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## ПУБЛІЧНЕ АДМІНІСТРУВАННЯ В ПЕРІОД ГОЛОДОМОРУ 1932-1933 РР.

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У цій статті автор ґрунтовно досліджує публічне адміністрування під час Голодомору 1932-1933 рр., адже саме ця тематика зараз, під час повномасштабного вторгнення російської федерації на нашу територію спалахнула з новою силою та підняло ці проблеми на новий рівень.

Ця стаття розглядає широке використання міждисциплінарних методик у вивченні Голодомору. Вона наголошує на декількох ключових факторах, що визначають такий підхід. В першу чергу, в статті зазначається, що міждисциплінарність є результатом логіки та закономірностей розвитку соціального знання. Соціальні науки мають тенденцію до узагальнення та синтезу знань різних дисциплін, що дозволяє краще розуміти складні соціальні явища, такі як Голодомор. Далі в статті стверджується, що Голодомор був комплексним і системним явищем, спрямованим на зміну всіх аспектів життя українського суспільства. Це підкреслює важливість міждисциплінарного підходу для розуміння та аналізу таких подій.

Крім того, автор в статті зазначає, що дана наукова праця спрямована на удосконалення існуючих уявлень про Голодомор шляхом проведення дослідження з дотриманням принципів науковості на міждисциплінарних засадах. Вона також має на меті здійснити правовий аналіз процесу та фактів Голодомору та репресивного знищення інституції громадянського суспільства, а також публічне адміністрування в ті часи.

Загалом, ця стаття відображає важливість міждисциплінарного підходу у вивченні складних історичних явищ, такого як Голодомор, і спрямована на розширення наукового розуміння та аналізу цих подій.

Публічне адміністрування в часи Голодомору, а також його історіографія та археографія Голодомору вже привертала увагу дослідників у зв'язку з постійним збагаченням новими документами, методологічними підходами та проблемами. Однак ця проблематика залишається невичерпною через постійні пошуки джерел та розвиток нових підходів. Дослідження історико-правових аспектів цієї теми має своє місце, особливо з огляду на важливість міждисциплінарних досліджень і відсутність уваги до громадянського суспільства в історії України, зокрема в період Нової економічної політики. Авторка пропонує власну методику вивчення процесів публічного адміністрування в період Голодомору з урахуванням унікальності цього феномену.

**Ключові слова:** Голодомор, Голодомор-геноцид, публічне адміністрування, геноцид, селяни, продовольство, колгоспник, радгоспник, сімейне законодавство, знищення, правові акти, історіографія.

### **Pravotorova O. M. Public administration during the Holodomor period 1932-1933.**

The article is devoted to the issue of historical and legal research of the Holodomor of 1932-1933 as a factor of elimination of the socio-political component of civil society, which is relevant in modern Ukrainian society, and which has flared up with renewed vigour and raised these problems to a new level now during the full-scale invasion of our territory by the Russian Federation.

The historiography and archaeography of the Holodomor is extensive and has been the subject of special studies on numerous occasions. However, this problem is hardly exhaustive for many reasons. Among them are new searches for documents, new methodological approaches, and new issues.

In this sense, the study of historical and legal subjects is not without meaning, given the productivity of interdisciplinary, including historical and legal approaches and the practical absence of studies of civil society in the history of Ukraine, in particular during the period of the new economic policy. The author sought to develop and use an original methodology for studying the destruction of civil society institutions during the Holodomor, taking into account the uniqueness of this phenomenon.

