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The Ukrainian Famine of 1932-1933 as Genocide in the Light of the UN Convention of 1948

The State of the Question

Serious scholars and respectable politicians no longer challenge the historicity of the Ukrainian famine of 1932-1933. What is still disputed is the cause of death and the number of victims. Some influential Western historians blame climatic conditions, administrative mismanagement and peasant attitudes for bringing about the famine, and deny or minimize the moral responsibility of Stalin and his régime for voluntarily starving millions of innocent people — or at least knowingly pursuing policies which they knew would result in such human losses.¹ Proponents of the view that the cause of the monstrous loss of life was the criminal activity of the Soviet régime continue to disagree on the nature of the crime and the identity of the victims. In other words, there is no agreement on whether the famine in Ukraine should be classified as genocide, and if so, if its victims were targeted as peasants or as Ukrainians. The issue has both a theoretical and a political dimension. It still elicits the most partisan feelings among both politicians and academics.

The Ukrainian famine is not recognized as genocide by the United Nations. In November 2003, the UN General Assembly commemorated the 70th anniversary of the event with a declaration signed by some 60 countries. The document declared that “the Great Famine of 1932-1933 in Ukraine” took seven to 10 million of innocent lives, and explained that they were victims of “the cruel actions and policies of the totalitarian regime.” What had happened was called “a national tragedy for the Ukrainian people,” but there was no allusion to genocide. The declaration erroneously attributed the cause of the famine to “civil war and forced collectivization” and misleadingly merged the Ukrainian catastrophe with the “millions of Russians, Kazaks and representatives of other nationalities who died of starvation in the Volga river region, North Caucasus, Kazakhstan and in other parts of the former Soviet Union.”

The Ukrainian delegation agreed to this watered-down version out of fear that the Russians would block a more strongly worded declaration.² Ambassador Valeriy Kuchynsky of the Ukrainian Mission to the UN later stated that it was, nevertheless, “an official document of the General Assembly,” whose importance resided in the fact that “for the first time in the history of the UN, Holodomor was officially recognized as a national tragedy of the Ukrainian people, caused by the cruel actions and policies of a totalitarian regime.”³ The precedent allowed the Ukrainian Ambassador to return to the famine two years later, during the General Assembly discussion of the resolution on the International Holocaust day. Kuchynsky reiterated: “We believe that it is high time that the international community recognized that crime as an act of genocide against the Ukrainian nation.”⁴

There is no unanimity on the famine among Ukrainian historians. Some, like Valeriy Soldatenko of the Institute of Political and Ethnic Studies, continue to reject the notion of a man-made famine in Ukraine. Others, like Yuri Shapoval of the same institution, blame the communists for the crime and consider it genocide in accordance with the 1948 UN Convention. Stanislav Kulchytsky of the Institute of History of the National Academy of Sciences of Ukraine maintains that the famine was genocide and that Ukrainians must ensure that the international

¹ See, for example, R. W. Davies and Stephen G. Wheatcraft, *The Years of Hunger: Soviet Agriculture, 1931-1933* (New York : Palgrave Macmillan, 2004).

² *Ukrainian Weekly*, 16 November 2003.

³ Kuchynsky at the UN discussion of Holocaust Day, 1 November 2005.

⁴ *Ibid.*

community officially recognizes it as “an act that falls under the UN Convention on the Prevention and Punishment of the Crime of Genocide.” At the same time, he claims that, “in reality, this famine cannot be classified as genocide as defined in the Convention.”⁵ Kulchytsky draws a sharp distinction between the Ukrainian famine, on the one hand, and the Jewish Holocaust and Armenian massacres, on the other. “We will never prove to the grandchildren of those Ukrainian citizens who starved to death, let alone to the international community, that people died in 1933 in the USSR as a result of their national affiliation, i.e., in the same way that Armenians died in the Ottoman Empire in 1915, or Jews in the European countries that were occupied by Hitler’s Reich.” Convinced that the Ukrainian famine cannot satisfy the criteria set by the UN Genocide Convention, he comes to a rather surprising conclusion: “And there is no need to prove this, because the mechanism of the Soviet genocide was different. The terror by famine that Stalin unleashed on Ukraine and the Kuban was an act of genocide against Ukrainian citizens, not Ukrainians.”⁶

Further on, I shall return to Kulchytsky’s “terror by famine” interpretation; for now, I wish to point out that his approach cannot be used in arguing the Ukrainian case before the UN, nor is it of much help when debating the issue with scholars who base their rejection of the Ukrainian genocide on the UN Convention. Kulchytsky quotes the UN Convention and then dismisses it without bothering to analyze it, point by point, to see if it really covers the Ukrainian famine or not. Absence of such analysis is a common characteristic of Ukrainian scholarship, which often contents itself with simple assertions that the Ukrainian famine falls within the UN criteria for genocide.

Deniers of the Ukrainian genocide often rely on the UN Convention for their main argument against the recognition of the Ukrainian famine as genocide. This approach can be illustrated by the discussion that took place at the VII World Congress of the International Committee for Central and East European Studies held in Berlin in the summer of 2005. A special session was organized under the title “Was the Famine in Ukraine in 1932-1933 Genocide?” Otto Luchterhadt, Professor of Law at the University of Hamburg in Germany entitled his presentation “Famine in Ukraine and the Provisions of International Law on Genocide.” Luchterhand’s own summary of his argument, printed in the Congress Abstracts, reads as follows:

“The question whether the Ukrainian Golodomor [*sic!*] was a genocide, can only be answered along with the Anti-Genocide Convention (9.12.1948), because it exclusively offers the relevant criteria, i.e. the definition of genocide as a crime under international law. While the objective elements of the offense were completed without any doubt by state terrorist measures against a substantial part of the Ukrainian population during the so-called Dekulakization, the subjective element was not fulfilled, because killings, deportations, and mistreatments were not committed with the required specific *intent* to destroy, in whole or in part, the Ukrainians as a national group as such. The victims of the Dekulakization policy were defined by a social approach, not by a national one. So, the Golodomor-case touches on a crucial problem of genocide definition: due to the Soviet UN-policy it doesn’t protect social and political groups.”⁷

Let us disregard, for the moment, the author’s erroneous reading of history (*dekulakization* was mostly over when the great famine began, and people died from induced famine, which was not a function of *dekulakization*) and his misdirection in subject identification (victims of *dekulakization* instead of the famine). What is important is that Luchterhandt’s denial of the Ukrainian genocide is based on the UN document, as is the case with most of the other scholars who reject the notion of a Ukrainian famine-genocide.

Andrea Graziosi, a recognized expert on the Ukrainian famine, has come to the conclusion that the Ukrainian famine will be recognized as genocide because recently revealed documentation points to such a crime.⁸

⁵ Stanislav V. Kulchytsky, *Holod 1932-1933 rr. v Ukrayini yak henotsyd* (Kyiv, 2005), pp. 3, 21.

⁶ This is the *Den* version (24 November 2005). In the book version (p. 85), “not Ukrainians” was dropped.

