

Lemkin on Genocide of Nations

*We publish below a piece by Raphael Lemkin (1901–1959) on the genocide of Ukrainians perpetrated, according to Lemkin, by the Soviet authorities between 1926 and 1946. This document was kindly brought to our attention by Roman Serbyn, Professor of History at the University of Québec at Montreal, who also supplied a transcript of the original text and wrote an introductory note. The document was known to Lemkin specialists and experts in genocide, although most scholars have tended to ignore it, or to play it down (notable exceptions are J. Cooper, *Ralph Lemkin and the Struggle for the Genocide Convention* (New York: Palgrave Macmillan, 2007), 253, as well as J.-L. Panné, 'Rafaël Lemkin ou le pouvoir d'un sans-pouvoir', in *Rafaël Lemkin, Qu'est-ce qu'un génocide? Présentation par Jean-Louis Panné* (Monaco: Édition du Rocher, 2008)). It seemed to us that this short article by Lemkin sheds much light on his view of genocide as the annihilation of a 'national group'.*

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Lemkin on the Ukrainian Genocide

Roman Serbyn*

Raphael Lemkin's essay, 'Soviet Genocide in Ukraine', is one of the earliest writings on the subject by a non-Ukrainian scholar. A note 'Begin here', scribbled in before the second paragraph, which begins with the words 'What I want to speak about', suggests that the text was originally composed for Lemkin's address at the 1953 Ukrainian Famine commemoration in New York. Later Lemkin added it to the material he was gathering for his elaborate *History of Genocide* which was never published.¹ Lemkin's views on the Ukrainian tragedy are virtually unknown and hardly ever figure in scholarly exchanges on the

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1 Raphael Lemkin Papers, The New York Public Library, Manuscripts and Archives Division, Astor, Lenox and Tilden Foundation, Raphael Lemkin ZL-273. Reel 3. The paper by Lemkin reproduced here has been published in L.Y. Luciuk (ed.), *Holodomor - Reflections on the Great Famine of 1932–1933 in Soviet Ukraine* (Kingston, Ontario: The Kashtan Press, 2008), Appendix A, and will be republished in a new Journal: *Holodomor Studies* (2009).

Ukrainian famine of 1932–1933, or on genocides in general.² Yet his holistic approach to the Soviet regime's gradual destruction of the Ukrainian nation is enlightening and makes a valuable, if belated, addition to scholarly literature.

R. Lemkin was born in 1900 to a Jewish farming family in the village of Bezvodne, near the medieval Rus' town of Volkovysk, now part of the Grodno region of Belarus. Before World War I the territory belonged to Russia, but after the break up of the Tsarist Empire it was incorporated into Poland.³ Lemkin studied philology and law at the University of Lviv, where he became interested in the Turkish massacres of the Armenians during World War I. After studying on a scholarship in Germany, France and Italy, he returned to Poland and pursued a career in the Polish courts of law, mainly in Warsaw. He continued his preoccupation with the problem of legal sanctions against perpetrators of mass exterminations and developed his ideas, which he later presented at various international conferences. In 1930, Lemkin was appointed assistant prosecutor at the District Court of Berezhany, Tarnopol Province of Eastern Galicia (Western Ukraine) where he must have become aware of the collectivization, 'dekulakization' and the eventual Great Famine then devastating Soviet Ukraine. Some time later he obtained a similar position in Warsaw, where he also practised law and continued his writings on international law.

After the invasion of Poland by German and Soviet troops in 1939, Lemkin fled to Vilnius and then to Sweden where he lectured at the University of Stockholm. In early 1941, he managed to obtain a visa to the USSR, but then via Japan and Canada went to the United States. In April 1941, he was appointed 'special lecturer' at Duke University Law School in Durham, North Carolina. In 1944 he published *Axis Rule in Occupied Europe*, which he had started writing in Sweden.⁴ The study is a thoroughly documented exposé on German crimes in Europe. The book contains the first mention of the term 'genocide', which has become a generic name not only for the Nazi atrocities but for all mass destructions. The author's relentless lobbying, backed by the prestige of the book, finally succeeded in swaying the United Nations Organization to adopt the Convention on the Prevention and Punishment of the Crime of Genocide, whose fitting 60th anniversary we are commemorating this year.