*Let us emphasise that the relatively wide use of interdisciplinary methods by researchers in the study of the Holodomor is objectively determined by a number of factors.*

*First of all, it is about the logic and regularity of the development of social knowledge, which is characterised by a tendency to generalise and synthesise the achievements of various social sciences and certain historical and legal disciplines.*

*Secondly, the Holodomor-genocide was complex and systemic. According to the plan of the bolshevik's leadership, they were supposed to radically change all the main spheres of life of the Ukrainian peasantry and ultimately turn it into a cog of the communist utopia.*

*This article is an attempt to conduct a research in accordance with the principles of science on the basis of interdisciplinarity, which should improve the existing scientific understanding of the preconditions, implementation and consequences of the Holodomor, as well as to carry out a legal analysis of the process and individual facts of the repressive destruction of civil society institutions.*

**Key words:** *Holodomor, Holodomor-genocide, civil society, civil society institutions, genocide, peasants, food, collective and state farmers, historical and legal research, destruction, legal acts, historiography.*

**Research problem formulation.** The historiography and archaeography of the Holodomor is extensive and has been the subject of special studies on numerous occasions. However, this problem is hardly exhaustive for many reasons. Among them are new searches for documents, new methodological approaches, and new issues. In this sense, the research of historical and legal subjects is not devoid of meaning in view of the productivity of interdisciplinary, in particular historical and legal, approaches and the practical absence of civil society research in the history of Ukraine, in particular in the period of the new economic policy.

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First of all, it is about the logic and regularity of the development of social knowledge, which is characterised by a tendency to generalise and synthesise the achievements of various social sciences and certain historical and legal disciplines.

Secondly, the Holodomor-Genocide was complex and systemic. As conceived by the Bolshevik leadership, it was supposed to radically change all major spheres of life of the Ukrainian peasantry and ultimately turn it into a cog in the communist utopia.

**Analysis of the latest research and publications.** A lot of scholars, both Ukrainian and foreign, have dealt with the issues of historical and legal research of the terrible tragedy of the Ukrainian people, the Holodomor of 1932-1933, as a factor in the elimination of the socio-political component of civil society. Among such works, we would like to mention A. Graziosi, S. Vodotyk, V. Marochko, V. Danylenko, J. Bruski, L. Vovchuk, S. Kornovenko, James Maines and many others.

**The purpose of the article.** Proceeding from the above, the purpose of the article is to carry out a historical and legal study of the terrible tragedy of the Ukrainian people – the Holodomor of 1932-1933 – as a factor of elimination of the socio-political component of civil society.

**Presentation of the main material.** In the context of the full-scale invasion of the Russian Federation against Ukraine and the actual genocidal war, as well as the acceleration of globalisation, when Ukraine is actively focusing on integration with the world and European community, there is a need to increase attention to rethinking historical memory. However, in the case of the Holodomor, every effort should be made to ensure that this terrible event is not forgotten and that it is correctly interpreted and treated as a systematic destruction of Ukrainian identity in their research, both by the scientific community and the public, and hence the need for theoretical and methodological research into these processes.

We emphasise the study by R. Lemkin that "genocide does not necessarily mean the immediate destruction of a nation. Rather, it means a coordinated plan of various actions aimed at destroying the essential foundations of the life of national groups, with the aim of destroying the groups themselves. Such a plan aims to disintegrate the political and social institutions, culture, language, national feelings, religion and economic existence of national groups, and to destroy the personal security, freedom, health, dignity and even life of people belonging to the group" [1, p. 24].

Ukrainian history has never known a more large-scale and terrible crime of the authorities against their own people than the Holodomor of 1932-1933. It was the most tragic period in the history of Ukraine, and the cruel actions of the authorities resulted in the murder of a million peasants who were starved to death. This crime is recognised as genocide, as it was provoked by a deliberate artificial famine carried out by the Soviet authorities, whose goal was to ensure total control of the state authorities over all segments of the population [2, p. 13].

To the topic of the Holodomor in Ukraine as a coordinated plan of action for the destruction of the Ukrainian nation, which has been repeatedly studied by scholars in Ukraine and abroad, we would like to add one more condition – the incompetence of the authorities, both at the state and local levels.

As V. Vasylenko correctly points out, "Starvation and famine, the first signs of which appeared in late 1931 and which began to spread in Ukraine and other regions of the USSR in early 1932, should be qualified as the result of criminal negligence of the communist leadership. Its actions bore signs of this crime, as it could and should have foreseen the consequences of implementing excessive grain procurement plans" [2, p. 10].

