

Discussion Article

Stalin and the Soviet Famine of 1932–33 Revisited

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Abstract

This article contributes to the debate about the role of Stalin in the Soviet famine of 1932–33. It provides data on Stalin's statements and actions in 1932–33, judicial and extra-judicial repression, and the process by which the 1933 deportation targets were drastically reduced. It is suggested that starvation was a cheap substitute for the cancelled deportations. It is argued that in 1932–33 Stalin pursued a multi-pronged policy of state terror against the population of the USSR. Some general issues of interpretation are also considered, such as Bolshevik perceptions, the characterisation of Soviet industrialisation, and approaches to Soviet history. Extensive attention is given to the classification of Stalin's actions according to national and international criminal law. In particular, the question of whether or not in 1932–33 the Ukrainian people were victims of genocide, is analysed.

Attentively studying the author's text, not only do [specialists] not stint their compliments, but they also make some critical remarks. Because (is it necessary to prove the obvious?) any really good book invites discussion (Ivanov 2006, p. 120).

The Stalinist leadership was only able to retain power then [in 1932] by using the most savage repression (Khlevnyuk 1992, p. 11).

INITIALLY IT WAS MY INTENTION MERELY TO REPLY TO SOME OF THE POINTS made by Davies and Wheatcroft (2006) in their response to my recent article (Ellman 2005). However, on giving the matter more consideration, it became clear to me that it is necessary to place the issues at stake in a wider context. Not only is it necessary to provide additional data about Stalin's statements and actions in 1932–33, and discuss some general questions of interpreting this period, but it is also necessary that Stalin's

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actions in 1932–33 be discussed in the context of national and international criminal law, a topic entirely outside the scope of the Davies and Wheatcroft book and their response to my article. In particular, Stalin's actions now have to be discussed against the background of the recent Ukrainian request to the UN that Stalin's actions be recognised by the international community as genocide, and in the context of the development of genocide studies as an academic discipline. Thus, this article has the following structure. It begins, in the first part, with some specific points on which I disagree with Davies and Wheatcroft. In the second part I move on to more general interpretative differences in our approaches when assessing the events of those years. In the third part I consider the question of the legality of Stalin's actions, considered from the standpoint of both national and international criminal law.

Specific points of disagreement

Stalin's interpretation of the cause of the famine and the consequences of that interpretation

Both Davies and Wheatcroft and myself agree that Stalin 'was more concerned with the fate of industrialisation than with the lives of the peasants'.¹ We also agree that Stalin 'certainly believed the famine was the peasants' own fault' (Davies & Wheatcroft 2006, p. 628). Stalin was particularly concerned about two groups of peasants who—according to him—had played a major role in 'causing' the famine: the 'class enemies' (or 'counter-revolutionaries' or 'anti-Soviet elements'), and the 'idlers'. In his speech of 11 January 1933, Stalin (1951b, pp. 227–231) explained that the killings and deportations undertaken up until then had not yet eliminated all the 'class enemies', and that many of them were still at loose in the collective farms, into which they had wormed themselves. The newly formed collective farms were often being used by 'counter-revolutionaries'. He argued that the 'kulaks' had been beaten but not yet finished off. The situation was still one of fierce 'class struggle'. The implication of these remarks was that the repression up until then was insufficient—by then more than two and a half million peasants had been arrested, deported, resettled, shot, or sent to prisons and camps—and that more would be necessary.²

As for the 'idlers' (or 'slackers'), they deserved to starve. In his speech of 19 February 1933, delivered while the famine was raging, Stalin (1951c, p. 249) quoted from Lenin

¹This was not a specifically Stalinist policy but reflected long-standing Soviet priorities. In 1922–23 grain was exported to raise funds for the revival of industry at a time when famine was still widespread and the American Relief Administration (ARA) was still providing relief supplies (Serbyn 1986, pp. 165–169).

²This speech is discussed in Davies and Wheatcroft (2004, pp. 203–204). However, they do not draw attention to its implications for repression. Indeed, they assert that Stalin's speech was 'moderate in tone'. This speech was not an isolated incident. Four days earlier Stalin had made another speech at the same meeting. In this he called for the 'intensification' of 'class struggle' and 'revolutionary vigilance'. In their absence there was a danger, according to Stalin, of a revival of the old 'counterrevolutionary parties of the SRs [Socialist Revolutionaries], Mensheviks, and bourgeois nationalists at the centre and the border regions' and also of a revival of the 'counterrevolutionary elements from the Trotskyists and the right deviationists' (Stalin 1951a, pp. 211–212). Khlevnyuk (1992, p. 20) sensibly referred to this speech as 'extremely harsh'. Davies (1996, p. 321) correctly noted that this speech 'provided a justification for . . . repression'.

the words: ‘He who does not work, neither shall he eat’.³ He explained that Lenin had directed these words against the exploiting classes, who did not work themselves but lived on the work of others. However, these words also applied to those who idled and expected others to feed them.⁴ These words naturally influenced the actions of local authorities. As Davies and Wheatcroft have noted (2004, p. 420), an official report of 22 March 1933 explained, ‘The slogan “he who does not work, neither shall he eat” is adopted by rural organisations without any adjustment—let them perish’.⁵ The idea that many of the starving were idlers who deserved to die was a significant part of the official reaction to the famine. The People’s Commissar for Agriculture of Ukraine (A. Odintsov), after touring some badly affected districts, reported that ‘There is a growing consciousness among the people, including the starving, that the way out of the situation is primarily to fulfil the spring sowing. The conscientiously working collective farmers are angry about the idlers and thieves. The conscientiously working collective farmers argue this way: let the idlers and thieves who have condemned me to semi-starvation die from hunger. We will somehow or other get by, will not permit more idling and theft and in the future will improve our life’.⁶

Hence, it can be seen that, during the famine, far from recognising the right of the whole population to food, Stalin specified two groups, the ‘class enemies’ (or ‘counter-revolutionaries’ or ‘anti-Soviet elements’) and the ‘idlers’, who deserved either repression or starvation. In addition, on 20 July 1932 Stalin proposed (Khlevnyuk *et al.* 2001, p. 235) that as a rule the ‘thieves’ who were ‘stealing’ state and *kolkhoz* property should be killed (a proposal formalised in the decree of 7 August 1932). Local officials sometimes interpreted this to mean that those who were dying of starvation were thieves who deserved such a fate.

The Davies and Wheatcroft interpretation pays too little attention to the view of the Stalinists in 1932–33 that many of the dying were ‘counter-revolutionaries’ or ‘idlers’ or ‘thieves’ who fully deserved their fate. However, I agree with Davies and Wheatcroft that in 1929–30 when Stalin *initiated* the collectivisation policy he certainly did not intend to implement a starvation policy. I also agree that the ignorance of agricultural and peasant matters by Team-Stalin,⁷ and their over-optimism about the effects of their own policies, undoubtedly played a significant role in the tragedy.

The 1933 mass deportation plans

At the beginning of 1933, there were plans within the leadership for very large deportations. There was talk of deporting three million people in 1933, a figure which

³The ultimate source of this ‘quotation from Lenin’ is *II Thessalonians*, 3:10.

⁴The speech is discussed by Davies and Wheatcroft (2004, p. 208) but the passage cited above is not mentioned.

⁵Davies and Wheatcroft do not point out that this slogan had been launched by Stalin himself a few weeks earlier.

⁶The report is in the Ukrainian archives and available on internet at [http://www.archives.gov.ua/Sections/Famine/Publicat/index.php?1933-03 March \(berezen\) 12, 1933](http://www.archives.gov.ua/Sections/Famine/Publicat/index.php?1933-03%20March%20(berezen)%2012%201933), accessed 27 March 2007. The inclusion of ‘thieves’ in this passage reflects the official interpretation of the decree of 7 August 1932. According to this interpretation, much of the food shortage resulted from the actions of ‘thieves’ who stole state and *kolkhoz* property for speculative purposes.

⁷This terminology was introduced by Wheatcroft (see Wheatcroft 2004).

was soon reduced to two million (Krasil'nikov 2003, p. 95; Trenin 2002, pp. 8–10). On 7 February Yagoda informed the Kazakh OGPU leaders about the intention to deport one million people to Kazakhstan in 1933 (Berelovich & Danilov 2005, pp. 270–271). On the same day he also told the leader of the West Siberian OGPU about the plan to deport one million people to West Siberia in 1933 (Danilov & Krasil'nikov 1994, pp. 42–44). On the basis of these plans for further mass deportations, I drew two conclusions. First, at the beginning of 1933, the leadership was very hostile to the peasantry. Secondly, the mass deaths from starvation which actually took place in 1933 could be seen by this anti-peasant leadership as an alternative—and cheaper and thus more attractive—way of eliminating 'anti-Soviet elements'.

The Reply by Davies and Wheatcroft raises the following issues. First there is the question of why were the deportation targets drastically reduced in the first half of 1933. Davies and Wheatcroft give two reasons for this: (i) because of the 'unwillingness and inability of the regional authorities to assimilate such a large number of people'; and (ii) 'because of the disasters that ensued, including the Nazino tragedy' (Davies & Wheatcroft 2006, p. 630).

Opposition from the West Siberian leaders was certainly one factor. However, since on 7 March Eikhe agreed to accept half a million deportees (Pokrovskii 2005, pp. 589–590),⁸ and since, as far as I am aware, no message from the Kazakh leadership objecting to the one million target for Kazakhstan has been found, opposition from the regional authorities only explains the reduction in the deportation target from two million to one and a half million. Stalin's reaction to Eikhe's objections (in his telegram of 10 February 1933) to receiving one million deportees in 1933 was to ask Yagoda to look into the practicality of this plan and the seriousness of Eikhe's arguments. Yagoda reported on the 13 February that: 'Undoubtedly the transfer of a million people, in a comparatively short time (from the end of April until October 1933) will be extremely difficult without massive hard work by the West Siberian organisations and the central organs' (Pokrovskii 2005, p. 577). On the same day, he and Berman (the head of the *Gulag*) submitted a paper to Stalin with detailed calculations of the resources required to deport two million people and put them to useful work (Pokrovskii 2005, pp. 578–587; Berelovich & Danilov 2005, pp. 275–282). They considered the matter in detail, specifying the building materials, food, and other goods necessary for the success of this project. They then converted these resources into money, arriving at an estimated cost of 1.4 billion rubles. This was a substantial sum. In view of this disagreeable estimate, which Molotov for one thought was grossly exaggerated,⁹ and in line with the proposal of Yagoda and Berman themselves, a special committee was set up by a Politburo decision of 10 March 1933 to look into the accuracy of the OGPU cost estimates (Trenin 2002, p. 180). These high estimated costs, and the attention given to checking them, support the idea that

⁸At the same time, he informed Stalin of the resources (boats, grain, timber-cutting equipment, horses, money, timber, 800 Communists, OGPU troops with 300 bayonets, and six fast armed and armoured boats) that would be required to implement this operation.