⁷ ICCEES VII World Congress Abstracts, *Europe — Our Common Home?* (Berlin, 25-30 July 2005), pp. 247-248. The importance of the intent as defined by the convention is shown in Michael Ellman, “The Role of Leadership Perceptions and of Intent in the Soviet Famine of 1931-1934,” *Europa-Asia Studies*, vol. 57, no. 6 (September 2005), pp. 823-841. (Emphasis added by author.)

⁸ *Den*, 8 November 2005.

The Ukrainian Famine of 1932-1933 as Genocide in the Light of the UN Convention...

What the Italian historian does not say is whether he believes that this claim can be made on the basis of the UN Convention. I think it can. In this paper I shall argue the following three points:

1. The Ukrainian famine was genocide.
2. It was a genocide directed against Ukrainians.
3. The evidence meets the criteria set by the 1948 United Nations Convention on Genocide.

The UN Convention on Genocide of 9 December 1948

The Convention on the Prevention and Punishment of the Crime of Genocide was adopted by the UN General Assembly on 9 December 1948 and came into force on 12 January 1951. Soviet Ukraine became a signatory of the Convention on 16 June 1949 and ratified it on 15 November 1954. Independent Ukraine continues to respect the international Convention and has inscribed “Article 442. Genocide” into its own Code of Criminal Law.

The term “genocide” was coined in 1943 by Raphael Lemkin (1900-1959) “from the ancient Greek word *genos* (race, tribe) and the Latin *cide* (killing), thus corresponding in its formation to such words as tyrannicide, homicide, infanticide, etc.”⁹ A Polish Jew, born in what today is Lithuania, Lemkin studied law at the University of Lviv, where he became interested in crimes against groups and, in particular, the Armenian massacres during the First World War. In October 1933, as lecturer on comparative law at the Institute of Criminology of the Free University of Poland and Deputy Prosecutor of the District Court of Warsaw, he was invited to give a special report at the 5th Conference for the Unification of Penal Law in Madrid.¹⁰ In his report, Lemkin proposed the creation of a multilateral convention making the extermination of human groups, which he called “acts of barbarity,” an international crime.

Ten years later, Lemkin wrote a seminal book on the notion of genocide. A short excerpt will show that the author’s approach was much broader than the one later adopted by the UN:

“Generally speaking, genocide does not necessarily mean the immediate destruction of a nation, except when accomplished by mass killings of all members of a nation. It is intended rather to signify a coordinated plan of different actions aiming at the destruction of essential foundations of the life of national groups, with the aim of annihilating the groups themselves. The objectives of such a plan would be disintegration of the political and social institutions, of culture, language, national feelings, religion, and the economic existence of national groups, and the destruction of the personal security, liberty, health, dignity, and even the lives of the individuals belonging to such groups. Genocide is directed against the national group as an entity, and the actions involved are directed against individuals, not in their individual capacity, but as members of the national group.”¹¹

Lemkin’s book became a guiding light for the framers of the UN Convention on Genocide.

The Convention voted by the UN General Assembly contains 19 articles, dealing mainly with the problems of the prevention and punishment of genocidal activity. Most relevant to our discussion is the preamble and the first two articles. The preamble acknowledges that “at all periods of history genocide has inflicted great losses on humanity,” while the first article declares that genocide is a crime under international law “whether committed in time of peace or in time of war.” The all-important definition of genocide is contained in Article II:

“In the present Convention, genocide means any of the following acts committed with *intent* to destroy, in whole or in *part*, a *national, ethnical, racial or religious group, as such*.”¹²

⁹ Raphael Lemkin, *Axis Rule in Occupied Europe: Laws of Occupation - Analysis of Government - Proposals for Redress* (Washington, D.C.: Carnegie Endowment for International Peace, 1944), p. 80.

¹⁰ “Les actes constituant un danger général (interétatique) considérés comme delites du droit des gens,” *Librarie de la cour d’appel et de l’order des advocates* (Paris, 1933).

¹¹ Lemkin, p. 80.

¹² Emphasis added by author.

This definition was a compromise after much discussion by the delegates of various countries who sat on the drafting committees. It satisfied few people and continues to be criticized by legal experts, politicians and academics. However, it remains the only legal definition sanctioned by the UN and operative international courts.

A major objection to the definition is the restricted number of recognized genocide target groups. Coming in the wake of the Second World War and informed by Lemkin's work and the evidence of the Nazi concentration camps, the definition would necessarily be tailored to the Jewish Holocaust. Jews could fall into any one of the four categories: national, ethnic, racial and religious. They did not form a political or a social group, but this was not the reason for the exclusion of the two categories, which, after all, were part of Lemkin's concern. The exclusion of social and political groups from the Convention, to which Luchterhandt alluded, was the result of the Soviet delegation's intervention. The implication of the definition's limitation to the four categories of victims is that one cannot argue for the recognition of a Ukrainian genocide if its victims are identified only as peasants. Of the four human groups listed by the Convention, it is quite clear that Ukrainians did not become victims of the famine because of their religious or racial traits. This leaves two categories: "national" and "ethnic(al)."

There has always been a certain ambiguity about the distinction between the two groups labeled as "nation" and "ethnic(al)" by the Convention. William Schabas, internationally recognized legal expert on genocide, believes that all four categories overlap, since originally they were meant to protect minorities. He argues that "national minorities" is the more common expression in Central and Eastern Europe, while "ethnic minorities" prevails in the West.¹³ But if both terms designate the same group then there is redundancy, which Schabas fails to note.

A more meaningful interpretation of "national group" was given in a recent case cited by the author. "According to the International Criminal Tribunal for Rwanda, the term 'national group' refers to 'a collection of people who are perceived to share a legal bond based on common citizenship, coupled with reciprocity of rights and duties'."¹⁴ What we have here is a "civic nation" formed by all the citizens of a given state, regardless of their ethnic, racial or other differentiation, as opposed to "ethnic nation," or members of an ethnic community often divided by state borders. Such a clarification of the terms "national" and "ethnic" in reference to "groups" used would remove any ambiguity or redundancy in the Convention. It would also help the understanding of the Ukrainian famine-genocide.

Relevant to this discussion is a statement made in 1992 by a Commission of Experts, applying the Genocide Convention to Yugoslavia: "a given group can be defined on the basis of its regional existence ... all Bosnians in Sarajevo, irrespective of ethnicity or religion, could constitute a protected group."¹⁵ The "regional" group is thus analogous to the civic national group.

The decisive element in the crime of genocide is the perpetrator's intent to destroy a human group identified by one of the four traits mentioned above. When applying this notion to the Ukrainian case, certain aspects of the question of intent as used by the Convention should be taken into consideration. First, it is not an easy task to document intent, for as Leo Kuper pointedly remarked, "governments hardly declare and document genocidal plans in the manner of the Nazis."¹⁶ However, documents which directly reveal Stalin's intent do exist, and there is also circumstantial evidence which can be used.¹⁷

Secondly, contrary to frequently erroneous claims, the Convention does not limit the notion of genocide to an intention to destroy the whole group; it is sufficient that the desire to eliminate concern only a part of the group. This implies that there is the possibility of selection on the part of the perpetrator from among the victims within the targeted group, and this aspect must not be neglected when analyzing the Ukrainian genocide.

