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Holodomor, Famine in Ukraine 1932-1933: A Crime against Humanity or Genocide?

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Abstract

Famines in the main are man-made and not merely caused by the occurrences of food shortages, due to natural disasters. This article discusses the theories of famine in relation to food entitlement and adverse government policy. In the first part the focus is on the introduction of theories of famine, where it is examined in what way the entitlement and distribution of food, rather than food shortage, is often the underlying cause for famines. Famines are strongly enmeshed in either direct or indirect political decisions. Consequently, political systems have often intentionally created famine conditions and used starvation as a mechanism of repression. This fact makes these government officials some of history's worst criminals.

In the second part, this article examines the case of Holodomor in Ukraine in 1932-33 and illustrates that not only political economy and forced collectivisation, but the intentional faminogenic behaviour of Stalin and a small group of his government officials, caused devastating starvation and the deaths of millions of people. This case moves the study of famine into the field of international law, in which Ukraine's quest for UN recognition of Holodomor not only as a crime against humanity, but also as genocide, could be regarded as justified.

Keywords: famine, famine crime, Holodomor, crime against humanity, genocide

Introduction

"Ethiopians long wait for rain" (BBC News, 2003)

"Millions in Africa face starvation because of failed harvests" (The Guardian, 2008)

"Starvation in Kenya due to drought" (IHF, 2009)

"Severe draught causes hunger for 10 million in west Africa" (The Guardian, 2010)

These recent headlines certainly indicate that the myth "Africa has drought, drought causes failed harvest, failed harvest equals famine" is still deeply engrained in the popular perception of today in relation to the development of famines. However, it has been

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established by many scholars that famines are, in the majority of cases, man-made and not merely caused by the occurrence of food shortage due to natural disasters.

In this paper I will commence with a brief overview of certain theories of famine, particularly focusing on the entitlement theory established by Sen (1981) and on Devreux's (1993) elaborations on famine and government policy. In particular I will elaborate on the role of collectivisation in famine formation. It is widely documented and investigated that the collectivisation process, carried out by communist countries, did not reach its goal to stimulate production but quite the contrary. It provoked widespread opposition, rebellion and resistance in the peasantry, which in turn had a counterproductive effect on the rural economy and, in many cases, led to famines (Bernstein, 1984; Devreux, 1993; Lin, 1990; Livi-Bacci, 1993; Tauger, 2005).

A further focus point will be the concept of famine crime against the background of international law, a field in which the professor of law, David Marcus (2003), has provided essential and valuable research and material with his classification of 'faminogenic behaviour' into different stages that, under certain conditions, can be regarded as a crime against humanity and indeed as genocide.

Based on this theoretical framework I will present a specific example with the case of Holodomor, the famine that occurred in the Ukraine Socialist Soviet Republic (SSR) and Kuban in the early 1930s. Holodomor has long been described as a result of adverse government policy during the first period of Stalin's collectivisation program, due to which millions of men, women and children lost their lives over a space of no more than 18 months. However, in recent years it has entered a new level of discussion as the question has been raised as to whether Holodomor was more than just a result of forced collectivisation but was rather brought about intentionally and aimed at a specific population. Ukrainian nationalists, led by Viktor Yushchenko, the President of Ukraine from 2005 to 2010, and supported by a number of scholars from a variety of disciplines, have argued that the Ukrainian famine should be placed in the realm of crime against humanity and, indeed, should be recognised as genocide. This would be a significant move towards a case for famine crime in international law, and a call to trial for those who were responsible for the implementation and execution of faminogenic government policies.

Theories of famine

In the scholarly literature of famine and its causes, it has long been determined that, contrary to the popular perception of famine as a consequence of natural disaster, drought, flooding or sheer misfortune, affecting only developing countries, other more humanly contrived factors are implicated in the cause of most famines. Many different definitions and theories of famine have indeed been established, that can be applied to the particular situations. However, all more recent theories of famine concur in their view that famines, rather than being caused by an unforeseeable natural calamity, are actually man-made disasters. Especially when analysing the big famines of the 20th century in Sub-Saharan Africa, Asia and the Soviet Union, this factor can repeatedly be identified.