⁹He wrote on the paper (Khaustov *et al.* 2003, p. 406), 'The expenses (1,394 million rubles) are a gross exaggeration. It is necessary to use the deportees themselves for these expenses'.

cost played an important part in the process by which the deportation plans were reduced. They also support the idea that, from a cost point of view, deportation was less attractive than starvation as a means of removing ‘anti-Soviet elements’.

The idea that the Nazino tragedy influenced the decision to scale down the planned deportations is strange. Velichko’s famous report (Trenin 2002, pp. 67–78) is dated 3–22 August 1933. The decision about it by the *byuro* of the West Siberian *kraikom* is dated 1 November 1933 (Trenin 2002, pp. 186–189). The Politburo decision on the matter is dated 10 March 1934 (Trenin 2002, pp. 189–190). However, on 10 May 1933, the Politburo issued instructions that, in view of ‘the new favourable situation in the countryside’ mass peasant deportations should be ended (Pokrovskii 2005, pp. 607–612; Danilov *et al.* 2001, pp. 746–750). Although the 1933 deportation plan was fixed at 550,000 on 15 July (Pokrovskii 2005, p. 623),¹⁰ it is clear that the drastic scaling-down of the initial 1933 deportation plans predated even the writing of the Velichko report, let alone the official response to it. Furthermore, the idea that the main lines of Soviet decision-making in 1933 were determined by humanitarian considerations is odd and requires proof. Some attention was given by the leadership in the first quarter of 1932 to the unsatisfactory hygienic and living conditions of the ‘special settlers’ (Pokrovskii 2005, pp. 469–524). However, this seems to have been motivated mainly by the desire to utilise their labour and to take them off the list of those entitled to state food supplies.¹¹

Secondly, there is the question of who initiated the 1933 mass deportation plans. Davies and Wheatcroft put forward the ‘provisional opinion that the scheme for mass deportations...emanated from Yagoda in the OGPU rather than being strongly advanced or even actively supported by Stalin’ (Davies & Wheatcroft 2006, p. 630). This is undoubtedly possible. It seems that the later ‘Latvian operation’—one of the ‘mass operations’ which constituted the *Stalinshchina*—was an initiative of an NKVD officer and not of Stalin (Khaustov *et al.* 2004, p. 662). Nevertheless, I find it unconvincing in the absence of definite evidence. It reminds me of the erroneous idea that the *Stalinshchina* was not planned and supervised by Stalin but was an initiative of Yezhov, a childish idea now known to be false. Similarly, the late V. P. Danilov argued that Eikhe’s telegram of 10 February 1933 was sent to Stalin rather than to Yagoda (who on 7 February 1933 had communicated to Novosibirsk the plan for one million deportations to West Siberia in 1933) because Eikhe ‘knew that the “plan targets” of the OGPU had been compiled on the orders of the gensec [i.e. Stalin]’ (Danilov 2002, p. 319).

¹⁰According to a Politburo decision of 17 April 1933 (Pokrovskii 2005, p. 599), the 1933 deportees were to comprise six groups. These were, ‘kulaks’ exiled from the collectivised regions; those exiled for ‘sabotage’ of the grain procurements; marginals expelled from Moscow and Leningrad in connection with passportisation; ‘kulaks’ who had found work in industry; people exiled from areas along the western frontier of the USSR; and people condemned by the OGPU and the courts for periods of between three and five years. Virtually all of these people will have been peasants (or members of their households) at the time of their detention or shortly before it.

¹¹On 21 March 1932 Yagoda sent Stalin a request for large quantities of seed to be issued to the ‘special settlers’ (Pokrovskii 2005, pp. 515–516). He concluded by stating that if adequate seed to enable the ‘special settlers’ to sow food crops was not issued to them, then ‘removing the special settlers from the state supply of food and vegetables will be impossible’. Yagoda’s request was approved by the Politburo two days later (Pokrovskii 2005, p. 518).

In general, it is not the case that the mass deportations of the early 1930s were an initiative of the OGPU to which a reluctant Stalin gave his half-hearted consent. They were an initiative of Stalin, sometimes forced through against OGPU opposition (Khlevnyuk 1992, p. 24). In 1931, Yagoda was demoted and Evdokimov (head of the Secret-Operational Department of the OGPU and a member of the collegium of the OGPU) was sent to Central Asia, apparently for their opposition to Stalin's mass deportation plans (Danilov 2003).

Thirdly, there is an issue on which I was in error. Davies and Wheatcroft correctly point out that, in my 2005 article, I overlooked their two footnotes in which they mention the 1933 deportation plans. For this I apologise. However, they did ignore the discussion about possibly deporting three million people, and the plans to deport two million (they only mention the 10 March decision to deport one million and the 15 July decision to deport 550,000 people). Nor do they discuss what it means when the government of a country in the middle of a major famine adopts plans to deport millions of peasants. Nor do they reflect on the revealed substitution between the deportation plans (that were reduced in early 1933) and the starvation deaths (that increased in the same period).

Judicial and extra-judicial repression

1932–33 was marked by savage repression, both judicial and extra-judicial. The notorious decree of 7 August 1932, which was so extreme that there was even opposition to it within the Politburo (Davies & Wheatcroft 2004, pp. 164–165), resulted in widespread suffering. It led in 1932–33 to a quarter of a million people being charged by the OGPU and more than 200,000 sentences (normally of 5–10 years in the *Gulag*) of which more than 11,000 seem to have been death sentences.¹² Some data on its implementation (which was the joint responsibility of the courts and of the OGPU) are set out in Table 1.

As far as judicial repression is concerned, some data are set out in Table 2.

The data in Table 2 make it plain that in 1929–33 (the years of collectivisation and famine), the number of convictions by Soviet courts was substantially in excess of the number in both the preceding and following periods. If one treats the excess of

¹²Stalin had originally proposed that 'as a rule' the sentence under this decree would be the death penalty. The fact that only a tiny minority of those sentenced were shot probably resulted from a general unwillingness by judicial and security personnel to implement as originally intended what was widely seen as an impractical and barbaric decree (Khlevnyuk 1992, pp. 22–24; Solomon 1996, pp. 116–117). As Davies and Wheatcroft correctly observe (2004, p. 167): 'The decree of 7 August was not only savage but impracticably savage'. This unwillingness is an interesting example of passive resistance by bureaucrats preventing Stalin from killing as many people as he would have liked to kill. Already the Instruction of 16 September 1932 on implementing the decree, drawn up by the top judicial and security officials and approved by the Politburo, provided that *kolkhozniki* and individual peasants (if they were not involved in organised theft, and were not 'kulaks', former traders, or other 'socially-alien elements') caught for 'stealing' *kolkhoz* property, would 'only' receive 10 years (Danilov *et al.* 2001, pp. 477–479). Although the death penalty and 10 years were supposed to be the only punishments under this decree, actually many shorter sentences were given. According to Khlevnyuk (1992, pp. 10–31), this opposition in society to extreme repression was one of the reasons why the *Stalinschchina* was postponed for four years.

TABLE 1
1932–33 REPRESSION UNDER THE DECREE OF 7 AUGUST 1932

<i>Date</i>	<i>Agency</i>	<i>Charged^a</i>	<i>Arrested</i>	<i>Sentences</i>	<i>Death sentences</i>
1 November 1932	OGPU	n.a.	31,488	6,406 ^b	501
15 January 1933	USSR courts ^c	n.a.	n.a.	103,000	4,880 ^d
1 March 1933	RSFSR courts	n.a.	n.a.	98,266	4,202
1 January 1933–1 May 1933	USSR courts	n.a.	n.a.	81,251	4,183
31 December 1933	RSFSR general courts ^e	n.a.	n.a.	125,735 ^f	n.a.
31 December 1933	OGPU	250,461	n.a.	21,583 ^g	2,226 ^h

Notes: ^a*Privlecheno*. In general the number charged is greater than the number arrested since it includes persons charged but not held in detention.

^bThe discrepancy between OGPU arrests and sentences results from transfers to other bodies (e.g. the court system), cases still under investigation, and releases. OGPU releases prior to sentence were not insignificant. For data on this see Table 3.

^cThere appear to be no very reliable data on judicial repression under the decree of 7 August 1932, only a variety of apparently conflicting data in different documents (Solomon 1996, pp. 115 and 117).

^dThis is an incomplete figure which only refers to the 70,060 cases for which there were data at the time of writing this report. However, the number of actual executions in the judicial system seems to have been much less than the number of death sentences by that system. According to the RSFSR Commissar of Justice Krylenko (Solomon 1996, p. 117) the number of persons actually executed under the decree in 1932 in the RSFSR did not exceed 1,000 (this figure probably excludes extra-judicial repression by the OGPU). Solomon (1996, p. 223) suggests that the actual number of judicial executions in 1933 was at least as many as in 1932.

^eIn addition there were transport courts and military tribunals which also implemented the decree.

^fAccording to the archival source used for Table 2 row 2 (l.3), 22,347 of these sentences were issued in 1932 and 103,388 in 1933. Repression under this decree did not end at the end of 1933. According to the same source, there were 37,729 convictions in 1934, 12,827 in 1935 and smaller numbers in all years up to and including 1946 (the source was compiled in 1947).

^gAccording to the January 1934 OGPU report, in 1933 the OGPU sentenced 15,177 people under the decree of 7 August. Allowing also for the 6,406 people sentenced by 1 November 1932, produces a total of 21,583. This is a slight underestimate since it excludes November–December 1932. The difference between the numbers charged by the OGPU and the numbers sentenced by it, reflects sentences by the courts to which most cases were transferred, cases stopped during investigation or trial, or even acquittals.

^hAccording to the January 1934 OGPU report, in 1933 77,581 people were sentenced by the courts and the OGPU. Of these, the OGPU sentenced 1,725 to death. Adding on the 501 OGPU death sentences by 1 November 1932 gives the figure of 2,226 OGPU death sentences by the end of December 1933. This figure is a slight underestimate because it excludes OGPU death sentences in November–December 1932.