Thirdly, the Convention (Article II) lists five ways in which the crime is executed:

¹³ William A. Schabas, *Genocide in International Law. The Crime of Crimes* (Cambridge: Cambridge University Press, 2000), Chapter 3. Groups protected by the Convention.

¹⁴ *Ibid.*, p. 115.

¹⁵ *Ibid.*, p. 237.

¹⁶ Leo Kuper, *Genocide. Its Political Use in the Twentieth Century* (Penguin, 1981), p. 35.

¹⁷ On circumstantial evidence, see Ellman, pp. 829-830.

The Ukrainian Famine of 1932-1933 as Genocide in the Light of the UN Convention...

1. Killing members of the group;
2. Causing serious bodily or mental harm to the members of the group;
3. Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
4. Imposing measures intended to prevent births within the group;
5. Forcibly transferring children of the group to another group.

All of these acts, to a greater or lesser extent, can be documented in the Ukrainian experience.

Fourthly, the Convention places no obligation on establishing the motive behind the crime, even though the reason behind a criminal's activity can help to establish his intent. Two Canadian scholars with long experience in genocidal studies have classified genocides in four groups according to their motives.¹⁸ It should be clear from examining the list that the Ukrainian genocide fits all four categories:

1. To eliminate a real or potential threat;
2. To spread terror among real or potential enemies;
3. To acquire economic wealth; or
4. To implement a belief, a theory or an ideology.

Schabas approaches the problem somewhat differently: "There is no explicit reference to motive in article II of the Genocide Convention, and the casual reader will be excused for failing to guess that the words 'as such' are meant to express the concept."¹⁹

Yes, to a certain extent. With the help of a criminal ideology, perpetrators of genocide can transform a targeted group into an object of blind hate, which then in itself becomes a motive for the destruction of members of that group. In other words, members of a group "X" are singled out for destruction because they are members of that group. But the underlying motives which brought about the hatred do not disappear — they are only pushed into the background.

Stalin's Directive of 22 January 1933: *Habent sua fata documenti*

All serious scholars, not only in Ukraine,²⁰ but also in Russia²¹ and the West,²² now generally accept the fact that Stalin and his cronies willfully starved millions of peasants to death in 1932-1933. Ellman, who rejects the idea of a specifically Ukrainian famine and a Ukrainian genocide, admits that "Stalin also used starvation in his war against the peasants" and that "an unknown fraction of mortality in the 1931-34 Soviet famine resulted from a conscious policy of starvation."²³ One can only speculate as to why the Amsterdam historian disregarded in his tightly reasoned and well-argued discussion of intent in the Soviet famine a document which of all the known testimonies best illustrates this intent.

¹⁸ Frank Chalk and Kurt Jonassohn, *The History and Sociology of Genocide. Analyses and Case Studies* (New Haven and London : Yale University Press, 1990), p. 29.

¹⁹ Schabas, p. 245.

²⁰ Most active in the field have been Ukrainian historians: Stanislav Kulchytsky, Yuri Shapoval, Valeriy Vasilev, Volodymyr Serhiychuk and a few others. See also *Holod 1932-1933 rokiv v Ukraini: prychny ta naslidky* (Kyiv: Naukova Dumka, 2003).

²¹ V. P. Danilov and I. E. Zelenin, "Orhanizovannyi golod: k 70-letiiu obshchekrestianskoi trahedii," *Otechestvennaya istoriya*, no. 5 (2004).

²² Among the most recent publications: *Vernichtung durch Hunger: Der Holodomor in der Ukraine und der UdSSR*. (A special issue of *Osteuropa*). December 2004; *La morte della terra: La grande "carestia" in Ucraina nel 1932-1933. Atti del Convegno Vicenza, 16-18 ottobre 2003* (Roma : Viella, 2004); Robert Conquest, *Raccolto di dolore* (Italian edition of *Harvest of Sorrow*) (Roma : Liberal edizioni, 2004).

²³ Ellman, p. 835.

For almost two decades now, historians have known about Stalin's secret directive of 22 January 1933. Danilov and Zelenin, whose knowledge of Soviet archives was second to none, considered it one of the few documents "to bear witness to Stalin's direct personal participation in the organization of mass famine of 1932-1933."²⁴ The document is of particular significance for the study of the Ukrainian genocide, and we cannot exclude the possibility that its checkered fate in the hands of Soviet, post-Soviet and Western historians had something to do with this connection.

The document was made known to the academic world at a conference on collectivization, held in Moscow, on 24 October 1988. Iu. A. Moshkov of Moscow State University informed the meeting that Stalin had complained of a massive flight of peasants from Kuban and Ukraine in search of food in various regions of the Russian Soviet Federated Socialist Republic (RSFSR) and Belarus. The General Secretary called the peasants SR agitators and Polish agents who were going to RSFSR with the intention of stirring up the peasants against the Soviet power. "Instead of ordering aid for the fugitives," commented Moshkov, "the telegram demanded that these people be apprehended at the railway stations and sent back."²⁵

To my knowledge, this was the first public presentation of the important document. A participant at the conference, E. N. Oskolkov from the Rostov University, later used the document in his study of famine in the Northern Caucasus, in which the Ukrainian Kozak *stanytsyi* figured prominently.²⁶ There were no scholars from Ukraine at the Moscow conference, but they must have read about it in *Istoriya SSSR*.²⁷ In 1990, the Institute of Party History of Ukraine published documents of the famine held in its own Archive. The Stalin document was probably not found, for it was not published. However, the collection contained a follow-up directive from Kharkiv, the then-capital of Soviet Ukraine, relaying the Kremlin directive to the Ukrainian oblasts.²⁸

In 1993, Ukrainians organized an international conference on the occasion of the 60th anniversary of the tragedy. Ukrainian scholars made no reference to the 22 January 1933 document, but N. Ivniitsky from the Institute of Russian History, Russian Academy of Sciences, gave a detailed analysis of it. This historian stated that as a result of the directive 219,460 individuals were arrested; 186,588 of them were sent back to their starving villages, and the others were punished in other ways.²⁹ Oskolkov spoke about a real "people hunt" in the Northern Caucasus and, in particular, the Kuban region, as a result of Stalin's directive.³⁰ Significantly, no Ukrainian participant referred to the document.

The Russian participants were unhappy with the conference and, once in Moscow, wrote a scathing report.³¹ They objected to Ukrainian historians' "groundless insistence" on Ukraine's exclusiveness during the famine, on imagining "a separate character and content of the events in that republic, distinct from other republics and regions." They liked Kulchytsky's linking the famine with grain procurement and collectivization; they ignored James Mace's comments on the national motives in Stalin's starvation policy; and they condemned Ivan Drach for his demand that Russia recognize its liability for the famine. The statement discussed at length the famine in the Kuban and Northern Caucasus, but only as proof of Russian famine and without a single reference to its ethnic Ukrainian population.

