in particular at the level of presidents and rectors, who do indeed maintain a vision of the university as a place of intellectual

creativity. Far too often, however, fellow scholars and teachers who accept positions as deans, faculty chairmen, or heads of institutes soon take on themselves the personalities of administrators – guardians and enforcers of regulations set by bureaucrats in governmental bodies who have little appreciation for the often non-quantifiable nature of the scholarly world.

It would seem to me that the primary function of university administrators is not to enforce by rote bureaucratic regulations. Rather, they should be concerned with devising mechanisms that respond to the needs of bureaucratically-minded state funding agencies without forcing creative scholars to be burdened with an increasing number of mind-dumbing regulations. One should always keep in mind the words of the classical Greek philosopher: he who is most intelligent is he who has most free time. Therefore, the main task of university administrators should *not* be to function as bureaucrats and to create endless committees whose work contributes little, if anything, to the intellectual and pedagogical process, but rather to enhance the work environment of the university's greatest resource – its intellectually creative faculty.

My second area of concern is that of modern technology. Persons of my generation experienced an educational formation that is based on some basic common experiences. Many of us used to conceptualize, create, and communicate in terms of the written and printed page; now we conceptual-

ize, create, and communicate directly, or through surrogates, by electronic means. We have all become beholden to the all-powerful great god, the computer, with its lesser gods: the cell phone, i-phone, blackberry, together with variegated forms a communication and information access – all, I might add, with infantile English-language names like google, tweet, facebook, etc.

These modern gadgets were allegedly designed to simplify one's existence. But do they really help to make our lives easier? I believe it could be argued that these technological tools have achieved just the opposite: they have made each of our existences more difficult. For example, I hear the same complaint over and over again from academic colleagues: the first thing they do when they arrive at the office to begin the work day – and the office in question today is determined by the location of one's computer – the first thing they do is spend at least one hour, perhaps two or more, going through their e-mail communications, ninety percent or more of which are classifiable as garbage. What a waste of what should be otherwise "free" creative time so invaluable, as our Greek philosopher said, to the creative intellectual.

I do not wish to convey the impression that I am simply an antiquated and irrelevant Luddite who is about to waste your time with a prophetically misplaced Jeremiad against modern technology. Nor am I about to criticize the tendency of the vast majority of young people to communicate with each other through their cell phones, even if they are sitting in the same room or same table. I will leave the commentary on that phenomenon to someone more qualified than I, specifically Albert Einstein, who lamented: "I fear the day that tech-

nology will surpass our human interaction. The world will have a generation of idiots."

Of course, the computer with all its present and yet-to-be discovered communication tools is here to stay. I am concerned, however, by the degree to which academics consciously or unconsciously contribute to our overall dependence on computer-based communication and thereby encourage their students to reject the past. What I have in mind is: (1) the increasing lack of awareness of the extensive body of knowledge produced by generations of our scholarly predecessors; and (2) the tendency to destroy the present so that it *never* becomes the past. By way of illustration, let me focus on disciplines in the arts and humanities, since advances in the natural and medical sciences are less likely to depend on scientific achievements from the distant past.

Alas, students – and far too often professional scholars—begin their humanistic inquiry about any given topic not by going to a published and often vetted encyclopedia or a specialized bibliography, but rather by reading on-line a Wikipedia entry or by googling a specific individual or event. These sources – as intellectually questionable as they are – have taken on an aura of authority, especially for the present generation of students who have no awareness of a world without computerized knowledge that is instantly accessible.

The tyranny of computer-generated knowledge is particularly evident in the field of history, a discipline with which I have some familiarity. Today, most of the references found in student essays are only to secondary literature that is in electronic form. This means that sources recorded and made accessible via old fashioned bibliographies are hardly ever cited. Es-

says by professors and mentors of students are often not much better. The result is that many of today's scholarly journals are filled with articles based primarily on secondary literature produced in the past ten years, which at times propose ideas or announce "discoveries" that actually have been known to scholars for decades.

The present generation of active university professors in the humanities should pass on to their students a greater respect for the accumulative body of past knowledge that has not been – nor likely is ever to be – digitalized. In other words, the time has come to liberate ourselves and our students from the seemingly all powerful but intellectually limited computer.

What do I mean by the second point: the tendency to destroy the present so that it never becomes the past? Remember when those of us studied, let us say cultural or political history, and how we reveled in reading the published and unpublished correspondence of literary figures, intellectuals, and political and civic figures? It was through such sources that we were able to understand better the thought processes behind literary and artistic creativity or the motivations behind political and civic acts. Today, because most correspondence is transmitted via the Internet, we are creating a world without a past.