Sources: Menzhinsky's report to Stalin of 3 November 1932 (Berelovich & Danilov 2005, p. 217); Vinokur's report of 7 March 1933 (Zyuzina 2004, pp. 128–131); Vyshinsky's report to Stalin of 23 March 1933 (Danilov *et al.* 2001, pp. 726–733); Vinokur's report of July 1933 (Zyuzina 2004, pp. 133–147); archival source cited in Table 2 (l.3); and the OGPU report to Stalin of 8 January 1934 (Berelovich & Danilov 2005, pp. 506–507).

convictions in 1929–33 over the average for 1928 and 1935 as a measure of judicial repression, then excess convictions, or judicial repression, in the USSR in 1929–33 was at least a million and may have been as high as 2.8 million. If van den Berg's estimates are accurate, then just in 1932–33 there were more than a million victims of judicial repression (van den Berg 1985, p. 11).

Besides judicial repression there was also extra-judicial repression. Some data on extra-judicial repression in 1932–33 are set out in Table 3.

From Table 3 it can be seen that in 1932–33 the implementation of the decree of 7 August 1932 was only part of the OGPU's repressive activities. During 1932–33 the OGPU charged about 1.1 million people, of whom about 900,000 were arrested, about

TABLE 2
JUDICIAL CONVICTIONS IN 1927-36 (THOUSANDS)

	1927	1928	1929	1930	1931	1932	1933 ^a	1934	1935	1936	Total excess convictions ^b
1. USSR	1,500	1,490	1,950	1,880	2,120	1,760	2,230	1,700	1,350	1,030	
2. RSFSR general courts	709	909	1,179	1,179	1,239	1,008	1,116	967	983	771	
3. RSFSR courts	1,026	1,046	1,311	1,208	1,357	1,134	1,431	1,108	872	n.a.	
4. Excess convictions in USSR in 1929-33 according to row 1 data			530	460	700	340	810				2,840
5. Excess convictions in RSFSR in 1929-33 according to row 2 data			233	233	293	62	170				991
6. Excess convictions in RSFSR in 1929-33 according to row 3 data			352	249	398	175	472				1,646

Notes: ^aAccording to the data in row 1, 1.37% of the population of the USSR were convicted by the courts in 1933.

^bBy 'excess convictions' is meant the excess of convictions in a year over the average number of convictions in 1928 and 1935.

Source: The data in row 1 comes from van den Berg (1985, p. 11). These figures are estimates based on a careful study of Soviet publications of the 1920s and 1930s. They purport to be for all courts and for all the USSR. The data in row 2 comes from an unpublished 1947 report ('Dvizhenie osuzhdenennykh obshchimi sudami RSFSR') by Gavrilin, the deputy head of the department for general courts of the USSR Ministry of Justice (GARF f.9492sch op.2s d.42). These data probably exclude the ASSRs in the RSFSR. They also exclude the transport courts and military tribunals. The data in row 3 come from V. V. Luneev (1997, pp. 56-58). Luneev states that his source for the 1930s is an unpublished 1975 paper of the Institute of the USSR Procuracy. Luneev also states that his data for the years up to and including 1935 exclude the eight autonomous republics then included in the RSFSR—Bashkir, Mountain, Dagestan, Kirgiz (i.e. Kazakh), Crimean, Tatar, Turkestan, and Yakut. For 1930, 1931 and 1933 Luneev's data coincide with those of van den Berg (1985, Tables 83 and 87, pp. 274 and 278). For the other years they differ somewhat. For the years 1927-29 and 1935-36 Luneev also gives figures for the USSR. These differ from those of van den Berg.

TABLE 3
OGPU REPRESSION IN 1932–33

	1932	1933
1. Persons under investigation at start of year	51,225	84,882
2. Charged during year	499,249	634,429
of whom, arrested during year	410,433	505,256
3. Sentenced by the OGPU	141,919	239,664
of which death sentences ^a	2,728	2,154
4. Transferred to departments of the OGPU ^b	28,351 ^c	20,475
5. Transferred to the courts	156,816	278,486
6. Under investigation at end of year	114,388	57,966
of whom, arrested	71,341	35,358
7. Released and cases closed ^d	108,995	146,971
8. Statistical discrepancy ^e	–	24,251

Notes: ^aThe number of OGPU death sentences fell steadily in 1930–36. It was 20,201 in 1930, and 10,651 in 1931, but ‘only’ 1,118 in 1936.

^bThis is a category in the statistics. What it actually involved is unclear.

^cLiterally, ‘transferred to other departments’.

^dIncludes those who died prior to sentencing and those who escaped. In 1931, of the 95,533 persons recorded as released, 53,166 (55.7%) were released because the offence was insignificant, 28,360 (29.7%) for lack of evidence, 625 (0.7%) died and 554 (0.6%) escaped. Analogous breakdowns for 1932 and 1933 are currently unavailable. Given the very difficult food situation in 1932–33, it is likely that the numbers who died prior to sentencing then were greater than in 1931.

^eThis is the excess of the outflow over the inflow. Its cause is unclear.

Source: Mozokhin (2006, pp. 299–312). The information in note (a) comes from the 1953 Pavlov report which has been published several times, e.g. Artizov *et al.* (2000, pp. 76–77).

380,000 sentenced by the OGPU itself, hundreds of thousands were transferred to the judicial system, and tens of thousands were transferred to other branches of the OGPU.¹³

Stalin's 'knockout blow'

Davies and Wheatcroft suggest that ‘there seems to be no reason to link Stalin’s proposed blow with the deportations of 1933 rather than with the many repressive actions in December 1932 which followed his speech’ (Davies & Wheatcroft 2006, p. 630). Since many repressive actions followed Stalin’s speech, it is indeed uncertain which he had in mind. The possibilities include four well-documented ones. They are:

- (a) the small-scale deportations in the winter of 1932–33;
- (b) the ban on migration from the North Caucasus and Ukraine;
- (c) the January–March 1933 discussion and plans for mass deportations in 1933; and
- (d) the judicial and extra-judicial repression of 1932–33.

¹³The data in Tables 2 and 3 show that Table 1 of Ellman (2005) underestimates the number of peasants repressed in 1930–33 because it excludes judicial repression.

As far as the first is concerned, prior to the Politburo decision of 10 March 1933 to deport one million people in 1933, on 14 December 1932 the Politburo decided to deport (almost) all the inhabitants of Poltava *stanitsa* (North Caucasus) (Pokrovskii 2005, pp. 565–566; Davies & Wheatcroft 2004, pp. 190–191).¹⁴ On 23 December 1932, the Politburo approved the proposal to deport 300–400 households from the Lower Volga. On the same day, the Politburo approved a proposal to deport 5,000 families from the North Caucasus (including 2,000 from Poltava *stanitsa*). On 31 December 1932, the members of the Politburo approved Kosior's proposal to deport 300 families from the Chernigovskii region. The next day the members of the Politburo agreed to a proposal to deport 700 families and 700 individuals from the Dnepropetrovsk region and make a list of 50 people from that region who had been expelled from the party and who would be sent to concentration camps. On 4 January 1933, the members of the Politburo agreed to deport 400 families from the Kharkiv region (and also to deport from that region to the north 40 people who had been expelled from the party).¹⁵ On 29 January 1933, the members of the Politburo agreed to deport from the North Caucasus 30,000 people condemned to concentration camps. On 20 February 1933, the members of the Politburo agreed to allow the Lower-Volga *kraikom* to deport 2,000 households. On 27 February 1933 the members of the Politburo agreed to allow the Bashkir *obkom* to deport 1,000 families.¹⁶

The notorious ban on migration from the North Caucasus and Ukraine was ordered on 22 January 1933 (Danilov *et al.* 2001, p. 635). By 20 March 1933, 225,000 people had been picked up in the course of implementing it. Of these, 87% were returned to their permanent place of residence; 4% had been detained with a view to sentencing them; and 1% had already been sentenced and sent to a state farm or concentration camp (Berelovich & Danilov 2005, p. 354).

The third and fourth measures (the mass deportations and judicial and extra-judicial repression) were discussed above. Although it is uncertain precisely what Stalin had in mind as his 'knockout blow', it is certain that, in the winter of 1932–33, he initiated or approved a wide variety of repressive anti-peasant actions, several of which resulted in significant fatalities.

Kosior's report of 15 March 1933

Davies and Wheatcroft state that: 'This is not the kind of letter that would be addressed to a Stalin who was known to be secretly calling for the starvation of the peasants' (Davies & Wheatcroft 2006, p. 629). The reason I cited this letter was that I thought it provided evidence that 'at the height of the famine, the party leadership regarded hunger as a stick that would teach the peasants the need for conscientious work in the collective farm fields'. Davies and Wheatcroft are correct to note that the

¹⁴This decision was quickly implemented. By 27 December 2,158 families (9,187 people) had been deported from Poltava *stanitsa* to the Urals (Pokrovskii 2005, p. 568).

¹⁵On 24 January 1933 the members of the Politburo rejected a proposal by the northern *kraikom* to deport 3,000 households to the Pechora. These seem to have been households already living in the northern region.

¹⁶For the information in this paragraph, see Pokrovskii (2005, pp. 565–589).

report ends up by appealing for central assistance for Ukraine, but how does Kosior attempt to make this palatable to Stalin? He informs him about the famine and then discusses its causes. He argues that it was caused primarily by the bad work of the peasants themselves. This was Stalin's own position, as Davies and Wheatcroft agree, and hence could be expected to appeal to Stalin. He also informs Stalin that the peasants were gradually coming to accept this view—a most implausible proposition that he presumably thought would appeal to Stalin. He also blames the unsatisfactory situation on poor work by local party organisations and stresses the need to fully utilise local resources—also arguments likely to appeal to Stalin. In addition, he states that: 'The unsatisfactory preparation for sowing in the worst affected regions shows that the hunger has not yet taught many collective farmers good sense (*umu-razumu*) [i.e. the need to work well on the collective farm fields]'. This implies that he thought that the notion that the famine had a positive role to play as a way of socialising the collective farmers would appeal to Stalin. This is significant and it is the reason why I cited this letter.¹⁷

General issues

Bolshevik perceptions

The reason why I devoted attention to Bolshevik perceptions is that, as a lecturer, I have noticed that many students and others have difficulty in understanding how Stalin could have acted as he did. His behaviour was radically different from what they regard as the proper and normal way to respond to famines. Stalin did not give priority to fighting the famine and reducing the number of victims. (His efforts in this direction were too little too late.) Instead, he gave priority to the industrialisation programme, tried to prevent flight from the worst affected regions, deported some peasants, and planned mass deportations but worried about their (material and financial but not human) cost, and declined to appeal for foreign help. Why was this?