One element of this popular myth that has been particularly challenged is the equation of famine with 'shortage of food'. With his essay *Poverty and Famines: An Essay on*

Entitlement and Deprivation (1981) the economist Amartya Sen pioneered the claim that rather than food shortage, famine is a problem of entitlement and distribution of food (see Devereux, 1993; Osmani, 1995). He developed his theory with the example of the famine that occurred in 1943 in Bangladesh, where two to three million people died, despite an adequate availability of food in the area. The problem was the imbalance in food distribution, resulting in a failure of food entitlement. Sen's entitlement approach has been analysed by Siddiq Osmani (1995) and further developed and classified. The development economist Stephen Devereux, in his comprehensive book *Theories of Famine* (1993), provides further definitions of famine and approaches to famine analysis.

For the purpose of this essay I am going to concentrate on Devereux's representation of the political economy of famine in part 3 of the aforementioned book, with a specific focus on famine and government policy. Based on this background I will furthermore discuss famine in the context of international law, where it is considered a crime against humanity and indeed genocide.

From government policy to famine crime

Most recent famines did not occur due to overpopulation and a subsequent lack of food or as a result of natural disaster. Rather, Devereux argues, they 'always include elements which are either directly political – a deliberate act of political will – or indirectly political – a failure to intervene to prevent famine, or famine as an unintended by-product of government policy' (Devereux, 1993, p. 129). Depending on the type of government policy and contribution, he describes four sub-categories in this area, namely: the implementation of inappropriate or deliberately harmful policies; the failure to intervene and prevent famine; famine as a by-product of war or civil unrest; and finally the intentional creation of famine conditions, 'using starvation as a mechanism of repression and subjugation' (Devereux, 1993, p. 130).

David Marcus has classified these intentional governmental behaviours to create famine conditions as 'faminogenic' – a term coined by him – and argues that those government officials 'should be considered some of history's worst criminals' (Marcus, 2003, p. 245). He suggests four degrees of faminogenic behaviour; fourth-degree faminogenic behaviour is 'the least deliberate', marked by 'incompetent or hopelessly corrupt governments' (ibid, p. 246), while he defines first-degree faminogenic behaviour as an intentional act, where 'Governments deliberately use hunger as a tool of extermination to annihilate troublesome populations' (ibid, p. 247). Marcus aims to achieve formal criminalisation of first- and second-degree faminogenic behaviour, the latter being described as the reckless pursuit and continuation of government policies that engender famine 'despite learning that they are causing mass starvation' (ibid, p. 247). He concurs with and builds on the argument of Abdullahi El-Tom who called for a move towards the concept of 'famine criminals' to bring those responsible for famines to justice, in the same way war criminals can be pursued (El-Tom, 1995).

The government policies introduced in the course of collectivisation have been found to be responsible for a number of famines in countries of the eastern block. Examples include four famines 'within thirty years of the 1917 Revolution' (Devereux, 1993, p. 130) in the Soviet Union, the enormous famine in China during the years of the Great Leap Forward

from 1958 – 61, famine in Cambodia in the mid 1970s under the Khmer Rouge, the Ethiopian famine in 1984 and, most recently, famine in North Korea in the 1990s which stretched over nearly a decade.

This implies that those governments that implemented the collectivisation process were largely responsible for the hardship that they placed on their people. Ironically, the most severely affected are usually the farmers or peasants, despite being at the very frontline of food production.

In his book, Devereux concentrates on two specific cases in order to clarify his theory of famine and government policy in connection with collectivisation: a famine in Russia in the early 1930s and China's famine during the Great Leap Forward, which he describes as 'the worst anywhere in human history' (Devereux, 1993, p. 143).

Russia and China were both traditionally described as famine-prone countries. This was mainly explained by their natural disasters, their harsh climatic conditions, poverty in rural areas and the isolation and difficult accessibility of the affected regions. However, with closer investigation, all of the famines that occurred in these countries over the course of the twentieth century can quite safely be regarded as man-made and indeed as a direct consequence of government policy and the failure or unwillingness of the leaders to prevent them or at least intervene (Devereux, 1993). To underline his argument Devereux quotes Clay and Holcomb:

Famine has resulted primarily from government policies that have been implemented in order to accomplish massive collectivisation of agricultural production and to secure central government control over productive regions of the country where indigenous peoples have developed strong anti-government resistance (Devereux, 1993, p. 136).