Professors, too, encourage students to communicate with them and with others only via e-mail. It is entirely possible that from these same students may come some day a great poet, or painter, or historian, yet we will never know – and even they themselves will not be able to remember – what motivated them in their creative work. The world of virtual electronic communication is a world without a past. Should we, as professors and in-



tellectual mentors, be encouraging in our students to perpetuate such a state of affairs?

My third and last observation deals with what I have referred to at the every outset as a commitment to the world's multicultural reality. Until now I have been speaking in relatively general terms about the challenges posed by bureaucracies and modern technology to the academic environment in universities wherever they may be located throughout the world. The following comments will, in part, refer more specifically to developments in Ukraine and, for that matter, many other European countries as well.

May I begin by declaring that I consider myself an intellectual and spiritual child of the late eighteenth-century German philosopher, Johann Gottfried von Herder. Herder is best remembered for his views – or should we more properly say convictions – regarding the various ethnolinguistic groups or peoples that inhabit our world. Herder believed that each people, regardless of numerical size or political status, has its own intrinsic cultural value. Therefore, all peoples are equal, whether they may or may not have their “own state” which carries their name. As a child of Herder, I have always been uncomfortable with classifications, such as titular nationalities and national minorities, since to my mind there are only peoples, each one equal to the other, regardless of what labels modern-day states and ideologues may give to them.

At the end of the disastrous twentieth century, at least on this continent, the European Union heralded not only the hope but the practical reality that the abolition of borders would make state boundaries less important than the boundaries of ethnocultural communities, many of which live within

more than one state. Hence, each individual was a European, belonging – should he or she wish – to a specific nationality or people, whose citizenship in a particular state was a secondary attribute.

Let us take as an example one of Ukraine's smallest neighbors, Slovakia. To my mind, independent Slovakia began as a model of the Herderian ideal. When, for instance, in 2005 Slovakia entered the European Union, it was headed by a president of Carpathian German heritage, a prime minister of ethnic Slovak and Carpatho-Rusyn heritage, and a vice-prime minister of Hungarian heritage. All were Europeans belonging to the continent's different peoples at the same time that they were citizens of Slovakia. Like other citizens, they had multiple identities: as Europeans; as ethnic Slovaks, Magyars, or Carpatho-Rusyns; and as Slovakian citizens. Each of these multiple identities is compatible and, most importantly, each of the ethnocultural or nationality identities is, according to the Herderian principle, equal.

The model of civic society practiced by Slovakia when it entered the European Union is worthy of praise and respect. It is a model which Ukraine should follow as it strives to be associated with – and eventually become a full member of – the European Union.

In this regard, universities have a special role to play in the intellectual formation of Ukraine's students, many of whom are likely to become the country's future government and civic leaders. All universities should provide courses in history, literature, ethnography, and the arts that include information not only about ethnic Ukrainians but about *all Ukrainians*; that is, those of Russian, Polish, Jewish, Crimean Tatar, Romanian, Bulgarian, German, Czech, Hungari-

an, Carpatho-Rusyn, and other cultural heritages. Aspects of these cultures created in the past in Ukrainian lands are part of what it means to be Ukrainian.

It is in this sense that universities can and should represent the best face of Ukraine as a democratic country which will be worthy not only to take a place but also to contribute to the further understanding and enhancement of Europe's multicultural reality.

In closing, may I speak to you and what you are: privileged young people who are likely to become civic and political leaders in your country and who will represent Ukraine to the world. Beware, in the future, of becoming a classic bureaucrat and certainly do not operate with the Soviet bureaucratic mindset still prevalent in your country. Beware of allowing modern technology to dominate your lives. And, finally, be proud of the multicultural nature of your country as it works toward finding its rightful place among all the other multicultural countries of Europe.



Anna Urukova, CUPP 2014 Intern.

## Наша Мова

by Ihor BARDYN

Director Canada-Ukraine Parliamentary Program



«Харківський правопис» був перлиною епохи Українського Відродження періоду 1920-их рр. Він був і має залишатися символом українського духу та народнього прагнення до того, щоб послуговуватися рідною мовою. «Харківська орфографія» (також знана як «Харківський правопис») була детально обговорена та схвалена найвідомішими мовознавцями того часу. Серед укладачів «Харківського правопису» – найбільш знані есперти Агатангел Кримський, Леонід Булаховський, Олена Курило, Олекса Синявський, Євген Тимченко, Микола Грунський, Всеволод Ганцов, Григорій Голоскевич, Борис Ткаченко. Правопис було прийнято 1927 р. демократичним голосуванням на Всеукраїнській правописній конференції у Харкові, де були присутні представники всіх українських земель із різних держав. Завданням «Харківської орфографії» було не лише впорядкування правопису, а також такі питання нормалізації української мови, якот: закінчення відмінних слів, правопис іноземних слів, власні назви. Все це було провідними та неподільними характеристиками української мови.