After World War II, Lemkin devoted his life to the further development of legal concepts and norms for containing mass destructions and punishing their perpetrators. After the fall of Nazism, Lemkin saw the main threat in Communism, which had overrun his native Poland. Towards the end of his life, he had close relations with the Ukrainian and Baltic communities in

2 A notable exception is J.L. Panné, 'Rafaël Lemkin ou le pouvoir d'un sans-pouvoir', in R. Lemkin (ed.), *Qu'est-ce qu'un génocide? Présentation par Jean-Louis Panné* (Monaco: Édition du Rocher, 2008) 7–66.

3 Bibliographical data gathered from R. Szawlowski, 'Raphael Lemkin (1900–1959) The Polish Lawyer Who Created the Concept of "Genocide"', 2 *Polish International Affairs* (2005) 98–133; Panné, *supra* note 2.

4 R. Lemkin, *Axis Rule in Occupied Europe: Laws of Occupation, Analysis of Government, Proposals for Redress* (Washington, DC: Carnegie Endowment for International Peace, 1944), xii–xiii.

the United States. In 1953, he took part in the commemoration of the Great Famine by the New York Ukrainian community. His essay on the Ukrainian genocide shows his empathy for the plight of Ukrainian victims of Communism and Russian imperialism, not only of the Great Famine of the early thirties but also of the periods that precede and followed this tragic event. Lemkin's essay, based on personal observations and supplemented with emotionally charged testimony provided by the Ukrainian community, may appear sketchy and naïve today. Yet his comments offer an insight that is often lacking in the work of recent authors who can benefit from the documentation unavailable to Lemkin. He rightly extends the discussion of Ukrainian genocide beyond the peasants starving in 1932–1933, and speaks about the destruction of the intelligentsia and the Church, the 'brain' and the 'soul' of the nation. He puts emphasis on the preservation and development of culture, beliefs and common ideas, which make Ukraine 'a nation rather than a mass of people'.

Lemkin's essay is being reproduced here with minor updating of terminology (Ukraine instead of 'the Ukraine', Romanian instead of 'Rumanian' and Tsarist instead of 'Czarist') and the transliteration of Ukrainian names from Ukrainian.

Soviet Genocide in Ukraine

Rafael Lemkin⁵

'Love Ukraine'
You cannot love other peoples
Unless you love Ukraine.⁶
Sosyura

The mass murder of peoples and of nations that has characterized the advance of the Soviet Union into Europe is not a new feature of their policy of expansionism, it is not an innovation devised simply to bring uniformity out of the diversity of Poles, Hungarians, Balts, Romanians — presently disappearing into the fringes of their empire. Instead, it has been a long-term characteristic even of the internal policy of the Kremlin — one which the present masters had ample precedent for in the operations of Tsarist Russia. It is indeed an indispensable step in the process of 'union' that the Soviet leaders fondly hope will produce the 'Soviet Man', the 'Soviet Nation' and to achieve that goal, that

5 If no indication to the contrary is given, footnotes are by Prof. Serbyn.

6 Verse by Volodymyr Sosyura added in pencil. Sosyura wrote the patriotic poem in 1944, during the German–Soviet war. At first it was praised by the authorities, but in 1948 it was condemned for Ukrainian nationalism. The two verses in the Ukrainian original:

не можна любити народів других,
коли ти не любиш Україну!..

unified nation, the leaders of the Kremlin will gladly destroy the nations and the cultures that have long inhabited Eastern Europe.

What I want to speak about is perhaps the classic example of Soviet genocide, its longest and broadest experiment in Russification — the destruction of the Ukrainian nation. This is, as I have said, only the logical successor of such Tsarist crimes as the drowning of 10,000 Crimean Tatars by order of Catherine the Great, the mass murders of Ivan the Terrible's 'SS troops' — the *Oprichnina*; the extermination of National Polish leaders and Ukrainian Catholics by Nicholas I; and the series of Jewish pogroms that have stained Russian history periodically. And it has had its matches within the Soviet Union in the annihilation of the Ingerian nation, the Don and Kuban Cossacks, the Crimean Tatar Republics, the Baltic Nations of Lithuania, Estonia and Latvia. Each is a case in the long-term policy of liquidation of non-Russian peoples by the removal of select parts.