While their main focus was the Ethiopian famine, this statement certainly can perfectly be applied to any other case of famine as a consequence of collectivisation.

To demonstrate these processes described by Clay and Holcomb I am going to concentrate on one specific example of famine and government policy that has come to the fore especially over the last decade, Holodomor.

Holodomor, the Ukrainian famine in 1932-33

The devastating famine that rampaged in the Ukraine SSR during the collectivisation under Stalin has been named by the Ukrainians as Holodomor, 'from *moryty holodom* 'to kill by means of starvation'' (Makuch and Markus, 2009). It started at the beginning of the year 1932, and lasted until the autumn and winter 1933; some scholars even suggest that it really only tapered off in the first half of 1934 (Dalrymple, 1964; Devereux, 1993; Serbyn, 2006). The numbers of people believed to have died during this period of time vary greatly in the various academic sources, a fact which can be ascribed to insufficient data or improper use of statistics. In any case, estimates range between five and ten million deaths due to starvation or other famine-related illnesses, more than one third being children (Serbyn, 2006; Conquest, 1986; Dalrymple, 1966; Livi-Bacci, 1993; Marcus, 2003; Zakharov, 2008). As an historical background and context it may be important to mention that

Ukraine has often been hailed as the ‘bread basket’ of Russia due to its very rich soil that is known as the Ukrainian ‘black earth’. This explains that the Ukrainian SSR was certainly one of the most valuable economic components of the former USSR. It generated more than one fourth of Soviet agricultural output and provided, beside grain, substantial amounts of vegetables, meat and milk to other Soviet regions. After the destruction of the Tsarist autocracy in 1917 and the creation of the Soviet Union, the Bolshevik government was certainly aware of the importance of Ukraine, where nationalists strongly aspired to the formation of an independent state. In order to pacify those nationalist movements, Lenin introduced certain reforms for ‘Ukrainization’ of this region and the Kuban area in the North Caucasus (where the majority of the population was Ukrainian) that enabled a nationalist Ukrainian community spirit to grow. Thus, against all communist persuasion, the traditional agricultural concept of private farming and landownership persisted, as well as the existence of the Ukrainian Orthodox church and other traditional religious orientations. Furthermore, the whole education system was delivered in the native Ukrainian language.

However, in 1929, Stalin, besides trying to speed up the industrialisation process in the USSR, abolished these reforms in order to push towards pure communism. He implemented *de-kulakization*ⁱ and collectivisation, particularly targeting the Ukrainian kulaks during this process as they, in addition to being economically suspect to him, also caused a threat due to their expressed nationalism. Consistent with Marxist ideology and the call for abolition of private property, this collectivisation process entailed the dissolution of privately run farms by transforming them into large state-run kolkhozes (collective farms), and the imposition of exaggeratedly high grain procurement quotas (Marcus, 2003, p. 253). Pre-empting resistance – and to prevent any irritation arising from this – the Central Committee assigned twenty-five thousand young urban communists to the particular villages, each of them accompanied by armed troops, to compel the change-over. Everything that existed in the kolkhozes was passed over into government property and no private ownership was left to individual peasant workers, certainly disincentivising them and reducing their work motivation and performance. Many peasants manifested their resistance by slaughtering off their livestock and selling stock and machinery as well as showing a very low work motivation. At the same time the regime aimed to undermine the cultural bearers of the Ukrainian nation, targeting the Ukrainian intelligentsia, religious leaders and the peasantry.

According to Stalin’s ‘first commandment’, introduced during the first year of collectivisation, any kolkhoz ‘had first to settle with the State according to a quota issued from above’ and only after that would the workers be remunerated (Zakharov, 2008, p. 5). However, already two years prior to the famine, the kolkhozes were never able to meet the Central Committee’s target and suffered acute grain shortage, and so were unable to recompense their workers. Additionally, the quota for the following year was artificially increased to speed up production and motivate the workers to reach at least their prior quota. By June 1931 Ukraine reached its quota for 1930, but only by emptying all its grain reserves and leaving the kolkhoz workers weakened and malnourished. Instead of taking this into account, the regime even further increased the quota for the 1931 harvest to a quite impossibly high level. At the end of 1931, not a single village in the Ukraine had a chance to achieve the high grain quota set by the government. The situation for the villagers