Питання «Харківського правопису» було порушено на семінарі «Модель Україна. Біла Книга», організованому Канадсько-Українською Парламентарною Програмою (КУПП) з 16

по 18 жовтня 2013 р. в Оттаві, провінція Онтаріо, Канада. Сто п'ятнадцять випускників програми КУПП, інтерни, які проходили стажування у рамках КУПП 2013 р., а також запрошені експерти та гості зустрілися на триденний семінар в Урядовому конференційному центрі, що знаходиться навпроти Парляменту Канади. Семінар став кульмінацією чотирьох попередніх конференцій, зорганізованих КУПП, які відбулися у 2010 р. у Вашингтоні, США (Школа Елліотт з міжнародних відносин Університету Джорджа Вашингтона) та в Оттаві, Канада (Університет Оттави), у 2011 р. в Оксфордї, Великобританія (Коледж Св. Антонія і Новий Коледж Оксфордського університету), а також у Києві, Україна в 2012 р. (Національний університет «Києво - Могилянська Академія»).

Серед резолюцій та рекомендацій, які було запропоновано внести до висновків семінару «Модель Україна. Біла Книга» і адресувати Парляменту України та української діаспорі, було обрано наступні:

*Ми, учасники семінару «Модель Україна. Біла Книга», що відбувся в Оттаві, з великим жалем вбачаємо деградацію української мови, що була спричинена політикою радянського режиму Йосипа Сталіна, та занепад, який триває і донині, та щиро переконані у нагальній потребі відновлення національної мови у її первісному вигляді, тому ми закликаємо український уряд у найкоротший термін вжити усіх необ-*

*хідних заходів, що були б спрямовані на привернення уваги громадськості до «Харківської орфографії», яка відома в українській мові як «Харківський правопис», її історії та правил, а також особливо спрямувати зусилля на навчання школярів і студентів усіх дисциплін, і ми надалі закликаємо до того, щоб «Харківський правопис» був визнаний єдиним правильним, та таким, що ґрунтується на щирій українській мові, якою говорить український народ, а також як такий, що був схвалений демократичним шляхом представниками усіх українських земель у 1927 р. в Харкові, і ми надалі висловлюємо надію на досягнення національного консенсусу щодо інтеграції норм «Харківського правопису» до застосування сучасною українською мовою.*



Oleksii Kovalenko,  
CUPP 2014 Intern.

## До Основ

Ярослав РОЗУМНИЙ

Українська Вільна Академія Наук у Канаді

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„Харківський” правопис, прийнятий і ухвалений до вжитку Всеукраїнською Правописною Конференцією 1928 р., був вислідом праці вчених „центральных, східних та західних українських земель” та був прийнятий, як зазначає Ю. Шерех<sup>1</sup>, „усіма українськими землями”. Його зрештою „один з найвидатніших і найавторитетніших українських мовознавців — Олекса Синявський”, за що заплатив свободою<sup>2</sup>. На його основі був складений *Правописний словник* Григорія Голоскевича<sup>3</sup>, який широко вживається в діаспорі. „Можна думати, — додає Шерех, — що деякі правила цього правопису потребували б перегляду й зміни, але в теперішніх умовах вважаємо будь-які зміни правопису за шкідливі й недоцільні”<sup>4</sup>. І, „Виходячи з цього, — продовжує Шерех, — не по-

даємо тут тих (зрештою дуже незначних) змін, що були внесені в цей правопис Комісією під проводом проф. Ів. Зілінського у Кракові і що були прийняті в „Правописному словнику” за редакцією Олександра Панейка (Видання друге, Львів — 1941). Ці зміни законодавчо стверджені свого часу тільки для українців штучно утвореного „Генерал-Губернаторства”, ніколи не були прийняті ні на схід, ні на захід від кордонів „Генерал-Губернаторства”. Тепер, коли „Генерал-Губернаторство” стало анахронізмом, немає жадних підстав плекати й ці локально-запроваджені зміни, — незалежно від того, як розцінювати їх з наукового або педагогічного погляду. Остаточне прийняття чи відкинення цих змін — як і можливих інших, — може, на погляд Шереха, належати компетенції тільки майбутньої Всеукраїнської Правописної Конференції, вільної в своїх дискусіях і ухвалях”<sup>5</sup>.