²⁴ Danilov and Zelenin, p. 107.

²⁵ "Dyskusiyi i obsuzhdeniya. Kollektivizatsiya: uroki, sushchnost, posledsviya," *Istoriya SSSR*, no. 3 (1989), p. 46. The telegram is wrongly dated here as 23 January instead of 22 January.

²⁶ E. H. Oskolkov, "Golod 1932/1933," in *Khlebozagotovki i golod 1932-1933 goda v Severno-Kavkazkom krae* (Rostov-na-Donu, 1991), pp. 75-76.

²⁷ "Kollektivizatsiia: istoky, sushchnost, posledstviia. Beseda za 'kruglym stolom'," *Istoriya SSSR*, pp. 46-52.

²⁸ "Dyrektyvnyi lyst TsK KP(bOU ta Radnarkomu USRR vsim obkomam partii ta oblvykonkomam pro neprypustymist' masovykh vyizdiv kolhospynykiv ta odnoosibnykiv za mezhi Ukrainy," in *Holod 1932-1933 rokiv na Ukraini: ochyima istoriykiv, movoiu dokumentiv* (Kyiv, 1990), pp. 341-342.

²⁹ *Holodomor 1932-1933 rr. v Ukraini: prychny i naslidky. Mizhnarodna naukova konferentsiia. Kyiv, 9-10 veresnia 1993. Materialy*. (Kyiv, 1995), p. 43.

³⁰ *Ibid.*, p. 121.

³¹ "O golode 1932-1933 godov i eho otsenka na Ukraine," *Otechestvennaya istoriya*, no. 6. (1994), pp. 256-262. (Signed: I. E. Zelenin, N. A. Ivniitskiy, V. V. Kondrashin, E. N. Oskolkov.)

The Ukrainian Famine of 1932-1933 as Genocide in the Light of the UN Convention...

In 1994, N. A. Ivnitsky published a seminal study on collectivization from a post-Soviet perspective, explaining in some detail Stalin's secret directive on closing the borders around Ukraine and the Northern Caucasus. This measure was to prevent a peasant exodus from Ukraine and Kuban to the Russian regions of Central-Black Earth, the Volga, Moscow and Western oblasts, as well as to Belarus. The scholar reiterated the fact that, as a result of that order, the OGPU arrested 219,460 persons in the first six weeks of the order.³²

On the occasion of the 70th anniversary of the Bolshevik overthrow of the Provisional Government, a group of French historians, many of them former Marxists, published a book of communist crimes around the world.³³ The book hit the French public like a bombshell, was translated into a dozen of languages and had a great impact on intellectuals of leftist leanings. Nicolas Werth, a known expert on Soviet history, authored the part on the Soviet Union. In the chapter on "the Great Famine," he presents Ivnitsky's findings on Stalin's directive but changes the direction of the peasants' migration. The peasants from Ukraine and Kuban no longer go to the four Russian regions, but to unspecified "towns" — towns that were not even mentioned in Stalin's decree or Ivnitsky's rendering of it.³⁴

Werth made Stalin's directive a follow-up to the new law on passports, decreed on 27 December 1932. Peasants were not entitled to the passports, and this was one way of preventing them from leaving the village. The two measures were quite different. The passport law concerned the whole Soviet Union, and it was of a social nature — to prevent peasants from moving freely into urban centers. Stalin's directive on the border concerned only Ukraine and the heavily Ukrainian Northern Caucasus (especially the predominantly Ukrainian Kuban), and was thus of a national character. The immediate consequence of this misrepresentation of the important document in Werth's work was to allow the author to preclude its use as evidence of Ukrainian genocide. Tackling a problem that was then hotly debated in the academic world, Werth asks: "Should one see this famine as 'a genocide of the Ukrainian people', as a number of Ukrainian historians and researchers do today?" To which he gives a somewhat evasive answer, which is worth a direct quotation:

"It is undeniable that the Ukrainian peasantry were the principal victims in the famine of 1932-33, and that this 'assault' was preceded in 1929 by several offensives against the Ukrainian intelligentsia, who were accused of 'nationalist deviations', and then against some of the Ukrainian Communists after 1932. It is equally undeniable that, as Andrei Sakharov noted, Stalin suffered from 'Ukrainophobia'. But proportionally the famine was just as severe in the Cossack territories of the Kuban and the Don and in Kazakhstan."³⁵

The national character of the document is thus lost on two counts: the flight from Ukraine to Russia was replaced by migration from village to town, and the Ukrainian ethnicity of the Kuban Kozak population was ignored. In fairness to Werth, it should be noted that in a later publication he has corrected the first, although not the second, point in his presentation of Stalin's infamous directive.³⁶ There is also merit in Werth's situating the famine in a broader national context. But the fact that there was a famine in Kuban, the Don and Kazakhstan in no way affects the genocidal nature of the famine in Ukraine, as the author seems to imply. Werth's unfortunate mistaken interpretation of the Stalin border directive was reproduced in all the translated versions of the *Black Book* and,

³² N. A. Ivnitskiy, *Kollektivizatsiia i raskulachyvanie (nachala 30-kh godov)* (Moskva, 1994), p. 204. (Reedited in 1996.)

³³ Nicolas Werth, "Un État contre son peuple. Violence, répression, terreurs en Union soviétique," in Stéphane Courtois et al. (eds.), *Le livre noir du communisme. Crimes, terreur, répression* (Paris: 1997), p. 183. For convenience, all references here are to the English edition: *The Black Book of Communism: Crimes, Terror, Repression* (Cambridge, Massachusetts: Harvard University Press, 1999).

³⁴ *Ibid.*, p. 164.

³⁵ *Ibid.*, p. 168.

³⁶ "Le pouvoir soviétique et la paysannerie dans les rapports de la police politique (1930-1934)," *Bulletin de l'IHTP*, nos. 81-82 (December 2003).

paradoxically, Ivnistky's correct comments on Stalin's directive returned to his homeland in a twisted and deceptive form.³⁷

Stéphane Courtois, the editor of the *Black Book*, gave the famine another spin. In his "Introduction" to the publication, he begins by quoting the whole Article II of the UN Convention on Genocide but then reminds the reader of the addition to the definition of genocide made by the French criminal code: "or a *group that has been determined on the basis of any other arbitrary criterion*" [emphasis added by Courtois]. This allows Courtois to add "social group" to the list of targeted populations. Inspired by Vasily Grossman's "magnificent novel" *Forever Flowing*, Courtois compares "the great famine in Ukraine in 1932-33, which resulted from the rural population's resistance to forced collectivization" and in which "6 million died" to the Jewish Holocaust. "Here, the genocide of a 'class' may well be tantamount to the genocide of a 'race' — the deliberate starvation of a child of a Ukrainian kulak as a result of the famine caused by Stalin's regime 'is equal to' the starvation of a Jewish child in the Warsaw ghetto as a result of the famine caused by the Nazi regime."³⁸ Courtois's analysis of the 1932-1933 famine as "class genocide" is shared today by many scholars in the West, Ukraine and Russia.