Of course, on one level, as Davies and Wheatcroft argue, Stalin's actions can be explained by the fact that he gave priority to the industrialisation programme and the image of the USSR abroad. That is how matters look to two modern economic

¹⁷For a number of other quotations suggesting that Soviet officials in 1932–33 saw the famine as a way of teaching the peasants a lesson, see Kul'chits'kii (2005, p. 212). An alleged statement by Khataevich (in 1932–37 a member of the Ukrainian Politburo and in 1933–37 first secretary of the Dnepropetrovsk *obkom*), which seems to relate to 1933, would if accurate corroborate the idea that many Bolsheviks in 1932–33 saw the famine as a way of socialising the peasants: 'A ruthless struggle is going on between the peasantry and our regime. It is a struggle to the death. This year was a test of our strength and their endurance. It took a famine to show them who is master here. It has cost millions of lives, but the collective farm system is here to stay. We've won the war'. This passage has been quoted by Conquest, Scott, and Pavlova. The original source seems to be Kravchenko (1946, p. 130). If authentic, this quotation would be relevant evidence. However, this statement is part of a conversation written from memory 12 years after the event, in a book published in the United States, which was intended to blacken the Soviet regime, and is part of a self-congratulatory chapter which portrays the author as having acted in a very positive way. Hence, it may be more literary than historical. The historical Khataevich tried—unsuccessfully—to defend the peasants against excessive procurements (Ivnitskii 1995, pp. 37–38; Davies & Wheatcroft 2004, pp. 150–151).

historians.¹⁸ However, I think it is also necessary to look deeper. When these events took place, Stalin had been a Marxist (as he interpreted this) for decades and was the leader of a political movement that subscribed to the class-historical approach.¹⁹ This had the following implications for his approach to the famine:

- (a) a rejection of the idea of giving priority to humanitarian considerations in decision making;
- (b) an attitude towards the peasants which, as Davies and Wheatcroft point out, 'was far from positive' and always regarded them 'as second-class citizens' (Davies & Wheatcroft 2006, p. 628);
- (c) the ascription of difficulties to 'class-war' by 'enemy classes' (or 'wrecking'/'sabotage' by 'enemies of the people');²⁰
- (d) an emphasis on the need to eliminate 'class enemies' (or 'enemies of the people'); and
- (e) the evaluation of the outcome of famines not from a humanitarian position but from the standpoint of how they contributed to the 'building of socialism'.

Given these attitudes, Stalin's approach was entirely understandable, and other policies would have been irrational. It seems to me that, in their analysis, Davies and Wheatcroft pay exclusive attention to the trees and not enough to the wood. Naturally, the changes in Stalin's policies to which they draw attention really took place. But there were also important elements of continuity. One was the stress on the 'war' with 'enemies' and the need to prosecute it vigorously. Another, to which I drew attention, was the Bolshevik attitude to famines. Davies and Wheatcroft respond to the latter by:

- (a) asserting that I consider that Bolsheviks always had a positive attitude to famines and that this is wrong; and
- (b) disputing my interpretation of Stalin's 1935 speech.

¹⁸Davies and Wheatcroft recognise that in determining events 'ideology played its part' (Davies & Wheatcroft 2004, p. 441). However, they devote most attention to other factors. This is understandable, since some of the facts they have unearthed were hitherto unknown, and previous writers have given much attention to ideology. However, a balanced approach has to take account of all relevant factors, not just the newly discovered and hitherto neglected ones.

¹⁹For a theoretical discussion, see Lukacs (1971). On p. 198 of the translation Lukacs states that 'when judging whether an action is right or wrong it is essential to relate it to its function in the total process'. In a 1990 interview (Kumanev 2005, p. 103), L. M. Kaganovich explained that, considered from the class-historical point of view, the repression of the 1930s had been entirely justified: 'Look, if you investigate everything in detail, and look at every single case, then of course it is possible to find flaws and mistakes, no doubt about it. But if we approach the issue historically, then it was necessary to cleanse the country. This is shown by the current situation. Are there not people today who are open enemies of socialism and of the October revolution? There are lots of them! Therefore, those who want to defend the October revolution have to beat the enemies of this revolution, beat the enemies of Soviet power and of the Soviet state. The present situation demonstrates that we were right'.

²⁰Kuromiya (1995) has pointed out that during the 1930s the view that difficulties had been caused by 'enemies' remained constant, but these 'enemies' were increasingly seen not as 'class enemies' (such as 'kulaks') but non-class 'enemies of the people'.

The former is just an ‘Aunt Sally’.²¹ I do not think that Lenin and Stalin thought that all famines (or possibly just their consequences) were progressive. It is not *the assessment* that I regard as constant but *the criterion of assessment*. This was whether the famine (or any other event) contributed to the victory of the revolution and the ‘building of socialism’. If it did, it was ‘progressive’. If it harmed them, it should be fought. In 1891–92, Lenin was in opposition, and he considered that the famine (or possibly just its consequences) played a useful role in undermining Tsarism.²² In 1921, Lenin agreed to the ARA helping Russia because the Bolsheviks were then ruling Russia and were trying to develop the Communist International. To improve the economic position of the country they ruled, and to attract the workers of central and western Europe to their cause, it was desirable to fight the famine. In 1932–33, the Soviet leaders thought that the main priorities were to continue the industrialisation programme and eliminate the ‘counter-revolutionary elements’. In all three cases, the evaluation criterion was the same even if the policy implications varied in the light of the concrete situation.

Stalin’s 1935 speech, according to Davies and Wheatcroft ‘cannot be interpreted as justifying famine’ (Davies & Wheatcroft 2006, p. 632). The meaning of the passage I cited is evidently a matter of debate. It seems to me that it is a formulation of the well-known ‘necessary cost’ argument, according to which the ‘sacrifices’ which the population had had to make had been necessary for industrialisation. Whether by the ‘sacrifices’, which included ‘the necessity to economise on food’, Stalin meant the famine, or the fall in real wages, or the food shortages, or the rationing, is difficult to determine. My interpretation seemed—and seems—entirely plausible to me. The reason for this is that the famine had been by far the biggest and most serious of these ‘sacrifices’ and in 1935 (when the speech was delivered) to talk about how it had been necessary ‘to economise on food’ would inevitably have reminded the audience of the famine—especially when the speaker linked it with the need to get rid ‘of our technological famine’. Readers are welcome to look at the two relevant paragraphs—or the speech as a whole—and interpret the passage cited in whatever way seems plausible to them, bearing in mind that it was delivered just two years after the peak of a terrible famine by a leader who was widely regarded as responsible for that famine.²³

²¹In his recent biography of Lenin, Loginov (2005, pp. 119–131) strongly criticises the accuracy of Vodovozov’s account [which was utilised in Ellman (2005)] of Lenin’s attitude to the famine of 1891–92. However, Loginov’s reliance on a 1987 Soviet thesis and Plekhanov as sources for the famine of 1891–92, and the policy of the government towards it, undermines the credibility of his account.

²²The idea that the famine of 1891–92 had played a positive role in the transition from feudalism to capitalism and thus helped the ultimate victory of socialism was commonplace in Bolshevik circles. The first edition of the *Bol’shaya Sovetskaya Entsiklopediya* (Moscow, 1930, vol. 17, p. 458) observed in its article about famine in Russia that: ‘In this connection, famine years played a definite role in differentiating the peasantry. Already in 1891 Engels noted that: “the famine accelerates the disintegration of the old rural commune, and the enrichment of the kulaks, transforming them into big landowners, and in general the transfer of land from the nobility and peasantry to the new bourgeoisie”. This “flourishing of the kulaks” in connection with the famine of 1891–92 was also noted by Plekhanov. In his articles on the famine, Lenin too repeatedly wrote about this’.

²³The published version was an edited version of the speech actually delivered. For the stenogram of the speech actually delivered, and some explanations, see Nevezhin (2003, pp. 66–70, 76–91).

Stalin

Davies and Wheatcroft disagree with my picture of Stalin and draw attention to his reductions in export and procurement plans. However, these can be seen as simply recognition that there was no grain to procure and export, and that previous plans were overoptimistic. Davies and Wheatcroft also draw attention to Stalin's agreement to relief measures. However, this is not relevant to my argument. I do not argue that Stalin wanted to annihilate the peasants (he needed them for the army, as industrial workers, and as agricultural labourers). My argument is only that he wanted to kill some of them (the 'counter-revolutionaries' and the 'idlers'). Furthermore, Davies and Wheatcroft agree that relief efforts were very limited and quite inadequate. In fact, they compare very adversely with the famine relief organised by Alexander III and Russian society in 1891. In 1891–92 relief began much earlier in the year than in 1932–33, provided more relief grain for a smaller population, and was not accompanied by widespread state terror against the peasantry.²⁴ The number of fatalities from the famine of 1891–92 seems to have been only about 8% of those of the famine of 1931–34. Davies and Wheatcroft do draw attention to the fact that in 1891–92 'the effects of the famine were reduced considerably by the efforts of the government, supported by local agencies and charities' (Davies & Wheatcroft 2004, p. 403). However, they do not seem to make any explicit comparison between the effectiveness of the relief efforts by the government in these two famines.

Furthermore, for a complete picture I think it is also necessary to draw attention to other facts. Stalin was the person who initiated a reign of terror in Tsaritsyn in 1918 (Argenbright 1991). Stalin was the person whose idea of implementing progressive change in agriculture was to repress roughly four million people.²⁵ Stalin was the person whose policies of social engineering and war preparation contributed to the roughly one million excess deaths in 1937–38. Stalin personally signed 357 proscription lists in 1937–38 for more than 40,000 people in total (of whom about 90% were shot). Stalin was the person who ordered mass deportations and shootings of the inhabitants of the newly acquired territories in 1939–41. Stalin was the person at the head of a regime which, in the first four months of the Soviet–German war, shot 10,000 of its own soldiers (Khaustov *et al.* 2006, p.318). Stalin was the political leader who stated that Ivan the Terrible was 'a great and wise ruler' (Stalin 2006, pp. 433–434) but that one of his mistakes was that he had killed too few people.

In 1932–33 Stalin pursued a multi-pronged policy of state terror against the population of the USSR, in particular against the peasantry. Four well documented prongs of this policy were: judicial repression; charges, arrests, investigations and sentences by the OGPU; deportations; and the sending of special plenipotentiaries to Ukraine, North Caucasus, and the Lower-Volga to obtain grain by force, almost regardless of the desperate situation in those regions and the inevitable consequences for the local population. A fifth prong—deliberate starvation—would not have been at

²⁴The term 'state terror' to describe Stalinist repression seems to have been introduced by Popov (1992). It contrasts with the Stalinist concept of 'kulak terror'.