Covering the historical and legal study of the terrible tragedy of the Ukrainian people – the Holodomor of 1932-1933 as a factor of elimination of the socio-political component of civil society, it should be noted that the revolutionary events of 1917 left a significant imprint on this area. After a long period of restriction of women's rights, the principles of liberating women from social, economic and spiritual dependence began to spread in society, thus making them equal to men in political and civil rights.

Therefore, after the Bolsheviks came to government, fundamental changes were made to marriage and family law – new marriage and family legislation was developed and approved in the RSFSR, and later in the Ukrainian SSR, represented by the first Family Code: "The Code of Laws of Civil Status Acts, Marriage, Family and Guardianship Law". Thanks to it, traditional marriage and family relations have been transformed, an updated model of behaviour has been formed, etc.

Subsequently, with the rise of totalitarianism (which provoked the Holodomor of 1932-1933), personal life, morality and everyday life also became an integral part of the absolute control of the party authorities. The basic principles of party life extended to marriage and family relations, regulating them in the future. During the same period, traditional principles of family law were formed, becoming the basis for the creation of the Soviet family model [3, p. 27].

Totalitarianism "defended" itself from people and tried to penetrate all spheres of life, including human thoughts, the family sphere, and of course the destruction of the "embryos" of civil society, which is especially terrible, because it made people a cog in the system, and people and citizens became disenfranchised, faceless, part of this terrible system that repressed them.

Based on the above, we propose to turn to "dry" statistics taken from open sources. For example, during the Holodomor of 1932-1933, the number of marriages registered in Ukraine decreased by up to 40 per cent compared to 1929, and by as much as 50 per

cent in rural areas. The overall marriage rate (the average number of marriages per 1,000 citizens) decreased sharply: in rural areas in 1929-1932 it almost halved, in cities – by 26%. It follows that the Holodomor caused not only a reduction in the number of population in the rural areas, but also the total elimination of its normal life activities and natural reproduction processes (as it happens after large-scale wars and social disasters). Despite the fact that in subsequent years the number of marriages increased slightly due to the compensatory rise of 1934-1936, in general, marriage rate was marked by a significant decrease, as a result, the marriage potential among the rural population of Ukraine was finally and forever lost [4, p. 724].

Soviet family law in the context of the catastrophic events of the Holodomor of 1932-1933 reflected the ideological doctrine of totalitarianism, changing traditional family and marriage relations in Ukraine in order to educate a "new" Soviet society. Although the provisions of the Family Code of 1926, which was in force at the time, declared the idea of equality between men and women, clear regulation of care and guardianship, and many other democratic provisions, in reality they were subject to total interference by the authorities, violating privacy. In general, the tragic consequences of the Holodomor of 1932-1933 led to an increase in the number of divorces, a decrease in the birth rate, and contributed to the destruction of the family institution as such.

Following up on the historical and legal research of the terrible tragedy of the Ukrainian people, the Holodomor of 1932-1933, as a factor in the elimination of the socio-political component of civil society, it should be emphasised that the categories of "collective farmer", "state farm worker" or "MTS mechanic" have not had a fundamental difference since the mid-1950s. During the Holodomor, this artificial division, according to eyewitness accounts and documents, was intended to create another split in the peasantry, with a new category of "state farm and MTS workers" being identified as the regime's support. For example, according to the memoirs of the grandfathers of one of the authors of the project, in order to survive the Holodomor, he gave his horse to the collective farm and joined the MTS. There, as a labourer, he received a ration of bread, which actually saved the family from starvation. It is significant that he simultaneously gave up not only farming the land (although he retained his Ukrainian peasant mentality until the end of his life), but also attending church and being baptised. As we can see, the Bolsheviks were very successful in their socio-political experiments, which should be taken into account when assessing the current situation.