Ukraine constitutes a slice of Southeastern USSR equal in area to France and Italy, and inhabited by some 30 million people.⁷ Itself the Russian bread basket, geography has made it a strategic key to the oil of the Caucasus and Iran, and to the entire Arab world. In the north, it borders Russia proper. As long as Ukraine retains its national unity, as long as its people continue to think of themselves as Ukrainians and to seek independence, so long Ukraine poses a serious threat to the very heart of Sovietism. It is no wonder that the Communist leaders have attached the greatest importance to the Russification of this independent[-minded] member of their 'Union of Republics', have determined to remake it to fit their pattern of one Russian nation. For the Ukrainian is not and has never been, a Russian. His culture, his temperament, his language, his religion — all are different. At the side door to Moscow, he has refused to be collectivized, accepting deportation, even death. And so it is peculiarly important that the Ukrainian be fitted into the Procrustean pattern of the ideal Soviet man.

Ukraine is highly susceptible to racial murder by select parts and so the Communist tactics there have not followed the pattern taken by the German attacks against the Jews. The nation is too populous to be exterminated completely with any efficiency. However, its leadership, religious, intellectual, political, its select and determining parts, are quite small and therefore easily eliminated, and so it is upon these groups particularly that the full force of the Soviet axe has fallen, with its familiar tools of mass murder, deportation and forced labour, exile and starvation.

The attack has manifested a systematic pattern, with the whole process repeated again and again to meet fresh outbursts of national spirit. The first blow is aimed at the intelligentsia, the national brain, so as to paralyse the rest of the body. In 1920, 1926 and again in 1930–1933, teachers, writers, artists, thinkers, political leaders, were liquidated, imprisoned or deported. According to the *Ukrainian Quarterly* of Autumn 1948, 51,713 intellectuals were sent to Siberia in 1931 alone. At least 114 major poets, writers and artists, the most

7 According to the 1959 census there were then a little over 40 million people.

prominent cultural leaders of the nation, have met the same fate. It is conservatively estimated that at least 75% of the Ukrainian intellectuals and professional men in Western Ukraine, Carpatho-Ukraine and Bukovina have been brutally exterminated by the Russians (*ibid.*, Summer 1949).

Going along with this attack on the intelligentsia was an offensive against the churches, priests and hierarchy, the 'soul' of Ukraine. Between 1926 and 1932, the Ukrainian Orthodox Autocephalous Church, its Metropolitan (Lypkivsky) and 10,000 clergy were liquidated. In 1945, when the Soviets established themselves in Western Ukraine, a similar fate was meted out to the Ukrainian Catholic Church. That Russification was the only issue involved is clearly demonstrated by the fact that before its liquidation, the Church was offered the opportunity to join the Russian Patriarch[ate] at Moscow, the Kremlin's political tool.

Only two weeks before the San Francisco conference, on 11 April 1945, a detachment of NKVD troops surrounded the St George Cathedral in Lviv and arrested Metropolitan Slipyj, two bishops, two prelates and several priests.⁸ All the students in the city's theological seminary were driven from the school, while their professors were told that the Ukrainian Greek Catholic Church had ceased to exist, that its Metropolitan was arrested and his place was to be taken by a Soviet-appointed bishop. These acts were repeated all over Western Ukraine and across the Curzon Line in Poland.⁹ At least seven bishops were arrested or were never heard from again. There is no Bishop of the Ukrainian Catholic Church still free in the area. Five hundred clergy who met to protest the action of the Soviets, were shot or arrested. Throughout the entire region, clergy and laity were killed by hundreds, while the number sent to forced labour camps ran into the thousands. Whole villages were depopulated. In the deportation, families were deliberately separated, fathers to Siberia, mothers to the brickworks of Turkestan and the children to Communist homes to be 'educated'. For the crime of being Ukrainian, the Church itself was declared a society detrimental to the welfare of the Soviet state, its members were marked down in the Soviet police files as potential 'enemies of the people'. As a matter of fact, with the exception of 150,000 members in Slovakia, the Ukrainian Catholic Church has been officially liquidated, its hierarchy imprisoned, its clergy dispersed and deported.

These attacks on the Soul have also had and will continue to have a serious effect on the Brain of Ukraine, for it is the families of the clergy that have traditionally supplied a large part of the intellectuals, while the priests themselves have been the leaders of the villages, their wives the heads of the charitable organizations. The religious orders ran schools, and took care of much of the organized charities.