²⁵That is, the three million from Table 1 of Ellman (2005) plus a rough estimate of a million for judicial repression in 1929–33 (Table 2 above).

all out of character. Unlike Gorbachev, Stalin was not at all squeamish about killing people. In July 1918, after the Left SR assassination of the German representative in Moscow, Lenin sent Stalin a message demanding ‘merciless’ action against the Left SRs. Stalin replied, ‘You may rest assured that our hand will not tremble . . .’ (1947a, p. 118).

In order to avoid any misunderstanding, perhaps it is necessary to state the following: I do not think that Stalin’s starvation policy was the only, or even the main, cause of the famine. I completely accept that, if there had been two good harvests in 1931 and 1932, there would not have been a famine (except possibly a localised one among the pastoral population of Kazakhstan). Furthermore, I entirely agree that the Soviet industrialisation programme required commodity exports, in particular grain exports. As I pointed out in my 2005 article, the famine of 1931–34 was a complex phenomenon caused by a combination of structural and conjunctural factors. It seems to me that one of the conjunctural factors was Stalin’s 1932–33 intention to remove some of the ‘counter-revolutionaries’ by starvation. Stalin explicitly stated in his message to Sholokhov that he was engaged in a ‘war’ with the peasants. A universally practised tactic in siege warfare is to starve the enemy into submission.

Accusation in a mirror/scapegoating

Davies and Wheatcroft state that “‘accusation in a mirror’ is only a rather different way of describing Stalin’s very well known use of scapegoats’ (Davies & Wheatcroft 2006, p. 631). This is not correct. ‘Accusation in a mirror’ is a subset of scapegoating which can only be used about events which have been deliberately caused. An example may make the difference clear. In the first half of 1937, there were a number of rural show trials. These may well have been intended (though this is unproven) to provide scapegoats for the results of the bad harvest of 1936. However, the concept of ‘accusation in a mirror’ is not applicable to these trials because nobody had consciously caused the bad harvest of 1936. However, ‘accusation in a mirror’ is relevant to the decree of 17 November 1938 which ended the terror, since that terror was the result of conscious decisions by Stalin to initiate and implement it.

Davies and Wheatcroft argue that there is no analogy between the famine and the Katyn massacre because Stalin’s responsibility for the latter is well documented, whereas there is no documentary evidence of an intention to organise starvation, and ample evidence of an intention to save lives. However, there is ample documentary evidence of Stalin’s violence against the peasants in 1932–33. From the decree of 7 August 1932, the use of torture to extract grain, the use of force to prevent flight from the worst-affected regions, and the numerous deportations, to the mass deaths in and *en route* to the ‘special settlements’, prisons and camps to which he had sent them, Stalin’s disregard of peasant lives and use of violence against them is only too apparent and is well documented. Furthermore, the absence of documentation does not prove that something did not happen. It simply means that there is no documentary evidence for it. For example, had the documents concerning Stalin’s approval for the Katyn massacre been destroyed, that would not have changed the facts but only made their proof more difficult. No 1937 Politburo decision to authorise torture has yet been found, but it seems certain that such a decision was in fact taken

and that there was once a document recording it (which may still exist in a not yet declassified archive).²⁶

Davies and Wheatcroft also argue that: ‘It is only the naming of scapegoats *before* the event that can be adduced as evidence of a guilty intention. Scapegoating *after* the event is evidence only of a wish to escape blame for the consequences of a policy’ (Davies & Wheatcroft 2006, p. 631). This is somewhat one-sided. When Stalin blamed the Germans for the Katyn massacre he was undoubtedly trying to escape blame for the consequences of a policy. However the Katyn massacre had been a result of an *intention* to kill the Polish prisoners. Hence Stalin’s scapegoating of the Germans also reflected the fact that this was a crime he had intended and is evidence of that. Furthermore, Stalin’s message to Sholokhov was not sent *after* the famine but *during* it, as Davies and Wheatcroft themselves note.

The characterisation of Soviet industrialisation

According to Davies and Wheatcroft, my reference to ‘the tribute model of industrialisation’ is an oversimplification (Davies & Wheatcroft 2006, p. 626). Davies and Wheatcroft prefer to stress the high share of investment in the national income and the over-accumulation crisis of 1929–31. Of course, the investment goals of the party leadership were incompatible with NEP (Carr 1958, ch. 9; Ellman 1992), and there really was an over-accumulation crisis in 1929–31, but that does not mean that a high share of investment in the national income is the only or best way to characterise Soviet industrialisation. Another possible way is to stress the role of coercion and command.

In an earlier work I discussed Stalin’s ‘tribute model’ and ‘the coercive model’ of the role of agriculture in Soviet industrialisation (Ellman 1989, pp. 96–98, 104–10). I thought this terminology appropriate in view of the role of state violence in establishing the collective farm system. It also had a role in explaining the *Gulag* (Ellman 1989, p. 195). The role of coercion in the Soviet economy has also been stressed by Harrison (2002) and Gregory and Harrison (2005). Furthermore, the Soviet economy turned out to be unresponsive to attempts to make it more rational by introducing market elements. In an interesting, important, and original analysis, Davies (1996, p. 267) showed that the first ‘economic reformer’ was Ordzhonikidze, and that his proposals were ‘quite impracticable’ and ‘may have been entirely incompatible with Soviet economic objectives’. Subsequently, Kontorovich (1988) argued that the economic reform of 1965, which seemed quite rational from a Western standpoint, was actually—under Soviet conditions—counterproductive. He also showed (Kontorovich 1985) that the Andropov measures, which seemed to Western economists just silly, were actually quite successful. The subsequent attempt by Gorbachev to introduce market elements into the Soviet economy led to its collapse. Evidently, the Soviet economy in the Stalinist and post-Stalinist periods was a special social system, of a military type, based to a considerable extent on orders and

²⁶The evidence for this is Stalin’s 10 January 1939 telegram (Ellman 2005, footnote 22) and the discussion at the June 1957 CC Plenum (Kovaleva *et al.* 1998, p. 119). According to Okhotin and Roginskii (Danilov 2006, p. 571) torture was authorised in July 1937.

punishment. The fluctuating role of coercion and command played a major role in its birth, life, and death. It is because of this that I preferred to characterise it in a way that stresses this.

Actually both emphases, that on investment and that on coercion and command, are partial. In Kornai's (1971, pp. 39–42) terminology, the first concerns the real sphere and the second the control sphere. An understanding of both is necessary to understand an economic system.²⁷

Modelling as a contribution to economic history

Davies and Wheatcroft very much doubt whether modelling will be able to throw any light on the issues between us. I agree that this will be very difficult. I am well aware that the application of a computable general equilibrium model to the study of Soviet economic history is not a guarantee of a significant contribution (Ellman 2004). However, the fact that it will be very difficult does not mean that it will be impossible. There are nowadays many people trained in modelling, and it may be that one or more of them, using cliometrics, will be able to shed additional light on the issues in debate. After all, Lazarev and Gregory (2003) were able to distinguish between economic and political motives in the allocation of motor vehicles in the early 1930s. Is the difference between various causes of death so much more difficult to determine than the difference between motives in allocating motor vehicles?

Although it cannot distinguish between motives, something which can throw light on the magnitudes involved is simple accounting. One can estimate the excess deaths caused by Stalin's acts of omission and commission. If one assumes that humanitarian aid and purchases could have generated half a million tonnes of grain imports (a modest estimate bearing in mind the low price of grain on the world market in 1932), then failing to permit international relief and to import grain caused 1.5 million excess deaths (Ellman 2000, p. 610, footnote 3). The migration ban may have cost 150,000 lives (see below). Grain exports in 1932–33 were enough to feed more than five million people for one year (see below). These crude estimates show that without Stalin's acts of omission and commission, and with efficient organisation of relief, it might well have been possible to feed the entire population even with two bad harvests—had feeding the entire population been Stalin's top priority.

Approaches to Soviet history

Davies and Wheatcroft consider that I have taken a step backwards by 'turning attention towards speculation about the inner workings of Stalin's mind and away from examining his actual decisions, and analysing their intended and unintended results' (Davies & Wheatcroft 2006, p. 633). However, one of the results of the archival revolution has been to emphasise how important in the Stalin era Stalin was personally. As is now clear to everyone, in the 1930s Stalin became a tyrant. In Wheatcroft's well-known analysis (Wheatcroft 2004), he developed from being, in the late 1920s, the leader of Team-Stalin to being, at the end of his life, a degenerate

²⁷For an analysis which incorporates both elements, see Gregory and Harrison (2005).

tyrant. A consequence of this for an understanding of Soviet history is, as Martin has observed (Martin 2003, p. 113), ‘the necessity to develop an understanding of Stalin’s thought process’.

The method Davies and Wheatcroft prefer—the close study of documents from official archives—has one disadvantage that they do not seem to have noticed. It has sometimes led them to the adoption in their own analysis of the categories used in these documents, as if they were neutral, non-partisan, terms. For example, in *The Years of Hunger* they refer to peasants (e.g. on pp. 158–161) ‘stealing’ grain. This was the legal (and traditional landlord) position. However, from a moral economy perspective this terminology is distinctly odd. It was the peasants who sowed the seed, weeded the fields, and harvested the grain. The procurement officials just took away valuable goods to whose production they had made no contribution. Who were the thieves? Many peasants thought that it was the procurement officials. Manning (2001, p. 35) has observed that ‘in May–June 1928, crowds of predominantly poor peasant women halted searches of peasant homes and chased the offending grain-procurement officials out of town, pursuing them with sticks and stakes, crying, “Beat them! They are robbing us!”’. Similarly, an OGPU report of June 1928 records one peasant saying about the procurements, ‘This is not procurements but theft’ (Danilov *et al.* 1999, p. 280).

It may be that Davies and Wheatcroft wish to identify themselves with the authorities and their perceptions. However, a more detached way of analysing the situation would be to write about ‘stealing’ (with inverted commas) or ‘so-called stealing’ or ‘informal acquisition’ (both without inverted commas).

Legal evaluation

Legal classification: national criminal law

It is generally accepted that in 1932–33 Stalin caused deaths by acts of omission: he omitted to import grain and he also omitted to appeal for or accept international help—unlike in 1891–92, 1921–22, 1941–45 and 1946–47—although this was proposed by the Ukrainian President Petrovsky in February 1932. This is fully accepted by Davies and Wheatcroft, who write that Stalin ‘committed a crime of omission’, and that ‘Stalin made no effort to secure grain assistance from abroad’ (Davies & Wheatcroft 2006, p. 628). In terms of national criminal law, in most jurisdictions, this crime of omission would be classified as culpable homicide in the Canadian sense or its local equivalent.²⁸

In addition, Stalin caused deaths by acts of commission. He was the person who initiated the adoption of the notorious decree of 7 August 1932. He was the person who initiated actual and planned mass deportations (see above). In 1932–33 Stalin exported grain (though, as Davies and Wheatcroft correctly point out, much less than

²⁸According to the Canadian Criminal Code, ‘A person commits culpable homicide when he causes the death of a human being, . . . (b) by criminal negligence’ (Article 222, section 5). Furthermore, ‘Where a person, by an act *or omission*, does any thing that results in the death of a human being, he causes the death of that human being . . .’ (Article 224—italics added).

the originally planned amount). In addition, numerous deportees and camp and prison inmates—victims of a major Stalinist policy—died in 1932–33. Moreover Stalin prevented peasants fleeing from famine-stricken Ukraine and North Caucasus to less badly affected areas. Many will have died as a result.