Terry Martin was the first Western scholar to draw particular attention to Stalin's border decree of 1933, which he also published *in toto*.³⁹ The American historian examined the Ukrainian famine in connection with the national aspect, not only in Ukraine but also in the Northern Caucasus. Stalin's correspondence with Kaganovich and Molotov reveals his distrust of the Ukrainian party leaders, such as Chubar and Petrovsky, and the whole Communist party in Ukraine, which he accused of being infiltrated by Petlyurites and agents of Pilsudski. The general opposition in Ukraine to grain procurement was seen as directly connected to the national question, as was the similar sabotage mentality in the Northern Caucasus. This part of the RSFSR had a high proportion of ethnic Ukrainians, especially the Kuban region, with its clear Ukrainian majority. It is in this context that the historian introduces Stalin's directive of 22 January 1933.

However, in spite of the revealing evidence about the national factor in the 1932-1933 events, and even though he called the chapter dealing with the famine "The National Interpretation of the 1933 Famine," the author remains far from recognizing the famine as a Ukrainian genocide. In a lecture delivered at the Harvard Ukrainian Research Institute in February 2001, Martin stated his interpretation is "derived primarily from a close analysis of Soviet nationalities policy," but that this did not mean that he thought it "the decisive factor in explaining the famine." "On the contrary," declared the speaker, "I fully accept the standard peasantist interpretation of the famine." The historian was convinced by the "forceful restatement of that argument" by his colleague, D'Ann Penner, who argued "that the famine was the culminating act in a five-year assault on the peasantry."⁴⁰

Martin's reliance on Penner's work is surprising, because the latter analyzed the famine in the Don and North Caucasus regions, and in her otherwise excellent essay shows a curious understanding of the Ukrainian population of the RSFSR. Penner writes: "The Kuban Cossacks who spoke Ukrainian did not consider themselves Ukrainians nor did they exhibit a desire to join a Ukrainian national movement. They treated the '*khokhly*,' one of the less derisive terms used by Cossacks when referring to Ukrainian-speaking peasants, with as much disdain as did the Russian-speaking Cossacks of Veshensk. [Penner's emphasis]"⁴¹ As the title of her essay indicates, Penner sees the famine primarily as a result of the struggle between the peasants and the Soviet state. Comparing the Chinese and "the Soviet" (her words) famines, the American author writes:

³⁷ Nikolai Vert, "Gosudarstvo protiv svoego naroda. Nasilie, repressii i terror v Sovetskom Soiuze," in Stefan Kurtua et al., *Chernaia kniga komunizma. Prestupleniia terror i repressii*. (Moskva: Tri Veka Istoriyi, 1999), p. 170.

³⁸ Courtois, "Introduction. The Crimes of Communism" in *The Black Book*, p. 9.

³⁹ Terry Martin, *The Affirmative Action Empire. Nations and Nationalism in the Soviet Union, 1923-1939* (Ithaca and London, 2001). See Chapter 7: "The National Interpretation of the 1933 Famine"; the translation is on pp. 306-307.

⁴⁰ Terry Martin, "The 1932-1933 Ukrainian Terror: New Documentation on Surveillance and the Thought Process of Stalin," in *Famine-Genocide in Ukraine 1932-1933* (Toronto, 2003), p. 98. The Ukrainian version, Teri Martyn, "Pro kozhnoho z nas dumaye Stalin ...," *Krytyka* (December 2003), contains a Ukrainian translation of the document (pp. 17-18).

⁴¹ D'Ann Penner, "The Agrarian Strike of 1932-1933" (Kennan Institute for Advanced Russian Studies, Occasional Papers #269) (March 1998), p. 23.

The Ukrainian Famine of 1932-1933 as Genocide in the Light of the UN Convention...

“In both cases, the famines were immediately preceded by decisions to change and, the decision-makers believed, to rapidly upgrade agricultural production on a grand scale irrespective of the farming people’s expressed will. At the most basic level, each famine was caused by the government’s handling of a serious grain crisis, which itself was the result of a predominantly unnatural disaster caused by failed innovations, short-sighted policies and effective peasant resistance.”⁴²

Penner mentions the Stalin border decree, not in connection with the national question, but as a follow-up to the law on passports and a way to control popular mobility, unproductive to the state.⁴³ For Wilson, there was also no Ukrainian famine as such, and his perception of the event was reflected in the title of his Harvard paper: “The 1932-33 Ukrainian Terror.” The evidentiary potential of the Stalin directive was not exploited to its fullest.

Stalin’s directive to close the border has been slow in attracting interest among Ukrainian scholars, even those who uphold the thesis of Ukrainian genocide and need evidential material to support their claim. On the 65th anniversary of the famine, Ivniitsky once more spoke of the Moscow document of 22 January 1933, and Volodymyr Serhiychuk quoted from the follow-up Kharkiv directive to the Ukrainian regions. Regrettably, neither historian approached the blockade of the Ukrainian peasants from the perspective of the UN Convention on genocide. Nor was it the approach adopted by Levko Lukyanenko and Olena Zdiochuk, who were supposed to provide the conference with a legal analysis of the famine.⁴⁴

When, at the end of the millennium, Vasyl Marochko wrote a long essay titled “Genocide of the Ukrainian People,” he quoted the definition in Article II of the Convention without analyzing it, made no reference to the Stalin directive and waffled between a national and a “peasantist” interpretation of the tragedy. Marochko begins his section on “Terror by famine” with this: “The most pronounced indication of genocide in Ukraine is the conscious creation of life conditions, calculated for the physical destruction of *peasants*.”⁴⁵

Only in the beginning of our century did Stalin’s directive receive adequate attention in Valeriy Vasilev’s thorough analysis of the Soviet authorities’ starvation policies. Surprisingly, the author took at face value Stalin’s demagogic claim that the reason for the closing of borders was to “prevent the spreading of information about the famine.”⁴⁶

The 70th anniversary of the famine was marked by scholarly conferences, a special hearing at the Ukrainian Parliament, and a representation to the UN General Assembly. A central aim of these events was to ascertain the genocidal character of the famine. By then, Stalin’s directive should have been well known in academic circle and among interested politicians, for in 2001 the Russian Academy of Sciences published the whole text of Stalin directive.⁴⁷ That same year, Stalin’s correspondence with Kaganovich came out, which helped put the document in a more meaningful historical context.⁴⁸ Assistant Prime-Minister Dmytro Tabachnyk presented the main report at the Parliamentary hearing in February 2003. The historian-turned-politician argued in the spirit of the UN Convention on genocide, showing how the conditions in Ukraine in 1932-1933 corresponded to the criteria of the UN Convention on Genocide. As one of the repressive measures, Tabachnyk mentioned the introduction of the passport system, which tied the peasants to the starving villages.

⁴² Ibid., p. 32.

⁴³ Ibid. p. 28.