Щодо вживання великих літер, про що в „Харківському” правописі не було мови, Юрій Шерех у своїх *Головних правилах* подає в скороченні з *Українського правопису*, упорядкованого проф. Іваном Зілінським.

Деформування „Харківського” правопису на російський лад плянувалося в чужій державі, яка своєю безоглядністю й, мабуть, ревностями, які випливали з її комплексів неповно-

цінності, намагалася послідовно й докорінно послабити українську націю.

Все це почалося після включення частини України до новоствореного Союзу Советських Соціалістичних Республік (СССР)<sup>6</sup>, точніше, в часі ґеноцидних погромів голодомором мільйонів сільського українського населення та арештами, розстрілами й засланнями на територію Росії української політичної й культурної еліти. Частиною цієї ліквідації стала українська мова, яку треба було позбавити її національних питоменностей та закономірностей фонемної структури, яка надає цій мові ритмічного звучання, підсилює її емоційність, милозвучність і виразність.

Іншими словами, ці властивості української мови треба було підпорядкувати, як висловився Максим Рильський, „громоносному” звучанню російської мови<sup>7</sup>. Засобами залякування,

<sup>6</sup> У цьому збірнику вживаємо терміну *советський*, а не *радянський*, щоб зберегти політичний, а не мовний сенс того слова. Термін „советський” є російського походження і цей його колорит треба зберегти. Тільки складовим республікам СРСР і сателітним країнам було доручено перекладати цей термін на свої мови. Інші країни — США, Канада, Англія, Франція, Німеччина залишили етно-політичний сенс цього поняття: Soviet, Soviet Union, Sowjetisch, soviétique і т.д. Навіть Україна до часів погрому в 1930-их рр. була Українською Советською Соціалістичною Республікою (УССР). Переклад на свою мову мав наблизити до себе це чуже й накинене поняття з окупаційним сенсом.

<sup>7</sup> Див. «Фонетично», *Словник української мови*, том дев'ятий, Видавництво „Наукова думка”, Київ, 1978, с.133. Це вислів Максима Рильського про польський переклад Тувіма Пушкіного „Мідного вершника”, якому, на думку Рильського, вда-

1 Юрій Шерех, *Головні правила українського правопису*, В-во „Прометей”, 1946, 61 стор.

2 О. Синявський був арештований 1934 р. в часі советських ґеноцидних погромів української культурної інтелігенції й загинув на засланні 1937 р. *Енциклопедія Українознавства. Словникова частина* 8, Головний редактор проф. д-р Володимир Кубійович, Наукове Товариство ім. Шевченка, Париж — Нью-Йорк, 1976, стор. 2819.

3 Г. Голоскевич, *Правописний словник* (Видання сьоме, Харків — Київ, 1930). Про долю Григорія Голоскевича пишеться наступне в *Енциклопедії Українознавства*: „На процесі СВУ засуджений на 5 рр. ув'язнення, потім засланий до Тобольську, де вчинив самогубство”. (ЕУ 2, стор. 407). А в вінніпезькому *Українському Голосі* з 17 липня 1935 р. подано дату його смерті: „Проф. Г. Голоскевич помер на заслання в Тобольську, 18 квітня 1935 року”. Про самогубство Голоскевича говориться та-кож у 5-томній англомовній *Енциклопедії Українознавства*.

4 Юрій Шерех, *Головні правила українського правопису*, стор. 4.

5 Юрій Шерех, *Головні правила українського правопису*, Видавництво „Прометей”, 1946, стор. 4; Ярослав Рудницький, *Український правопис*, Прага, 1942.



приниження та відвертою заборонаю допровадити українську мову до мінімального її вживання або невживання та простелити сучасним ідеологам „руського мира” нове імперіальне гасло – „де російська мова – там Росія”, граючись терміном – „руський”.

Чистку в „Харківському” правописі почато в Українській ССР у 1930 р. Спершу обмеженням уживання літери г та м’якого л (l), а в 1933-34, в шалі культурних погромів в Україні – взагалі усунено з української абетки проскрибовану літеру г та чужі м’які сполуки la, lo, lu (напр.: *кляса, туберкульоза, клуб та ін.*), які прийшли в українську мову з західноєвропейських джерел або через їх посередництво в часі європейського ренесансу, барока й пізніше.

В давніших запозиченнях, особливо з грецької мови, ці сполуки передаємо українськими ло, ла, лу (*колонія, лаконічний, лунатизм*), а сполуку le передаємо українським ле (*лекція, балет*).