8 The Charter creating the United Nations was signed by the delegates of 50 countries, including the USSR and the Ukrainian SSR, at the Conference held on 25–26 April 1945.

9 The Curzon Line proposed by the British as a border between Poland and the Soviet state after the First World War eventually served as the basis for the post-World War II border between Poland and the USSR. The border left a large Ukrainian minority in the Polish state.

The third prong of the Soviet plan was aimed at the farmers, the large mass of independent peasants who are the repository of the tradition, folklore and music, the national language and literature, the national spirit, of Ukraine. The weapon used against this body is perhaps the most terrible of all — starvation. Between 1932 and 1933, 5,000,000 Ukrainians starved to death, an inhumanity which the 73rd Congress decried on 28 May 1934.¹⁰ There has been an attempt to dismiss this highpoint of Soviet cruelty as an economic policy connected with the collectivization of the wheat-lands, and the elimination of the kulaks, the independent farmers, was therefore necessary. The fact is, however, that large-scale farmers in Ukraine were few and far-between. As a Soviet politician Kosior¹¹ declared in *Izvestiia* on 2 December 1933, 'Ukrainian nationalism is our chief danger', and it was to eliminate that nationalism, to establish the horrifying uniformity of the Soviet state that the Ukrainian peasantry was sacrificed. The method used in this part of the plan was not at all restricted to any particular group. All suffered — men, women and children. The crop that year was ample to feed the people and livestock of Ukraine, though it had fallen off somewhat from the previous year, a decrease probably due in large measure to the struggle over collectivization. But a famine was necessary for the Soviet and so they got one to order, by plan, through an unusually high grain allotment to the state as taxes. To add to this, thousands of acres of wheat were never harvested, and left to rot in the fields. The rest was sent to government granaries to be stored there until the authorities had decided how to allocate it. Much of this crop, so vital to the lives of the Ukrainian people, ended up as exports for the creation of credits abroad.

In the face of famine on the farms, thousands abandoned the rural areas and moved into the towns to beg food. Caught there and sent back to the country, they abandoned their children in the hope that they at least might survive. In this way, 18,000 children were abandoned in Kharkiv alone. Villages of

10 On 28 May 1934, Congressman Hamilton Fish of New York introduced a Resolution (*H. Res. 309*) in the House of Representatives, in Washington. The document stipulated that 'several millions of the population of the Ukrainian Soviet Socialist Republic died of starvation during 1932 and 1933'. The resolution further proposed:

that the House of Representatives express its sympathy for all those who suffered from the great famine in Ukraine which has brought misery, affliction, and death to millions of peaceful and law-abiding Ukrainians;
 'that . . . the Government of the Union of Soviet Socialist Republics . . . take active steps to alleviate the terrible consequences arising from this famine,
 'that . . . the Union of Soviet Socialist Republics Government . . . place no obstacles in the way of American citizens seeking to send aid in form of money, foodstuffs, and necessities to the famine-stricken regions of Ukraine.

The Resolution was referred to the Committee on Foreign Relations (Resolution reproduced in *The Ukrainian Quarterly* (1978) 416–417).

11 Erroneously identified by Lemkin as 'Soviet writer Kossies', Stanislaw Kosior was the First Secretary of the Communist Party (Bolshevik) of Ukraine (CP(b)U). In a speech delivered at the Joint session of the Central Committee and the Central Control Committee of the CP(b)U, on 27 November 1933, Kosior stated that 'at the present moment, local Ukrainian nationalism poses the main danger'.

a thousand had a surviving population of a hundred; in others, half the populace was gone, and deaths in these towns ranged from 20 to 30 per day. Cannibalism became commonplace.

As C. [read instead W.] Henry Chamberlain, the Moscow correspondent of the *Christian Science Monitor*, wrote in 1933:

The Communists saw in this apathy and discouragement, sabotage and counter-revolution, and, with the ruthlessness peculiar to self-righteous idealists, they decided to let the famine run its course with the idea that it would teach the peasants a lesson.

Relief was doled out to the collective farms, but on an inadequate scale and so late that many lives had already been lost. The individual peasants were left to shift for themselves; and much higher mortality rate among the individual peasants proved a most potent argument in favor of joining collective farms.