deteriorated with a resolution in December that all supplies of goods to rural areas should be stopped. In addition the Central Committee considered ‘any grain found in a peasant’s home [as] a priori [...] squandered or stolen’ (Zakharov, 2008, p. 32) and thus, it was mercilessly confiscated. By spring 1932 the scarceness of food was developing into real famine, not only in Ukraine but also in several other agricultural areas of the USSR. Only after the report of an agricultural commissioner, who predicted that, without assistance, the work force would not be able to cope with the next coming harvest, did the State begin to send provisions to rural areas, also returning grain that had been designated for export to those in need (Zakharov, 2008, p. 33). But this support lasted only for a very short time and was discontinued again at the end of June. What followed was another even more serious famine, induced similarly by the inability to fulfil the disproportionately high grain procurement quotas, imposed on a people who had hardly even recovered from their previous hardship.

In Ukraine and Kuban the situation was additionally exacerbated by the reintroduced confiscations and a complete cessation of any food deliveries from outside after a resolution from Stalin in January 1933ⁱⁱ. The ‘Law in the Inviolability of Socialist Property’, also widely known as the ‘5 ears of wheat law’ (Zakharov, 2008, p. 41) condemned anyone, who was even only suspected to having purloined an ear of grain, to death or, in milder circumstances, to a prison sentence for at least 10 years (see also Marcus, 2003, p. 253). The Party and leadership of the USSR increased state repressions even further by prohibiting the Ukrainian populace to leave their region in search for food, reintroducing an internal passport system and denying such a passport to any worker who was in arrears with quota fulfilments. Not surprisingly, this led to devastation and widespread mass starvation. During the first half of 1933 it is believed that millions died in Ukraine, and hundreds of thousands in Kuban.

A further devastating factor was the political repression carried out by the Central Committee of the Communist Party with the aim to suppress any Ukrainian nationalist revival. Ukrainian leading academics and teachers, as well as known writers and even leaders of the Ukrainian branch of the Communist Party, were falsely accused of conspiracy and executed or sentenced to 10 years of prison.

In March 1933, thirty-five civil servants of the Commissariat for Agriculture were executed after being less than a day on trial for the most ludicrous accusations, like having ‘wilfully permitted noxious weeds to grow in the fields’, or ‘encouraging the spread of meningitis among horses’ (Zakharov, 2008, p. 45). In fact, they were officially used as scapegoats, blamed for having deliberately caused the bad harvest, and thus starvation, bringing the USSR into international disrepute. Ukrainization was completely abolished, the use of the Ukrainian language forbidden, and the Central Committee focused instead on forced Russification. To increase the number of working hands that were urgently needed in the kolkhozes for the harvest in 1933, peasants from other regions of Russia were strongly encouraged to settle in the empty or half-empty (due to famine deaths) Ukrainian and North Caucasus villages.

The different Ukrainian associations and committees dealing with Holodomor agree that at the height of the famine villagers were dying at a rate of 25,000 per day. They also suggest

that the Ukrainian population may have been reduced by up to 25%. They especially point out that up to 80% of Ukraine's intellectuals, among them over 200 Ukrainian authors and 62 linguists perished, were liquidated or disappeared.

As mentioned earlier, between five and ten million Ukrainians are believed to have been starved to deathⁱⁱⁱ. An exact overall death toll is nearly impossible to establish, although the numbers certainly will have become more accurate since the opening of Soviet archives over the last decade. However, in relation to this matter I ultimately agree with Massimo Livi-Bacci who states in his article *On the Human Cost of Collectivization in the Soviet Union* (1993, p. 743) that

'Numbers have often been improperly used to underline ideological points of view, as if imputing 5, 10, or 15 million additional deaths to the policies of forced industrialisation, collectivization, and the liquidation of rich peasants would alter the nature of the political responsibility of Stalin's regime.'

Analysis of Holodomor – from famine crime to genocide

Devereux's government policy theory is certainly one appropriate approach to analyse Holodomor. The amount of policies, decrees and resolutions by the Central Committee of Stalin's regime that created and advanced the famine, and indeed caused millions of deaths, has been explicitly described in the preceding section of this essay. Additionally, Holodomor could also be analysed in the frame of Sen's entitlement theory. He argues that in areas of famine there always remain people that have plenty of food. It is never the whole population that is left to starve. In the case of Holodomor it has been described that there were emergency supplies of grain and potatoes in Ukraine, guarded by heavily armed Russian soldiers, while the villagers in the surrounding area starved to death (Marcus, 2003). Thus, while there evidently was no absolute lack of food supply, it appeared that the farmers, who were the ones producing the food, were not entitled to avail of it.