In this sense, it should be pointed out that it is difficult or almost impossible to understand the true effect of certain measures of the Soviet regime without immersion in Soviet reality. It is enough to mention a few cases of misunderstanding of Soviet realities by the West. This includes the belief in the good intentions of J. Stalin during the Second World War, who was forced to take into account the opinion of the terrible Politburo (although under the Soviet dictator, the Politburo of the Central Committee of the USSR Communist Party played a purely decorative role); statements about the rights of Soviet citizens with reference to the Stalinist Constitution of the USSR (although in real life they had no rights). One of the most horrific in this sense was the situation with the provision of food and seed "assistance" during the Holodomor, which was in fact one of the technologies of genocide.

However, in reality, the situation with food "aid" was as follows. The authorities used it to actually enslave the newly-formed collective farmers, as the aid was given in the form of "hot meals" only in relation to labour days (work on collective farms was assessed in labour days, for which food and money, if there was anything left over, was given at the end of the year). In other words, this assistance was intended to force

peasants to work for the state and ensure at least minimal agricultural production. Only those who worked on collective farms were provided with these lunches. The collective farms of the Holodomor had about 6.4 million able-bodied workers, and the total population of collective farms (including the families of collective farmers) reached 20 million, meaning that even theoretically, this assistance covered only about 32% of the inhabitants of a collective farm village. In reality, it covered far fewer people, given that not all able-bodied collective farmers worked on collective farms. Since the authorities were only aiming to ensure the harvesting of bread and sugar beet, assistance was provided only to those involved in these campaigns. The amount of this food "aid" is almost impossible to calculate, but it was minimal. In fact, the local authorities sought to reduce the actual volume of bread by any means necessary.

Seed aid in 1932 was similar in nature. Before that, the authorities had confiscated all seeds and were forced to take extraordinary measures to prevent an economic catastrophe, as there was nothing to sow.

The "state bins" could not provide seeds either – high-quality grain, especially strong and hard wheat was exported to Western Europe. Secondly, it was necessary to feed the government itself, the army, workers and the population of large cities in general, because the authorities did not care about medium-sized and small towns, as they simply stopped supplying food. Therefore, it was decided to create a seed fund by confiscating additional bread from individual farmers and those collective farms that had some left over. In other words, the government confiscated it from some villages and "helped" others. Naturally, the seed stock created in this way was minimal in volume and extremely unsatisfactory in quality ("rubbish", according to eyewitnesses and modern researchers).

It is natural that, as a result of this "assistance", the under-sowing was about 1/5 of the grain wedge, and given the low yields and lack of proper agricultural technology, the grain harvest in 1932 was about half of the possible yield.

Thus, in reality, the "seed" and "food" aid of a totalitarian state fits perfectly into the genocidal policy and actually falls under the Convention on the Prevention and Punishment of the Crime of Genocide. It is also obvious that this example of the Kremlin's deceitful policy is fully consistent with Soviet reality and Soviet realities. It does not fit into the picture of the Western world, but it is quite natural for the practice of Eastern civilisations (or Eurasian ones). In this sense, the sanctimony, hypocrisy and deceitfulness of the Soviet authorities is well understood and felt, having lived, studied and worked academically in those notorious times. In S. Markova's opinion, and we fully agree with that, the most important type of social memory is the memory of a nation about its past. It is sublimated into the memory of everyone about their past, family, parents, and childhood. The brain forces us to work through the traumatic events of our family in order to live a better life and build our own state. An important step in this direction was the adoption of the Law of Ukraine "On the Holodomor of 1932-1933 in Ukraine" (2006), Article 2 of which stipulates that "public denial of the Holodomor of 1932-1933 in Ukraine is recognised as an outrage to the memory of millions of Holodomor victims, humiliation of the dignity of the Ukrainian people and it is illegal". Currently, a number of countries have recognised the Holodomor as an act of genocide against Ukrainians [5, p. 3].