The fourth step in the process consisted in the fragmentation of the Ukrainian people at once by the addition to the Ukraine of foreign peoples and by the dispersion of the Ukrainians throughout Eastern Europe. In this way, ethnic unity would be destroyed and nationalities mixed. Between 1920 and 1939, the population of Ukraine changed from 80% Ukrainian to only 63%.¹² In the face of famine and deportation, the Ukrainian population had declined absolutely from 23.2 million to 19.6 million, while the non-Ukrainian population had increased by 5.6 million. When we consider that Ukraine once had the highest rate of population increase in Europe, around 800,000 per year, it is easy to see that the Russian policy has been accomplished.

These have been the chief steps in the systematic destruction of the Ukrainian nation, in its progressive absorption within the new Soviet nation. Notably, there have been no attempts at complete annihilation, such as was the method of the German attack on the Jews. And yet, if the Soviet programme succeeds completely, if the intelligentsia, the priests and the peasants can be eliminated, Ukraine will be as dead as if every Ukrainian were killed, for it will have lost that part of it which has kept and developed its culture, its beliefs, its common ideas, which have guided it and given it a soul, which, in short, made it a nation rather than a mass of people.

The mass, indiscriminate murders have not, however, been lacking — they have simply not been integral parts of the plan, but only chance variations. Thousands have been executed, untold thousands have disappeared into the certain death of Siberian labour camps.

The city of Vinnitsa might well be called the Ukrainian Dachau. In 91 graves there lie the bodies of 9,432 victims of Soviet tyranny, shot by the NKVD in about 1937 or 1938. Among the gravestones of real cemeteries, in woods, with awful irony, under a dance floor, the bodies lay from 1937 until their discovery

12 There was no census in 1920. The official figures from the 1926 and 1939 census are somewhat different from Lemkin's. In 1926, there were 22.9 million ethnic Ukrainians in Ukrainian SSR and the falsified 1939 figure showed 23.3 million, or an increase of 435,000 ethnic Ukrainians. However, the rise in over-all population of Ukrainian SSR by 3.3 million reduced the ethnically Ukrainian portion from 80% to 73%.

by the Germans in 1943. Many of the victims had been reported by the Soviets as exiled to Siberia.

Ukraine has its Lidice too, in the town of Zavadka, destroyed by the Polish satellites of the Kremlin in 1946.¹³ Three times, troops of the Polish Second Division attacked the town, killing men, women and children, burning houses and stealing farm animals. During the second raid, the Red commander told what was left of the town's populace: 'The same fate will be met by everyone who refuses to go to Ukraine. I therefore order that within three days the village be vacated; otherwise, I shall execute every one of you.'¹⁴

When the town was finally evacuated by force, there remained only 4 men among the 78 survivors. During March of the same year, nine other Ukrainian towns were attacked by the same Red unit and received more or less similar treatment.

What we have seen here is not confined to Ukraine. The plan that the Soviets used there has been and is being repeated. It is an essential part of the Soviet programme for expansion, for it offers the quick way of bringing unity out of the diversity of cultures and nations that constitute the Soviet Empire. That this method brings with it indescribable suffering for millions of people has not turned them from their path. If for no other reason than this human suffering, we would have to condemn this road to unity as criminal. But there is more to it than that. This is not simply a case of mass murder. It is a case of genocide, of destruction, not of individuals only, but of a culture and a nation. If it were possible to do this even without suffering we would still be driven to condemn it, for the family of minds, the unity of ideas, of language and of customs that form what we call a nation that constitutes one of the most important of all our means of civilization and progress. It is true that nations blend together and form new nations — we have an example of this process in our own country — but this blending consists in the pooling of benefits of superiorities that each culture possesses.¹⁵ And it is in this way that the world advances. What then, apart from the very important question of human suffering and human rights that we find wrong with Soviet plans is the criminal waste of civilization and of culture. For the Soviet national unity is being created, not by any union of ideas and of cultures, but by the complete destruction of all cultures and of all ideas save one — the Soviet.

13 On 10 June 1942, 172 males over the age of 16 years were liquidated, the women and children deported and the village of Lidice razed to the ground in reprisal for the assassination of the Nazi dictator of Moravia, Reinhard Heydrich. Zavadka Morokhivs'ka, Sianits'kyi povit, Lemkivshchyna, now Zavadka-Morochowska, in Poland.

14 From W. Dushnyck, *Death and Devastation on the Curzon Line* (note by R.L.).

15 Lemkin had in mind the United States.