⁴⁴ M. P. Kots (ed.), *Holod-henotsyd 1933 roku v Ukrayini: istoryko-politychnyi analiz sotsialno-demohrafichnyky ta moralno-psykholohichnykh naslidkiv. Mizhnarodna naukovo-teoretychna konferentsiya*. Kyiv, 28 lystopada 1998 (Kyiv, 2000) ; see Ivniitskiy, p. 113; Serhiychuk, p. 125; Lukyanenko, pp. 240-247; Zdioruk, pp. 248-252.

⁴⁵ *Holodomory v Ukrayini 1921-1923, 1932-1933, 1946-1947: Zlochyny protry narodu* (Kyiv, 2000), p. 104. [Emphasis added by author.]

⁴⁶ Valeriy Vasilev, “Tsina holodnoho khliba: polityka kerivnytstva SRSR i USRR v 1932-1933 rr.,” in *Komandyry velykoho holodu: Poyizdky V. Molotova i L. Kahanovycha v Ukrayinu ta na Pivnichnyi Kavkaz* (Kyiv: Heneza, 2001), p. 67.

⁴⁷ *Tragediya sovetskoj derevni. Collectivizatsia i raskulachivanie. Dokumenty i material*, vol. 3 (Moskva: ROSSPEN, 2001), pp. 634-635.

⁴⁸ *Stalin i Kaganovich Perepiska. 1931-1936* (Moskva: ROSSPEN, 2001).

However, with one exception, no politician or academic at the hearing evoked Stalin's border decree. Only one Member of Parliament, the head of the Poltava "Prosvita" organization, Mykola Kulchytsky, quoted Stalin's directive and recounted an incident from the period to illustrate its effect.⁴⁹ I was not able to obtain the dossier presented by the Ukrainian delegation to the 5th Committee of the General Assembly of the United Nations, but I suspect that there was no particular attention drawn to the border-closing decree.

Of the numerous conferences held that fall in Europe and North America, let us look at just two, one held in May at the Lviv Polytechnic University, and the other in November at Kyiv University. Not one paper at the Lviv conference mentions Stalin's border decree. Rudolf Myrsky's paper, however, is relevant to our discussion for another reason. The author draws a parallel between two genocides executed on Ukrainian soil: Stalin's "class genocide" against Ukrainian peasants and Hitler's "race genocide" against the Jews of Ukraine. Echoing Courtois's quotation from Grossman's *Forever Flowing* Myrsky asserts: "We can say that in Holodomor and Holocaust a class genocide joins up with a racial genocide in a fatal calculation: the death from hunger of a Ukrainian child has the same value as death from hunger in a Warsaw ghetto."⁵⁰ Courtois's Ukrainian child thus lost its "kulak" label, but was subjected to the same "peasantist" interpretation, which enjoys much support among Ukrainian scholars.

Only Shapoval discussed Stalin's borders directive at the Kyiv conference. He made it clear that the decree was to counter the flight of peasants "beyond the limits of Ukraine." Shapoval also quoted a Ukrainian translation of the whole follow-up order sent the next day from Kharkiv to the oblasts. But the Ukrainian specificity of the two documents are diminished by the historian's discussion of the matter in a section, which he aptly calls "the second serfdom," namely the tying down of all Soviet peasants to the land, which began with the passport decree.⁵¹

To complete this brief overview of the fate of Stalin's border decree, three more publications should be mentioned. For the 70th anniversary of the 1933 famine, the Institute of History of the National Academy of Sciences of Ukraine published a voluminous collective study under the title "Famine of 1932-1933 in Ukraine: Causes and Consequences." Significantly, neither "Holodomor" nor "Genocide" appear in the book's title, and of the 68 titles of sections and subsections in the book, the term "genocide" is used only once in a subtitle, and in reference to peasants, not Ukrainians: "The policy of total grain confiscation in the Ukrainian village: genocide against the peasants."⁵² Neither in that section, nor anywhere else in the almost 900-page opus, is there any mention of the UN Convention on Genocide or an analysis of the concept of genocide. As for Stalin's border decree, there is only discussion of its application and its effect in the sections on how peasants tried to save themselves from the famine and in connection with the passport system.⁵³ The more popular terms used in the book are "holodomor" and "terror by famine."

Mention should be made of the 80 documents on the famine, recently published by Lubomyr Luciuk (Royal Military College in Kingston, Canada) and Shapoval (Political and Ethnic Studies Institute, Kyiv). As the collection is intended primarily for the academic public outside Ukraine, Shapoval included a succinct introduction, in English, showing the most important stages in the realization of Stalin's famine-genocide. The author briefly explains the border closing document and adds: "appropriate instructions were issued to the transport departments of the OGPU USSR" (the precursor of the better-known NKVD).⁵⁴ Notwithstanding the sloppy appearance of the book, it is a worthwhile addition to the material on the Ukrainian genocide.

⁴⁹ *Ukrayina. Parlametski slukhannya shchodo vshanuvannya pamyati zhertv holodomoru 1932-1933 rokiv. 12 lyutoho 2003 roku* (Kyiv, 2003); see Tabachnyk, pp. 12-24; Kulchytsky, pp. 68-70.

⁵⁰ Rudolf Ia. Myrsky, "Holodomor i Kholokost v Ukraini yak vseukrayinska trahediya (filosofsko-politolohichni rozdzumy)," *Visnyk natsionalnoho universytetu 'Lvivska politekhnika'*, no. 493 (2003), p. 299.

⁵¹ Yuri Shapoval, "Holod 1932-1933 rokiv: Kreml i politychne kerivnytstvo USRR," in *Try holodomory v Ukraini v XXst.: pohlyad iz sohodennya. Materialy mizhnarodnoyi naukovoyi konferentsiyi* (Kyiv, 2003), pp. 43-45, 36.

⁵² "Polityka totalnoho vyluchennya khliba v ukrayinskomu seli: henotsyd proty selyan," in II NANU. *Holod 1932-1933 rokiv v Ukraini: prychny ta naslidky* (Kyiv: Naukova Dumka, 2003), p. 440.

⁵³ *Ibid.*, pp. 551, 632-633.

⁵⁴ Shapoval (ed.), *The Famine-Genocide of 1932-1933 in Ukraine*. (Kashtan Press, 2005), p. 9.

The Ukrainian Famine of 1932-1933 as Genocide in the Light of the UN Convention...

Since many of the documents have already appeared in the original language (Russian), it would have been more useful to give an English translation of these documents. What is also baffling is the editor's failure to include the crucial Stalin-Molotov directive of 22 January 1933. Instead, the editors published the follow-up directive, sent the next day by Kharkiv to the Ukrainian regions, which does not have the same evidentiary value in proving Stalin's genocidal intent.⁵⁵

Ukraine's most prolific academic writer on the famine is Stanislav Kulchytsky. His last major essay on the subject was first serialized in the Ukrainian, Russian and English versions of the newspaper *Den*, under the title "Why was Stalin Destroying Us."⁵⁶ Then the Ukrainian and Russian versions were adapted for a bilingual book published by the Institute of History of the National Academy of Sciences of Ukraine under the title *Famine of 1932-1933 in Ukraine as Genocide*.⁵⁷

Kulchytsky's conceptual paradigm is the notion of "terror by famine," borrowed from Robert Conquest⁵⁸ and also popular with many Western and Ukrainian historians. Yet, as Egbert Jahn so cogently argued, a terror policy seeks to alarm and intimidate people, and to be effective makes available as much information as possible. This was not characteristic of the famine and so "one cannot characterize the core of the Holodomor as the use of hunger terror."⁵⁹ "Terror by famine" is a misnomer.