The consequences of Russia's occupation of Ukraine were: psychological terror, forced deprivation of food, administrative and socio-economic isolation of territorial and administrative units, and the "blackboard regime". Ukrainians resisted the communist totalitarian regime on a massive scale, using various forms of resistance, and tried

to get rid of it. The moral and psychological consequences were as follows: indoctrination of consciousness, distortion of worldview, destruction of traditional Ukrainian values, the family institution, etc. During the Holodomor-Genocide, millions of children died, and the survivors were deprived of family warmth, love, comfort, and a sense of security. The names of many of the dead children have remained unknown. Who will be responsible for the mass deaths of children, their physical, psychological and moral mutilation? We must return the lost names and memory of the innocent victims [5, p. 3].

We must also promote the correct understanding and perception of the Holodomor of 1932-1933 as a terrible, artificially created tragedy of the Ukrainian people, caused by the domination of a totalitarian regime, which has no justification in historical memory in the future.

According to S. Kulchynskiy, there is no doubt that deprivation of food was a form of brutal murder. In the practice of grain procurement, it was selectively used in different regions as a terrorist tool. The fate of its victims was meant to intimidate the entire peasant community in order to make it easier for the state to confiscate bread in excessive quantities. Just as the sad fate of the "kulaks" punished by the state (within 3-5 percent of the total rural population) forced all other peasants to join collective farms, the fate of the peasants whose food was taken away forced everyone else to fulfil the unbearable grain procurement plan. The term invented by R. Conquest was quite suitable for this practice of grain procurement: terror by famine [6, p. 169-170].

The essence of all terror (when it comes to the state) or terrorism (when it comes to terror by an individual or a non-state organisation – these concepts must be distinguished) is the same: a destructive effect (up to and including physical destruction) on an individual or a certain minority of people in order to intimidate the majority, and thus achieve a desired line of behaviour from the majority. When we are convinced that food deprivation is targeted at the entire population in order to impose a desired line of behaviour, we are faced with something more than terror by starvation. Something that does not yet have a name. Therefore, we have to use the author's self-title – "crushing blow" [6, pp. 169-170, 7].

According to S. Kulchynskiy, it was this "crushing blow", which caused unprecedented mass terror, that led to the destruction of all civil society institutions in Ukraine at that time.

The Stalinism regime left historians (and not only historians, but also lawyers and economic researchers) of the Holodomor a lot of carefully crafted and skilfully hidden research mines. The most dangerous was the very definition of genocide. At the Kremlin's insistence, the International Criminal Tribunal did not include the elimination of social groups on the basis of class in the crime of genocide.

In many cases, this is the reason why the problem of the Holodomor as genocide of the Ukrainian people remains one of the most controversial issues in the historical heritage. For example, in the latest work by Professor Y. Hrytsak, it is proposed to resolve the most pressing issues regarding the Holodomor-genocide in the following way. First, to recognise that in 1932-1933 there was not one but two famines in Ukraine. The first, in 1932, was truly all-union (i.e., it took place throughout the USSR – author's note) and the second, in 1933, was deliberately directed against Ukraine.

**Conclusions.** The historical and legal research of the Holodomor of 1932-1933 as a factor in the elimination of the socio-political component of civil society leads to the conclusion that there was a fatal destruction of all civil society institutions in those years and it affected all spheres of public life, such as the economic, family, political components, etc.

Soviet family law in the context of the catastrophic events of the Holodomor of 1932-1933 reflected the ideological doctrine of totalitarianism, changing traditional family and marriage relations in Ukraine in order to foster a "new" Soviet society. Although the provisions of the Family Code of 1926, which was in force at the time, declared the idea of equality between men and women, clear regulation of custody and guardianship, and many other democratic provisions. In reality they were subject to total interference by the authorities, violating privacy. In general, the tragic consequences of the Holodomor of 1932-1933 led to an increase in the number of divorces, a decrease in the birth rate, and contributed to the destruction of the family institution as such.

In summary, the analysis of the adopted legislative acts and the implementation of management decisions at various levels indicate that law enforcement at the local level is uncontrolled and arbitrarily ignored, which has led to the destruction of civil society in the economic, family, political and public spheres, because when people have nothing to eat, even basic development is out of the question, and unfortunately, it is a matter of survival.

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