Expressed in terms of national criminal law, the debate is between those who consider Stalin guilty ‘only’ of (mass) manslaughter, and those who consider him guilty of (mass) murder. The difference turns on the issue of intent and Davies and Wheatcroft have a very narrow understanding of intent. According to them, only taking an action whose sole objective is to cause deaths among the peasantry counts as intent. Taking an action with some other goal (e.g. exporting grain to import machinery) but which the actor *certainly knows* will also cause peasants to starve does not count as intentionally starving the peasants. However, this is an interpretation of ‘intent’ which flies in the face of the general legal interpretation.

A legal textbook (Smith & Hogan 1990, p. 52) points out that ‘there has been much controversy as to the proper meaning of intention’. In order to explain current legal thinking on this issue, the book quotes the explanation of ‘intent’ in murder cases given by the House of Lords in 1985. According to this interpretation, to ascertain intent it is necessary to answer two questions:

First, was death . . . a natural consequence of the defendant’s voluntary act? Secondly, did the defendant foresee that consequence as being a natural consequence of his act? The jury should then be told that if they answer yes to both questions it is a proper inference for them to draw that he intended that consequence (Smith & Hogan 1990, p. 55).

Since the death of some of them *was* a natural consequence of turning back peasants fleeing from starvation and of exporting grain during a famine, the only way of defending Stalin from (mass) murder is to argue that he did not foresee that preventing peasants fleeing from the most severely affected regions and exporting grain would cause additional deaths. This is a distinctly odd argument to use about someone from a plebeian background ruling an overwhelmingly peasant country which regularly experienced famines. Stalin was undoubtedly ignorant about many things, but was he really that ignorant?

Legal classification: international criminal law

Team-Stalin’s behaviour in 1930–34 clearly constitutes a crime against humanity (or a series of crimes against humanity) as that is defined in the 1998 Rome Statute of the International Criminal Court article 7, subsection 1 (d) and (h) and, if the argument of the previous section of this article on national criminal law is accepted, then also subsection 1 (a) of the Statute would apply. This is accepted by S. V. Kul’chits’kii (2005, pp. 207–208), deputy director of the Institute of Ukrainian History of the Ukrainian Academy of Sciences. However, Kul’chits’kii adds that ‘it is understandable, however, that any other qualification [than as genocide] of the terror by famine, given the existence of the concept “genocide”, cannot satisfy us [i.e. Ukrainians]’ (Kul’chits’kii 2005, p. 208).

Was Team-Stalin also guilty of genocide? That depends on how ‘genocide’ is defined. This particular crime against humanity was declared by the UN General

Assembly in 1946 and is embodied in a 1948 UN Convention. It has since been incorporated into the domestic law of many countries, sometimes with amendments. The three ethnic groups that suffered the most from the famine of 1931–34 were the Ukrainians, Kazakhs and Russians. From a strict legal point of view, it seems that the Russians are not protected by the UN Genocide Convention because they were not a national minority (Schabas 2000, pp. 116–120). Similarly, the Kazakh case seems to be an example of ‘negligent genocide’ which falls outside the scope of the UN Convention (Schabas 2000, pp. 226–228).²⁹ That leaves the Ukrainians. In 1932–33 millions of Ukrainians died of starvation or starvation-related diseases.³⁰ Was this a case of genocide?

The first question to consider is whether one can speak of genocide when most of the alleged victim group in fact survives? The excess deaths of 1932–33 were only a relatively small proportion (very roughly a tenth) of the total Ukrainian population.³¹ However, the UN Convention specifies that genocide can be the destruction ‘in whole or in part’ of a national group. Given the absolute number of Ukrainian victims in 1932–33 and the wording of the Convention, a lay person might think that the death of only a relatively small proportion of the total Ukrainian population could probably still count as genocide. However, recent jurisprudence on the meaning of ‘in part’ points in a different direction. In its judgement on General Radislav Krstic, the International Criminal Tribunal for the Former Yugoslavia³² stated that:

The trial Chamber is thus left with a margin of discretion in assessing what is the destruction ‘in part’ of the group. But it must exercise its discretionary power in a spirit consonant with the object and purposes of the Convention, which is to criminalise specific conduct directed against the existence of protected *groups* as such. The Trial Chamber is therefore of the opinion that the intent to destroy a group, even if only in part, means seeking to destroy a distinct part of the group as opposed to an accumulation of isolated individuals within it. Although the perpetrators of genocide need not seek to destroy the entire group protected by the Convention, they must view the part of the group they wish to destroy as a distinct entity which must be eliminated as such. A campaign resulting in the killings, in different places

²⁹However, Schabas (2000, p. 228) notes that: ‘the plain words of the statutes of the *ad hoc* tribunals and of the International Criminal Court, recognising the application of command responsibility to genocide, make it at least theoretically possible for a superior or commander to be found guilty of genocide where the mental element was only one of negligence’. He adds, however, that: ‘The limited case law on this point indicates that the courts remain rather uncomfortable with the concept’.

³⁰According to Kul’chits’kii (2005, p. 196), the number of famine deaths in Ukraine was 3.2 million. This is 56% of the Davies and Wheatcroft estimate of the total number of famine victims. Since the Kazakh famine began in 1931, whereas the overwhelming majority of the Ukrainian victims died in 1933, the Ukrainian proportion of 1933 excess deaths was higher than the Ukrainian proportion of total famine deaths. The 3.2 million estimate is an estimate of excess deaths in Ukraine, not of excess deaths of those of Ukrainian nationality. To obtain the latter one would have to add the excess deaths of Ukrainians outside Ukraine and subtract the excess death of non-Ukrainians in Ukraine.

³¹According to Marcus (2003, p. 252), ‘In one year, between five and eleven million Ukrainians died of hunger or famine-related maladies . . .’. This is a huge exaggeration. It seems that the actual number of Ukrainian famine-related deaths was much less than the lower bound of Marcus’s range.

³²International Criminal Tribunal for the Former Yugoslavia, *Judgement, Prosecutor v. Radislav Krstic, Case no. IT-98-33-T, 2 August, 2001*, p. 208, available at: <http://www.un.org/icty>, accessed 12 January 2007.

spread over a broad geographical area, of a finite number of members of the protected group might not thus qualify as genocide, despite the high total number of casualties, because it would not show an intent by the perpetrators to target the very existence of the group as such. Conversely, the killing of all the members of the part of a group located within a small geographical area, although resulting in a lesser number of victims, would qualify as genocide if carried out with the intent to destroy the part of the group as such located in this small geographical area.

If this judgement is accepted as an authoritative interpretation of ‘in part’ then it would seem to rule out a legal characterisation of the events of 1932–33 as genocide against the Ukrainians as a whole since the deaths were in ‘different places spread over a broad geographical area’ and clearly, since the overwhelming majority of Ukrainians survived, were not an attempt to ‘target the very existence’ of the Ukrainians ‘as such’.

However, it would leave open the possibility of a charge of genocide against the Kuban Ukrainians/Kuban Cossacks (or the Ukrainians of the North Caucasus as a whole) because they were intentionally eliminated as the major group in the Kuban in 1932–36. Such a charge, however, would not be exclusively about the famine, but would also relate to the deportations, the end of the use of Ukrainian in local government, the media and education, the settlement of Russians in the Kuban, and changed national self-ascription. Furthermore, it seems more appropriate to describe some of these acts as cultural genocide and ethnic cleansing, which fall outside the scope of the UN Convention on genocide (Schabas 2000, pp. 178–201). The data for a possible charge of genocide against the Ukrainians of the Kuban are set out in Table 4.

TABLE 4
UKRAINIAN POPULATION OF THE KUBAN

	1926 census		1937 census		1939 census	
	Number	%	Number	%	Number	%
Kuban <i>oblast'</i>	915,000	61	–	–	–	–
Krasnodar <i>krai</i>	–	–	170,000	6	150,000	5
Ordzhonikidze <i>krai</i>	–	–	41,000	2.5	47,000	2.4

Notes: (a) These figures have been rounded to the nearest thousand and the nearest whole percentage (except where this would create a misleading impression of changes over time).

(b) The % figures give Ukrainians as a percentage of the total population.

(c) Kuban *oblast'* did not exist any more in 1937. The greater part of it was incorporated into Krasnodar *krai* but part was incorporated into Ordzhonikidze *krai*.

(d) The extent to which the answers to Soviet census questions gave the ‘real nationality’ of the respondents, raises issues outside the scope of this article. According to the census of 1920, 80% of the inhabitants of the Kuban-Chernomorskii *oblast'* were Russians. See *Naselenie Rossii v XX veke* vol. 1 (Moscow, 2000), p. 115. In the 1939 census, only 74,000 inhabitants of Krasnodar *krai* and 27,000 residents of Ordzhonikidze *krai* gave Ukrainian as their mother tongue.

(e) According to the *Bol'shaya Sovetskaya Entsiklopediya*, 2nd edn, Vol. 23, p. 587, published in 1953, the Kuban Cossacks were Russians.

Sources: The data for 1926 comes from Martin (2001, p. 405); for 1937 from *Vsesoyuznaya* (1991, p. 88, 91); and for 1939 from Zhiromskaya (1999, pp. 40–41). (Martin's figure for Krasnodar *krai* for 1937 is a mistake which confuses Krasnodar *krai* with Krasnoyarsk *krai*.)

The physical elements in the alleged crime concerning the Ukrainians as a whole are threefold, two of commission and one of omission. The first physical element is the export of grain during a famine. In 1932–33 grain exports were 1.8 million tonnes. That was enough to feed more than five million people for one year. The second physical element was the ban on migration from Ukraine and the North Caucasus. If one estimates that without the migration ban the number of people fleeing from Ukraine and the North Caucasus would have been double the number actually intercepted in the first three months of the ban (i.e. 450,000) and that migration would have saved the lives of a third of them, then there were 150,000 excess deaths as a result of that measure. The third physical element is that ‘Stalin made no effort to secure grain assistance from abroad’ (Davies & Wheatcroft 2006, p. 628).