Terror was employed to force the peasants into collective farms and to confiscate their harvest. It was effective and achieved its goal. It also caused some loss of life but did not result in mass extermination. Famine came after most of the collectivization was already accomplished and the peasants' foodstuffs confiscated. Terror was employed throughout the whole period towards party and state cadres to intimidate them into carrying out Stalin's genocidal policies toward the Ukrainian peasants, but these functionaries did not die from the terror.

Terry Martin provides a good analysis of the measures taken to terrorize the local communists in the Kuban.⁶⁰ Ukrainian peasants succumbed to starvation when there was no need to scare them into the collective farms, for most of them already were there, and when there was no need to scare them into giving up their produce, because it had already been confiscated. The peasants died from induced hunger, not fear. The "terror by famine" cannot be used as a synonym for genocide, as Kulchytsky seems to imply by his usage of the terms.

Kulchytsky set for himself the task of discovering Stalin's motives for destroying Ukrainians. Establishing the motive for a criminal act helps to understand the criminal's intention to commit it, but it is not a factor in determining proof of genocide, according to the UN Convention. What the Convention demands is proof of the intent itself.

Contrary to Kulchytsky's claim, I believe that the Ukrainian famine of 1932-1933 does fit the UN definition of genocide. The two main concerns of Article II — that the victim population fit one of the four identified groups and that proof be given of the perpetrator's genocidal intent — can be satisfied with the available documents, the most revealing of which is Stalin's border decree.

⁵⁵ *Ibid.*, pp. 282-283.

⁵⁶ "Chomu Stalin nas nyschchiv," *Den* (25 October, 8 November and 22 November 2005); rendered into English as "Why Did Stalin Exterminate Ukrainians."

⁵⁷ Stanislav V. Kulchytsky, *Holod 1932-1933 rr. v Ukrayini yak henotsyd* (Kyiv: II NANU, 2005). The book's relation to the *Den* articles is not mentioned, nor is the reader informed that changes (some of them quite important) had been made in the book version.

⁵⁸ Conquest, *Harvest of Sorrow. Soviet Collectivization and the Terror Famine* (New York: Oxford University Press, 1986).

⁵⁹ Egbert Jahn, "On the Phenomenology of Mass Extermination in Europe. A Comparative Perspective on the Holodomor," in *Osteuropa. Sketches of Europe: Old Lands, New Worlds* (Bonn, 2005), p. 212.

⁶⁰ Martin, *The Affirmative Action Empire*, pp. 300-301.

The 1932-1933 Famine as Genocide Against Ukrainians

Stalin's decree is directed against two groups of peasants, those living in the Ukrainian SSR and those in the Northern Caucasus, especially the Kuban region. Let us first examine the targeted population in the Ukrainian republic.

Stalin complains of a massive flight of peasants from Ukraine to the near-by regions of Russia and Belarus. These people pretend to search for food but in fact, he claims, are social-revolutionaries and agents of Poland who agitate in the northern parts of the USSR against the *kolkhoz* system. The same thing happened the year before, but the party, state and police authorities of Ukraine did nothing to stop it. It must not be allowed to happen this year. Stalin then orders the party, state and police authorities of Ukraine to prevent peasants from crossing the border between Ukraine and the rest of the USSR. Corresponding authorities in Belarus and the adjoining Russian regions must prevent peasants from Ukraine to enter their territories. Peasants guilty of disobeying the order must be arrested, counter-revolutionary elements segregated for punishment, and the others returned to their villages.

Stalin's decree concerned all peasants of Ukraine. But since the UN Convention only recognizes national and ethnic groups, the crucial question is whether they were targeted as peasants or Ukrainians?

We have seen that the "national group" in the UN Convention's has been interpreted in the sense of "civic nation" and even a well-defined region. In this regard, all the peasants within the borders of the Ukrainian SSR, whatever their ethnic origin, were part of the Ukrainian nation. According to the 1926 census, ethnically Ukrainian peasants made up 88.5 % of the Republic's peasant population; the ethnic and civic character of Ukrainian peasantry overlapped. Ethnically, Ukrainian peasants also made up 89.0 % of the Republic's ethnically Ukrainian population and 71.8 % of the Republic's overall population, and thus constituted the overwhelming portion of the Republic's population. It was this group that Stalin's border decree singled out for partial destruction, but did he see his enemies as peasants or Ukrainians?

Two months earlier, Kaganovich boasted in Rostov-on-Don that the Party had definitively settled the question of who would defeat whom in the struggle between the régime and its opponents.⁶¹ Kaganovich was right regarding the peasants: by then their opposition to collectivization was broken, as was their "sabotage" of state procurement. Ukrainian peasants — as peasants — were no more an obstacle to the Party's policies or a danger to its domination than were the Russian peasants. There was no more need to exterminate them, than to eliminate the Russian peasants. However, Ukrainian peasants presented a more formidable threat to Stalin's regime as Ukrainians.

In 1925, Stalin lectured the Yugoslav comrades on the national question. He told them that the peasant question was "the basis, the quintessence of the national question." "That explains the fact," he affirmed, "that the peasantry constitutes the main army of the national movement, that there is no powerful national movement without the peasant army." The social role of the peasantry is inexorably connected with its national needs, and because of the peasants' predominance in agrarian societies, the national question becomes in essence a peasant question. And to be perfectly clear, Stalin adds that the national question is "not an agrarian but a peasant question, for these are two different things."⁶²

Stalin's separation of the peasant's economic and social functions is noteworthy. Stalin criticized the Yugoslavs for underestimating "the inherent strength of the national movement," and warned them that the lack of understanding and underestimation of the national question constituted a grave danger. Stalin's convictions did not change in later years; he continued to be vigilant lest the national movements endanger the integrity of his multinational empire, and he had no intention of underestimating the "profoundly popular and profoundly revolutionary character of the national movement" in Soviet Ukraine, engendered by the Ukrainian national revival

⁶¹ *Komandyry velykoho holodu*, p. 49.

⁶² J. V. Stalin, "Concerning the National Question in Yugoslavia," in *Works*, vol. 7 (Moscow: Foreign Languages Publishing House, 1954), pp. 71-72.

The Ukrainian Famine of 1932-1933 as Genocide in the Light of the UN Convention...

in the 1920s and fanned by the Party-approved Ukrainianization. By the end of 1932, Ukrainian peasants had been vanquished as peasants; Stalin now intended to eliminate a part of them — as Ukrainians.