Over all, Holodomor has attracted the attention of scholars from a variety of disciplines, including the economist Stephen Devereux, the political historians Dana Dalrymple and Roman Serbyn, the political scientist Massimo Livi-Bacci and, most recently, the lawyer and professor of law David Marcus.

However, attention has increased in the last decade, when Ukraine sought recognition of Holodomor as genocide by the United Nations. This call has been led by Viktor Yushchenko, the President of Ukraine from 2005 to 2010, supported by historians like Roman Serbyn (2006) and the late Robert Conquest (1995), and the Ukrainian Diaspora. The campaign has brought Holodomor into the domain of international criminal law and, if successful, would make this famine a pioneer for El-Tom's call for the concept of famine criminals. Those responsible for first- and second-degree faminogenic behaviour, as described by David Marcus might finally be summoned to trial.

The 1932-33 Ukrainian famine was first described as genocide by the Polish-Jewish scholar and lawyer Raphael Lemkin, who coined the term 'genocide' in 1944. He portrayed the Ukrainian famine as genocide in the 1950s, in the last chapter of his unpublished book *History of Genocide*. He also delivered an address at the commemoration of the 20th anniversary of Holodomor in New York in 1953, which has only been launched very

recently, on 25th November 2009, as a book: *Raphael Lemkin: Soviet Genocide in Ukraine* (Williams, 2009). In the Preface Roman Serbyn acknowledges the importance of Lemkin's work – as the 'father of the Genocide Convention' – for the Ukrainians and admires his analysis of the Ukrainian famine and his convincing 'demonstration that it was a genocide in accordance with the principles and criteria of the UN Convention' (ibid).

The denomination genocide combines the discipline of international criminal law with the realms of history and anthropology in the study of Holodomor, due to its implication of intentionally aiming against a group that is culturally coherent.

Not only did Stalin try to obliterate Ukrainian culture by mass starvation, he also persecuted and killed bearers of Ukrainian cultural memory, thus attempting to destroy the very foundations of Ukraine cultural heritage. He dismantled the education system and adjusted it forcefully to the Russian system. He also attacked the intelligentsia, academics, linguists, writers, and the religious culture of the independent Ukrainian Orthodox Church and its clergy. Furthermore, the traditional agricultural concept in the Ukraine was quite distinct from customs used in other parts of the USSR. It consisted of private farming and landownership and the farmers were major local providers of agricultural production with proficient economic and labour traditions. Therefore the forced change to collectivisation hit the Ukrainian peasants and farmers exceptionally hard and was understandably met with a high level of resistance.

The argument has been raised that there is no document or decree as such, issued by the Soviet government and the Central Committee of the Communist Party, that explicitly stated 'an order to kill with famine a certain number of Ukrainians or other peasants' (Antonovych, 2008, p. 2). Thus, in legal terms it could not be seen as proven that the famine of 1932-33 was indeed thoroughly planned. New research, however, has established that the intentionality of this was sufficiently expressed by many legal acts aimed specifically at the Ukrainian citizenship. Antonovych for example mentions the system of *black boards*^{iv} that was established in Ukrainian Villages of Kuban and extended over the rest of Ukraine by 18th November 1932 (2008, p. 4). The earlier mentioned 'Law in the Inviolability of Socialist Property', also widely known as the '5 ears of wheat law' was implemented despite the knowledge of the Soviet government that this would lead to severe starvation and famine. Another act solely aiming at Ukrainian villagers was the order, issued by Stalin in January 1933, to ban Ukrainian peasants from leaving the territory of the Ukrainian SSR and Kuban in order to search for food (Antonovych, 2008, p. 4). Thus, over the last decade Holodomor has become a matter dealt with by scholars of international criminal law who officially stated that between '5 and 10 million Ukrainians were starved to death as a result of brutal enforcement of excessive grain-procurement quotas' set by the Soviet government (ibid, p. 8). Since then, it has been convincingly established that the famine was deliberately caused by the instrumental use of government policies, and that those implementing them, Stalin and a small group of other officials around him, were therefore responsible for committing a crime against humanity and indeed intended genocide to cripple the Ukrainian nation.