The three physical elements of the alleged crime are well known and uncontroversial (as facts, though not their interpretation). What is very controversial is whether the necessary mental elements also existed. Schabas (2000, p. 305) has noted that ‘genocide requires the prosecution to establish the highest level of specific intent’. He has also pointed out that: ‘The specific intent necessary for a conviction of genocide is even more demanding than that required of murder’ (Schabas 2000, p. 222). Hence an action, such as the migration ban, may reveal sufficient ‘intent’ to qualify as (mass) murder, but insufficient ‘specific intent’ to qualify as genocide.

What is the evidence for specific intent? First, the migration ban only applied to areas predominantly inhabited by Ukrainians. This is so, but when fleeing peasants were picked up by the OGPU there does not seem to have been any discrimination between Ukrainians and non-Ukrainians. This differs from the classic cases of genocide, such as that of the Armenians in World War I,³³ Jews and Roma in World War II and of the Tutsis in 1994.³⁴

Secondly, Soviet nationalities policy in 1932–33 was suspicious of Ukrainians. In 1918–20 the Red Army fought against Ukrainian nationalists. Its soldiers often

³³The interpretation of the Armenian massacres is still very controversial, primarily for political reasons. Whether or not their treatment qualifies as genocide has been debated up to the present. On the academic level, one reason why proof of genocide in this case has been difficult to establish is that many of the relevant documents were destroyed. Another is the fact that Ottoman documents were written in the Arabic alphabet and their vocabulary was influenced by Persian and Arabic, whereas modern Turkish is written in the Latin alphabet and many words of Persian and Arabic origin have been replaced by their Turkish equivalents, so that Ottoman documents are difficult to read for those only familiar with modern Turkish. Furthermore, the orders for mass killings were sometimes given orally. Nevertheless, Akçam (2006) makes a convincing and well-documented case that the Armenian massacres really do qualify as genocide even according to a strict definition of the UN Convention. For a discussion of the deportation and massacre of the Circassians by the Russian Empire in the 1860s and whether or not that constituted genocide, see Stephen Shenfield ‘The Circassians: A Forgotten Genocide?’ in Levene, M. & Roberts, P. (eds) *The Massacre in History*, 1999, available at: http://www.circassianworld.com/A_Forgotten_Genocide.pdf, accessed 15 February 2007.

³⁴This has been recognised by Kul’chits’kii (2005, p. 197) who wrote, ‘We will never prove to the grandchildren of the citizens of Ukraine who died of starvation, still less to world public opinion, that people died in the USSR in 1933 because of their nationality. That is, like the Armenians in the Ottoman empire in 1915 or the Jews in the European countries occupied by Hitler’s *reich*’. (He added, however, ‘There is no need to prove this, because the mechanism of the Soviet genocide was different’.)

treated as enemies not just armed nationalists but anyone of Ukrainian nationality or who spoke Ukrainian. As Rosdolsky (1986, p.165) has observed,

... in the cities of Ukraine in 1918–19, it was not a rare occurrence [sic] for the Red Guards to shoot inhabitants who spoke Ukrainian in public or publicly admitted to Ukrainian nationality...the rank and file—mainly Russian or Russified—party members then considered Ukrainian a ‘counter-revolutionary’ language!

In 1929–30, with the ‘socialist offensive’ of those years, many of the attitudes of the earlier period revived. The decree of 14 December 1932 which ended Ukrainisation in the North Caucasus treated Ukrainisation (the nationalities policy in Ukraine during the NEP period) as a policy which in practice provided a cover for various counter-revolutionary groups.³⁵ In addition, the Stalin–Kaganovich correspondence shows that in August 1932 Stalin ‘was extremely nervous about the situation in Ukraine’ (Davies & Wheatcroft 2006, p. 628). Moreover, there was a wave of state terror in Ukraine in 1933 which targeted three groups: national Communists (such as Skrypnyk), Ukrainian cultural specialists, and refugees from Poland/West Ukraine (Martin 2001, p. 345). Furthermore, there was an important change in Stalin’s view of national policy in 1930–31. This evolved from a criticism of Great Russian chauvinism to a Russian nationalist position (Martin 2001, pp. 245–272). On 2 May 1933 at a reception in the Kremlin Stalin proposed a toast, in the course of which he said, *inter alia*, that: ‘... Russians are the basic nationality of the world, they were the first to raise the flag of the Soviets against the whole world. The Russian nation is the most talented nation in the world’ (Nevezhin 2003, p. 44). Hence there is some evidence that in 1932–33 Stalin considered Russians as the basis of the USSR and Ukrainians as somewhat suspect. Furthermore, Stalin believed that ‘the peasantry constitutes the main army of the national movement, without the peasant army there is no powerful national movement’ (1947b, pp. 71–72). Hence concern about the strength of Ukrainian nationalism might have led Stalin to strike at its ‘army’.

However, whether these two items of evidence can be interpreted as meeting the specific intent criterion is doubtful. An analogy may make the legal problem clear. Was the policy followed in the seventeenth, eighteenth and nineteenth centuries, first by the British Empire and then the USA, towards the Native Americans, an example of genocide? Many of them were killed by settlers, their land was expropriated, their population declined, and their way of life ended. A specialist in human rights law has argued (Bassiouni 1979), however, that this was not an example of genocide because of the absence of proof of specific intent. If the deaths were largely just a by-product of the spread of disease and agriculture, the deaths would remain a fact but would not constitute genocide.

In addition, it is necessary to take account of the measures discovered by Davies and Wheatcroft to help Ukraine, such as the 11% reduction in the grain procurement quota in August 1932, and the further reduction in October, making a total reduction of 28% (Davies & Wheatcroft 2004, pp. 183–185). Furthermore, the state allocated

³⁵For the text of the decree, see Danilov *et al.* (2001, pp. 576–577). For a discussion of its significance, see Martin (2001, pp. 302–308).

Ukraine 325,000 tonnes of grain as seed loans and relief in February–July 1933 (mainly February) (Davies & Wheatcroft 2004, Table 22).

If the present author were a member of the jury trying this case he would support a verdict of not guilty (or possibly the Scottish verdict of not proven). The reasons for this are as follows. First, the three physical elements in the alleged crime can all be given non-genocidal interpretations. Secondly, the two mental elements are not unambiguous evidence of genocide. Suspicion of an ethnic group may lead to genocide, but by itself is not evidence of genocide. Hence it would seem that the necessary proof of specific intent is lacking.³⁶

It should be noted that there are other actions of Team-Stalin in the 1930s that might well qualify as genocide as defined in the UN Convention. In particular this concerns the ‘national operations’ of 1937–38 (but not the victims of the operation against the ‘Harbintsy’ since these were former railway workers rather than an ethnic group).³⁷ Of these, the ‘Polish operation’, which led to 111,000 death sentences, seems to have been the biggest (Petrov & Roginskii 2003). There are three objections to treating the ‘Polish operation’ as genocide. The first is that NKVD order no. 00485 of 11 August 1937 (the order for the ‘Polish operation’) does not explicitly target Poles as such, but only members of a (former and in 1937 already for many years non-existent) Polish organisation, POV [POV is an abbreviation for *Pol'skaya Organizatsiya Voiskovaya* or in Polish *Polska Organizacja Wojskowa*] and certain specific groups of Poles.³⁸ However, in *implementing* order 00485, NKVD officers interpreted it as an order to arrest Poles (since they could not arrest members of POV because non-existent members of non-existent organisations cannot be arrested). In its *implementation* it was predominantly an example of killing people (and sending them to the *Gulag*) based on their ethnicity.³⁹ The second objection to treating the ‘Polish operation’ as genocide is that only a minority of Soviet Poles were victims of it. According to the 1937 census there were 636,000 Poles in the USSR in January 1937, but the number of persons sentenced in the ‘Polish operation’ was ‘only’ about 140,000 or 22%. Whether this is enough to meet the UN Convention criterion of ‘in whole or in part’ depends on the interpretation of ‘in part’ (see above).⁴⁰ The third objection is

³⁶For an alternative view see Serbyn (2006). The fact that many famines, despite being terrible human tragedies and wholly or partly avoidable, are not genocide as defined by the UN Convention, because of the requirement of specific intent and the type of group effected, has been pointed out by Marcus (2003, pp. 264–265). Accordingly, Marcus argued for a new international agreement criminalising famines.

³⁷The ‘national operations’ were directed against the following ethnic groups (in each case the number of victims arrested by 1 July 1938 is given in brackets after the name of the group): Poles (148,000), Germans (65,000), Latvians (24,000), Iranians (16,000), Greeks (16,000), Finns (11,000), Chinese–Koreans (9,000), Romanians (9,000), Estonians (9,000), English (3,000), Afghans (3,000), Bulgarians (3,000), and others (7,000) (see Danilov 2006, p. 157).

³⁸For information about POV, see Khaustov (1997, p. 11).

³⁹In many cases determining who was a ‘Pole’ in the USSR in 1937–38 was arbitrary in view of changing frontiers and the use of different criteria (such as citizenship, passport nationality, language, religion, nationality of parents) in determining ‘nationality’.

⁴⁰When the USA incorporated the UN Convention into its domestic law, it changed the definition from killing a group ‘in whole or in part’ to ‘in whole or substantial part’. The purpose of this seems to have been to exclude the lynching of individual, or small groups of, African-Americans from the definition of genocide. This raises the question of whether the Polish killings were numerous enough to

that many of those sentenced (about a third) in the ‘Polish operation’ were not in fact ‘Poles’ (Petrov & Roginsky 2003, pp. 166–171). Since no legal tribunal to try the crimes of Stalinism has been established, there is as yet no authoritative ruling on the legal characterisation of the ‘Polish operation’ and the other ‘national operations’ of 1937–38.

In addition, the 1937–38 terror against the clergy of the Russian Orthodox Church and of other religions (Binner & Junge 2004) might also qualify as genocide as defined in the Convention (‘killing members of the group . . . with intent to destroy, in whole or in part, a . . . religious group’). It seems that in 1937–38 about 50,000 clergy were arrested, most of them probably priests, monks, or believer-activists of the Russian Orthodox Church.⁴¹ A significant proportion were probably shot, and nearly all the remainder sent to the *Gulag*. In addition, some people in these categories already in prisons and camps were shot.⁴² According to Schabas (2000, p. 129) it is an open question whether the clergy of a denomination can constitute a ‘religious group’ in the sense of the Convention, or whether the genocide of a religious group can only take place when the mass membership (in whole or in part) is killed. However, the 1937–38 terror was not confined to the clergy but included large numbers of believers.