Revealing evidence of Stalin's concern for the national question is provided by Stalin's correspondence with Kaganovich in August 1932. The two agreed that the Ukrainian party was dragging its feet on grain procurement and that Petlyurites and agents of Pilsudski infiltrated the party. Stalin raised the threat that unless proper measures were taken, "we can lose Ukraine"; Kaganovich agreed, adding: "The theory that we, Ukrainians, have unjustly suffered, fosters a solidarity and a rotten mutual guarantee not only among the middle level cadres, but also at the top."⁶³ Of course, both knew that there was little threat from imaginary "Petlyurites" or "Pilsudski agents," who supposedly infiltrated the Party (this was a directive for the Party on how to interpret these matters), but there was an eventual threat from the Ukrainian national revival, whose mainstay was the peasantry. Kremlin's 14 December 1932 analysis of the procurement difficulties in Ukraine and the North Caucasus was blamed on the Ukrainianization policy, and both were attacked with a vengeance. Moscow ordered Party and State authorities in Ukraine "to pay serious attention to the proper conduct of Ukrainianization, eliminate its application in a mechanical way, remove Petlyurite and other bourgeois-nationalist elements from Party and Soviet organizations." They were also ordered to "carefully pick and train Ukrainian bolshevik cadres, secure systematic party leadership and control over the process of Ukrainianization."⁶⁴ This was a blueprint for ethnocide; it effectively put an end to Ukrainianization in Ukraine, and even more so in the RSFSR. This document was more of a precursor for the genocidal Stalin border directive than the passport decree.

The other region closed by Stalin's 22 January 1933 directive was the North Caucasus Territory, but the main target was its Kuban region. The directive even begins with the notification about peasant exodus from "Kuban and Ukraine." What did the two targeted areas — Ukraine, a union republic, and Kuban, a neighboring region of the RSFSR — have in common? They were important grain-producing regions. That is true, but so was the Central-Black Earth region, which was not singled out. There was a more important consideration at that time for Stalin and Kaganovich: the Ukrainianization program was transforming in a dangerous way the overwhelmingly Ukrainian peasant population of Ukraine and Kuban into Ukrainians, conscious of their national identity.

At that time, there were some eight million ethnic Ukrainians living outside the Ukrainian SSR, mostly in the regions of the RSFSR, contiguous with Ukraine. The North Caucasus had about three million Ukrainians, and almost half of them lived in the Kuban region, where it constituted about two thirds of the population. Also significant was the fact that about one-half million of the Kuban Ukrainians were not of traditional peasants stock but descendants of Ukrainian Zaporozhian Kozaks, people with a military history and democratic traditions. It was in these regions that most of the starvation outside Ukraine took place. (Kazakhstan is a separate case.) The Ukrainianization of the Ukrainian "colonies" in the RSFSR, and especially of the Kuban, had already added fuel to what Martin calls the Piedmontist principle of border disputes between the Ukrainian SSR and Moscow. The peasant/Kozak population could prove to be a disruptive force in the future.

In its 14 December 1932 decision, Moscow took to task the party and state authorities of the North Caucasus Territory: "... the flippancy in carrying out unbolshevik 'Ukrainianization' of almost half of the districts of North Caucasus, which did not come from the cultural interests of the population, and which was carried out with a complete absence of controls on the part of regional organs over the Ukrainianization of the schools and the press, gave the enemies of the Soviet power legal cover for organizing opposition by kulaks, [former] officers, returning Cossack emigrants, members of the Kuban Rada [analogous to the Ukrainian Central Rada of 1917-1918], etc."⁶⁵

The prescribed punishment was harsh: "Immediately change the clerical work of the Soviet and cooperative organs and all the newspapers and journals in the 'Ukrainianized' districts of North Caucasus from the Ukrainian language to the Russian language, as the more understandable to the Kuban population, and also prepare the

⁶³ *Stalin i Kaganovich Perepiska*; see Stalin, p. 274; Kaganovich, p. 283.

⁶⁴ *Tragedia Sovetskoi Derevni*, T. 3., p. 577.

⁶⁵ *Tragediya sovetskoi derevni*, pp. 576-577.

transfer of teaching in schools into the Russian language.” The local authorities were further warned to immediately verify and improve the composition of school personnel in the “Ukrainianized” districts.⁶⁶

The foregoing examination of Stalin’s twin targets should be sufficient to show that their common characteristic was their national or ethnic identity. The nexus joining the Ukrainian national group in the Ukrainian SSR (whether taken in its civic or ethnic sense) and the Ukrainian ethnic group in Kuban was their Ukrainianness. The requirement of the UN Convention on Genocide is thus satisfied: Ukrainian peasants in Ukraine and in the RSFSR were being destroyed in their capacity as Ukrainians; their agrarian role was secondary. Peasants were the most numerous part of the Ukrainian national/ethnic group, consisting also of intellectuals, state and party functionaries, and workers; and it was this group that Stalin’s régime decided, in the language of the UN Convention, “to destroy in part.” The non-peasant Ukrainians did not die from starvation, but they were definitely victims of the same genocidal intent. The intent was not to destroy the whole Ukrainian nation (nor is total destruction of a specified group a condition for the recognition of genocide by the UN Convention). The intention was to destroy the élites and a sufficiently large portion of the most dynamic element of the Ukrainian national group so as to cripple the Ukrainian nation and reduce Ukrainians to what Stalin liked to call “cogs” in the great state mechanism.

Stalin’s genocidal intent should be sufficiently clear from the various documents originated by him or signed by others on his orders or in anticipation of such. Schabas insists that the “genocidaire” must have knowledge of the consequences of his act.⁶⁷ Stalin was privy to all the important documentation of the Soviet state, cognizant of, and personally responsible for, all the policies, which resulted in the death of millions of innocent people. The régime’s public denial of the famine and its rejection of foreign aid cannot be interpreted in any other way than as a flaunting admission of its intent to starve the population to death.

The most heinous crime of Stalin and his Communist régime is now quite well known, especially to the academic community, but various aspects of the catastrophe still need further research, systematization and conceptualization. This question of the Ukrainian genocide is a case in point. We need a breakdown by nationality of the population that died from the famine in the RSFSR to see how many of the victims were ethnic Russians, Ukrainians, Germans, Tatars and other nationalities. There is no systematic study to show the forms and the degree of discriminatory practices of the Stalinist régime in its policies towards different localities and nationalities in the ethnically mixed regions with regards to the procurement quotas, the implementation of Moscow orders. The national composition of command structure and the cadres that carried out food confiscation and distribution must also be examined in a more systematic way. There was some internal aid to some of the hungry population, but the economic and other reasons behind the régime’s help need a more thorough study. While the very existence of the famine was vehemently denied and foreign efforts to organize famine relief were rejected, some foreign aid did get through to the German and Jewish communities, but this aspect of the Soviet policies is generally ignored in the literature on the famine, possibly because it has not been sufficiently explored and documented. This additional research will give us a more complete knowledge and a better understanding of the Ukrainian famine and help establish its genocidal character.

⁶⁶ *Ibid.*, p. 577.

⁶⁷ Schabas, p. 207.