Після всіх приголосних, перед голосними й перед й – чуже іа передаємо ія, чуже іе – іє, чуже іо – ію, чуже іу – ію (*імперіалізм, клієнт, біологія, тріумф*), але у власних назвах передаємо також іу (напр.: *Кіу-Сіу*).

У теперішньому українському правописі передача повищих чужих сполук базується на російській етимологічній практиці, напр.: гр. *dialektos*, лат. *dialectus*, фр. *dialecte* передається – *діалект*, як і в російському – *диалект*, замість *діалект*; *проект* замість *проект* і т. д.

З російської практики накинено українській передачі й т.

лося сягнути „громоносного” звучання російської мови.

зв. „маскулінізацію” грецьких, латинських, французьких, німецьких іменників жіночого роду: в „Харківському” правописі – *аналіза* жін., з гр. *analysis* жін., фр. *analyse* жін., а в рос. *анализ* чол., й сучасному укр. правописі також *аналіз* чол.; *діагноза* жін. з гр. *diagnosis* жін., лат. *diagnosis* жін., а в рос. *диагноз* чол. і в суч. укр. правописі також *діагноз*, чол. і ін.

В „Харківському” правописі чуже h завжди передаємо українським г (*гокей, гуліган, Гессе*), а в російському передають або глухим задньоязиковим х, (*хокей, хуліган, Хессе*), або h передають звуком г (*Гамлет, Гендель*). В сучасному советизованому українському правописі впроваджено російське передавання літери h (*хокей, хуліган* і т. д.).

Чуже g в іменах власних завжди передаємо українським г (*Гюго, Гольдоні*), за винятком кількох давно засвоєних географічних назв: *Англія, Норвегія, Германія, Греція, Єгипет, Португалія, Бельгія* тощо.

Чуже e на початку слів передаємо літерою е, напр.: *Європа, Ерфурт, Естонія, електрика*. В словах давно позичених, головню через посередництво церкви, передаємо літерою є – *Єва, євангелія, Євген, євреї, єпископ, єресь* і т. п.

Німецьке o та французьке eu передаємо українським е, напр.: прізвище *Goethe* передаємо *Гете*<sup>8</sup>, на відміну від теперішнього українського *Гьоте*, копіюваного з російського *Гете*; або німецьке прізвище *Gotz*, яке в найновішому українському правописі передають дивним *Гьоти* і *Гьоти*, забуваючи, що гортанні приголосні в українській мові не зм’ягчуються.

8 Юрій Шерех, *Головні правила українського правопису*, с. 36.

Ю. Шерех, у розділі „М’якшення приголосних” у *Головних правилах* зазначає: „М’якого знака (ь) ніколи не пишеться після губних (б, п, в, ф, м), середньопіднебінних (ж, ч, ш, щ, й), задньопіднебінних і гортанних (к, г, х, ґ). Після р можна писати ь відповідно до вимови тільки перед о, напр.: *трюх, чотирьох*”<sup>9</sup>.

Німецьке u і французьке u передаємо українським ю, напр.: *Вюртемберг, Мюнхен, Мюссе, Гюго, Тюрінгія*.

Двозвуки au, ou (англійське aw, ow) передаємо ав, ов перед приголосною і в кінці слова (*авдиторія, бравнінг, Бернард Шов*), а перед голосною пишемо ау, оу (*Ауербах, Шопенгауер*).

Грецький і латинський двозвук eu передаємо ев (неутральний, неврастенія, февдал), а німецький двозвук eu передаємо ой (*Neu Ulm/Ной Ульм*), еі передаємо так, як у німецькій мові він вимовляється – ай (*Traunstein/Травнштайн*).

Інші двозвуки передаємо відповідно до їхньої вимови, напр.: ідеальний, Буальо, коаліція, віртуоз, поет, реакція. Слова: *проект, маєстат* двозвука не мали.

Що до найновішої зміни, яка зайшла в передаванні прізвищ, то ще в праці *Сучасні українські прізвища* (Київ, 1966)<sup>10</sup> автор, Ю. К. Редько, пише, що прізвища з суфіксом -ів, у якому звук і в непрямих відмінках чергується з о (*Романів*, род. *Романова*; *Павлів*, род. *Павлова*) або ті, які чергується з е (*Василів*, род. *Василева*; *Гринів*, род. *Гринева*, *Маців* род. *Мацева*) і

9 Там же, с. 17.

10 Ю. К. Редько, *Сучасні українські прізвища*, Академія Наук Української РСР, Інститут мовознавства ім. О. О. Потебні, В-во „Наукова Думка”, Київ, 1966, с. 90-92.