In the French Criminal Code (article 211-1) genocide is defined more widely than in the UN Convention. The UN Convention excludes social and political groups. In the French law an additional category is added to the four (‘national, ethnical, racial or religious’) in the UN Convention, namely ‘a group determined on the basis of any other arbitrary criterion’. This means that according to the French definition such actions as the ‘liquidation of the kulaks as a class’ and other steps in the ‘building of socialism’ (such as the killing of capitalists, landlords and specialists) could qualify as genocide. According to the French definition, Soviet policy in 1917–53 would probably include several genocides.⁴³

The above analysis was based on a strict legal interpretation of the UN Genocide Convention as expounded by international lawyers such as Schabas. In a different context this might be referred to as a ‘strict constructionist’ position. It has the disadvantage that even the Armenian massacres of 1915–16 have difficulty in

count as ‘substantial’. Killing more than 100,000 people, and in total sentencing more than a fifth of the relevant group (either to death or the *Gulag*), would probably meet the US ‘substantial’ criterion. However, there does not seem to be any US jurisprudence about how many killings are necessary to make them ‘substantial’.

⁴¹For 1937 there is data on clergy arrests both by category of ‘crime’ and by social composition. According to the former the number of clergy (*dukhovensvo, sektanty*) arrested was 37,331. According to the latter the number of clergy (*sluzhiteli religioznogo kul'ta*) arrested was 33,382. For 1938, only data on the former has been published up to now. The number is 13,438. Most of these clergy were probably priests, monks and believer-activists of the Russian Orthodox Church, but they probably included also clergy of other Christian denominations and also of non-Christian denominations. For the figures see Mozokhin (2006, pp. 337–341).

⁴²The notorious NKVD order 00447 of 30 July 1937 specified that one of its targets was (section I point 6) ‘sectarian activists, churchgoers (*tserkovniki*) and others’ who were already detained in prisons, there camps, colonies and special settlements but who continued ‘active anti-Soviet, subversive, work’.

⁴³If the French additional category of genocide victims is combined with the more relaxed understanding of intent explained in the following paragraph, then Soviet policy in 1917–53 certainly included several genocides.

qualifying as genocide (see footnote 33). It also has the disadvantage that it fails to take account of the evolving international understanding of genocide. According to some modern specialists in genocide studies (Jones 2006), genocide should be defined more widely. The definition of intent should be widened so that it combines specific intent with constructive intent. (Constructive intent includes cases in which the perpetrators did not intend to harm others but should have realised or known that the behaviour concerned made the harm likely.) In addition, the list of protected groups should be expanded, and 'in part' understood as lay people understand it. This broader definition seems to have become quite widely accepted. The International Criminal Tribunal for Rwanda stated in its 1998 Akayesu judgement (Jones 2006, p. 21) that 'the offender is culpable because he knew or should have known that the act committed would destroy, in whole or in part, a group'. If one accepts that Stalin—the plebian ruler of an agricultural country with good statisticians—'knew or should have known' the true size of the harvest and the effects of the migration ban and even the reduced grain procurements on the Ukrainian peasantry, then according to this more relaxed definition of intent, he was guilty of genocide. The only possible defence would be to argue that not only did he not know what was going on but also that there was no reason why he should have known—a somewhat bizarre argument for someone in his position.

Hence, with this more relaxed definition, the deaths of more than three million Ukrainians in 1932–33 would qualify as genocide (as would the excess deaths in 1930–34 of Russians and Kazakhs⁴⁴). Furthermore, other Stalinist policies, such as the deportation of whole nationalities, and 'the liquidation of the kulaks as a class' would also become genocidal (Jones 2006, pp. 135–137). The Ukrainian famine deaths in 1932–33 would not be the only Soviet genocide, but would be the largest (in numbers). However, such a broad definition would mean that genocide was no longer a rare and uniquely horrible offence. A large number of historical events would become genocides (Jones 2006), ranging from the expansion of the Zulu kingdom in early nineteenth century South Africa, to the Atlantic slave trade, the European colonisation of the Caribbean islands and American continent, the atom bomb on Nagasaki (and possibly also the one on Hiroshima), and the economic sanctions of the 1990s against Iraq. This also means that countries such as Portugal, Spain, the Netherlands, UK and USA, which participated in or were responsible for one or more of the events in the above list, would become guilty of genocide. Even on a strict interpretation of the UN Convention, Australia too (Jones 2006, p. 79) was guilty of genocide (with respect to its behaviour towards aboriginal children).

Conclusions

Given Soviet policies, the famine deaths of 1931–34 were caused by two bad harvests, those of 1931 and 1932 (plus the policy of socialising the livestock of the Kazakhs without properly providing for their care). However, there was no inevitable link between the two bad harvests and a famine with almost six million excess deaths.

⁴⁴Kul'chits'kii (2005, pp. 157 and 153) agrees that the excess deaths of Russians (but not of Kazakhs) also qualifies as genocide.

Had Soviet policies with respect to grain exports and imports, the socialisation of livestock, foreign humanitarian help, and internal migration, been different from what they actually were, the death toll in 1931–34 would have been very much less than it actually was.

In order to understand historical events where decision makers reacted in what the present generation regards as a peculiar way, it is necessary to understand the perceptions of the decision makers. In considering Stalin's perceptions, Davies and Wheatcroft are inclined to substitute the trees for the wood. Although their many factual points about Stalin's reactions to particular matters are correct and interesting, it is also the case that Stalin was an Old Bolshevik and assessed historical events from the class-historical point of view. This produced an assessment of famines and their consequences—and hence of the appropriate reaction to them—different from that of humanitarians.

From the standpoint of historical evaluation, the debate is about analysing the combined significance of Stalin's perceptions, convictions, words, acts, plans, and record. The issues to be considered are as follows.

- (a) Stalin perceived the situation from the class-historical point of view.
- (b) Stalin was convinced that the famine had been caused by the peasants. He also considered the peasants second-class citizens.
- (c) On 27 November 1932 he stressed the need to deal a 'knockout blow' to 'some collective farmers and collective farms'. On 11 January 1933, he argued that the 'kulaks' had not yet been finished off and that the situation was still one of fierce 'class struggle'. This implied that further repression was necessary. On 19 February 1933, he stated that the 'idlers' deserved to starve. On 6 May 1933, he stated that he was engaged in a 'war' with the peasants who were trying to starve the workers and the army. Two years later, looking back, he explained that rapid industrialisation had been essential, even if it meant some 'sacrifices', and even though it had been necessary 'to economise also on food'.
- (d) In 1932–33 he pursued a multi-pronged policy of state terror against the population of the USSR, in particular the peasantry. Four well-documented prongs of this policy were judicial repression; charges, arrests, investigations and sentences by the OGPU; deportations; and the sending of plenipotentiaries to the North Caucasus, Ukraine and Lower-Volga to procure grain by force. He banned migration from two very badly affected areas, Ukraine and North Caucasus, thus preventing many people helping themselves. He also reduced procurement and export plans, but this can be seen as recognition that there was no grain to procure and export and that previous plans had been too optimistic. He also undertook some modest relief, but his relief efforts compare adversely with those of Tsar Alexander III and Russian society in 1891, although they do confirm that Stalin did not want to annihilate the peasants.
- (e) In January–February 1933 Stalin planned new mass deportations of peasants with millions of victims. These plans were greatly scaled down during 1933. Well-documented factors explaining this are opposition from the West Siberian leaders and the material and financial costs involved.

- (f) Throughout his career as a Soviet leader, from Tsaritsyn (1918) to the ‘doctors’ plot’ (1953) he used violence (arrests, shootings, deportations) to achieve his political goals. Is it really plausible to suppose that with these perceptions, convictions, words, actions, plans, and record, Stalin would have abstained from an efficient, cost-saving, method (i.e. starvation) of repressing ‘counter-revolutionaries’ (or ‘anti-Soviet elements’) and liquidating ‘idlers’?

In 1932–33 Stalin caused numerous deaths by acts of omission. He omitted to appeal for or accept international help (unlike in 1891–92, 1921–22, 1941–45 and 1946–47) although this was proposed by the Ukrainian president in February 1932. He also omitted to import grain. His crime of omission is accepted by Davies and Wheatcroft. In 1932–33 Stalin also caused numerous deaths by acts of commission. Numerous deportees and camp and prison inmates—victims of a major Stalinist policy—died. Grain which might have been used to feed the starving population was exported (though in much smaller quantities than originally planned). Peasants who tried to flee from famine-stricken Ukraine and North Caucasus were turned back. Many of them will have died as a result.

From the standpoint of national criminal law, the debate is about whether Stalin was guilty ‘only’ of (mass) manslaughter or whether he was guilty of (mass) murder. From a criminal-law point of view, the only way of defending Stalin from the charge of (mass) murder is to argue that he was ignorant of the consequences of his actions. Stalin was undoubtedly ignorant about many things, but was he really that ignorant? From the standpoint of contemporary international criminal law, a crime (or series of crimes) for which Team-Stalin was clearly guilty in 1930–34, is that of crime(s) against humanity.

Whether or not Team-Stalin was guilty of genocide in 1932–33 depends on how ‘genocide’ is defined. If a strict legal definition is adopted, based on the UN Genocide Convention, genocide against the Ukrainians in 1932–33 is a charge for which there is some evidence, but it seems to the present author that it does not meet the standard of specific intent required to prove genocide. Furthermore, recent judicial interpretations of ‘in part’ would reduce still further the chances of a successful prosecution. The only exception is the Kuban Ukrainians, who by deportation, starvation, Russification, settlement, and changed national self-ascription, were eliminated as the major group in that region in 1932–36. However, it seems likely that the de-Ukrainisation of the Kuban falls into the categories of cultural genocide and ethnic cleansing, which fall outside the UN Convention on genocide. The ‘national operations’ of 1937–38, notably the ‘Polish operation’, may qualify as genocide as defined by the UN Convention, although there is as yet no legal ruling on the matter. In addition, the 1937–38 terror against the clergy of the Russian Orthodox Church (and of other religions) may also qualify as genocide as defined in the Convention.

If the more relaxed definition favoured by some modern specialists in genocide studies is adopted, then the Ukrainians were victims of genocide in 1932–33 (as were the Russians and Kazakhs in 1930–34). Many other events of the 1917–53 era (e.g. the deportation of whole nationalities, and the ‘national operations’ of 1937–38) would also qualify as genocide. The Ukrainian famine deaths in 1932–33 would not

be the only Soviet genocide but would be the worst (i.e. have the largest number of victims). However, this more relaxed definition makes genocide a common historical event. It also adds countries such as Portugal, Spain, the Netherlands, UK and USA to the list of those guilty of past genocides (which also includes Australia even on the strict definition).

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