The recent publication by Williams (2009) of Lemkin's conception of the Ukrainian famine as genocide has become a further basis in support of the proponents of this argument, since

Lemkin is considered an authority of the concept of genocide. He in particular described the attack against the Ukrainian intelligentsia and the near liquidation of the Ukrainian Orthodox Autocephalous Church as an offensive against the very soul of Ukrainian culture, thus an act aimed at the annihilation of Ukrainian ethnicity, and therefore genocide.

Conclusion

This paper has demonstrated that famines, contrary to the outdated popular belief that they are haphazardly caused by adverse climatic conditions and that they generally afflict developing countries, are more often phenomena consequent to man-made factors. It has indeed been established that particular adverse government policy and unequal food entitlement issues play a major role in the occurrence of famine, factors that are preventable. Furthermore, it has been determined that in particular cases a certain intentionality has sadly been implicated. This moves the study of famine into the field of international law, crimes against humanity and genocide.

The Holodomor in Ukraine in 1932-33 is a sinister example of an artificial and undoubtedly intentional induction of famine through unfavourable government decisions. It illustrates that not only political economy and Stalinist government policy in the form of collectivisation, but indeed the intentional faminogenic behaviour of Stalin and a small group of his government officials, caused devastating starvation and the deaths of millions of people. This nowadays verifiably artificial creation of famine conditions can indeed be regarded as a purposeful and calculated act and attempt to achieve the eradication of a whole people through death by starvation. In this context Ukraine's postulate for a UN recognition of Holodomor not only as a crime against humanity, but also indeed as genocide, could be regarded as appropriate and justified.

Notes

ⁱ *De-kulakisation*: elimination or 'liquidation' of the kulaks, middle-class and private farmers who were labelled as class enemies in the Soviet Union, and introduction of collectivisation. It is believed that millions of peasants were arrested, deported and executed in 1930-32.

ⁱⁱ Excerpt from Zakharov (2008) p. 41:

On 1 January 1933 the UkrSSR leadership received the following telegram signed by Stalin: "Be informed of the Central Committee Resolution from 1 January 1933: "Suggest that the CPU and the Council of People's Commissars of the UkrSSR widely inform, via their village councils, kolkhozes, kolkhoz workers and working individual farms that:

- a) those of them who voluntarily hand over to the State grain previously stolen and hidden from inventory, shall not be repressed;
- b) with regard to kolkhoz workers, kolkhozes and individual farmers who stubbornly persist in hiding grain previously stolen and hidden from inventory, the most severe measures of punishment set out in the Resolution of the Central Executive Committee and Sovnarkom of the USSR from 7 August 1932 "On the protection of property of State enterprises, kolkhozes and cooperatives, and the consolidation of socialist property" will be applied.

The telegram notified the peasants that they must hand over all grain and if they don't do this, they faced blanket searches aimed at rooting out "grain stolen and hidden from inventory". If grain was found, punishment would be according to the "5 ears of wheat law" (death penalty or no less than 10 years deprivation of liberty), and if none was found, there would be a fine in kind, that is confiscation of meat, including "in live" weight, and potatoes.

ⁱⁱⁱ Robert Conquest (1986) estimated the following casualties

Peasant dead: 1930-37		11 million
Arrested in this period dying in camps later		3.5 million
TOTAL		14.5 million
Of these:		
Dead as a result of dekulakization		6.5 million
Dead in the Kazakh catastrophe		1 million
Dead in the 1932-3 famine:		
In the Ukraine	5 million	
In the N. Caucasus	1 million	7 million
Elsewhere	1 million	

^{iv} “Black board” was a form of internal communiqué, like a “black list.” Antonovych (2008, p. 4) explains that ‘Villages that were placed on “black boards” were surrounded by military troops, all their goods and seeds stores were seized, and trade and procurement of any goods was forbidden’. In practice this meant that the inhabitants of a village or collective farm, placed on the “black board” would starve to death. The overall population of the collective farms placed on the “boards” in 82 regions of Ukraine amounted to 5 million people (Antonovych, 2008, p. 4).

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