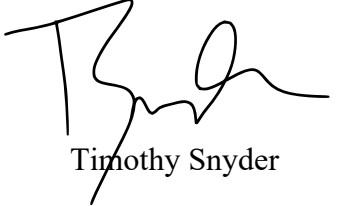


**Statement of Professor Timothy Snyder  
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**Thank you for inviting me to testify at the hearing on “The Attack on Free Speech (Part II): Curriculum Sabotage and Classroom Censorship.” Attached is an essay I published in the New York Times Magazine on June 29, 2021, *The War on History is a War on Democracy*. This article encompasses the matters to which I intend to testify.**



Timothy Snyder

ESSAY

# The War on History Is a War on Democracy

A scholar of totalitarianism argues that new laws restricting the discussion of race in American schools have dire precedents in Europe.

By Timothy Snyder

June 29, 2021

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In March 1932, the cover of Fortune magazine featured a painting of Red Square by Diego Rivera. A numberless crowd of faceless men marched with red banners, surrounding a locomotive engine emblazoned with hammer and sickle. This was the image of communist modernization the Soviets wished to transmit during Stalin's first five-year plan: The achievement was impersonal, technical, unquestionable. The Soviet Union was transforming itself from an agrarian backwater into an industrial power through sheer disciplined understanding of the objective realities of history. Its citizens celebrated the revolution, as Rivera's painting suggested, even as it molded them into a new kind of people.

But by March 1932, hundreds of thousands of people were already starving to death in Soviet Ukraine, the breadbasket of the country. Rapid industrialization was financed by destroying traditional agrarian life. The five-year plan had brought "dekulakization," the deportation of peasants deemed more prosperous than others, and "collectivization," the appropriation of agrarian land by the state. A result was mass famine: first in Kazakhstan, then in southern Russia and especially in Soviet Ukraine. Soviet leaders were aware in 1932 of what was happening but insisted on requisitions in Ukraine anyway. Grain that people needed to survive was forcibly confiscated and exported. The writer Arthur Koestler, who was living in Soviet Ukraine at the time, recalled propaganda that presented the starving as provocateurs who preferred to see their own bellies bloat rather than accept Soviet achievement.

Ukraine was the most important Soviet republic beyond Russia, and Stalin understood it as wayward and disloyal. When the collectivization of agriculture in Ukraine failed to produce the yields that Stalin expected, his response was to blame local party authorities, the Ukrainian people and foreign spies. As foodstuffs were extracted amid famine, it was chiefly Ukrainians who suffered and died — some 3.9 million people in the republic, by the best reckoning, well over 10 percent of the total population. In communications with trusted comrades, Stalin did not conceal that he was directing specific policies against Ukraine. Inhabitants of the republic were banned from leaving it; peasants were prevented from going to the cities to beg; communities that failed to make grain targets were cut off from the rest of the economy; families were deprived of their livestock. Above all, grain from Ukraine was ruthlessly seized, well beyond anything reason could command. Even the seed corn was confiscated.

The Soviet Union took drastic action to ensure that these events went unnoticed. Foreign journalists were banned from Ukraine. The one person who did report on the famine in English under his own byline, the Welsh journalist Gareth Jones, was later murdered. The Moscow correspondent of The New York Times, Walter Duranty, explained away the famine as the price of progress. Tens of thousands of hunger refugees made it across the border to Poland, but Polish authorities chose not to publicize their plight: A treaty with the U.S.S.R. was under negotiation. In Moscow, the disaster was presented, at the 1934 party congress, as a triumphant second revolution. Deaths were recategorized from "starvation" to "exhaustion." When the next census counted millions fewer people than expected, the statisticians were executed. Inhabitants of other republics, meanwhile, mostly Russians, moved into Ukrainians' abandoned houses. As beneficiaries of the calamity, they were not interested in its sources.

After the Soviet Union came to an end in 1991, citizens of a newly independent Ukraine began commemorating the dead of the 1932-33 famine, which they call the *Holodomor*. In 2006, the Ukrainian Parliament recognized the events in question as a genocide. In 2008, the Russian Duma responded with a resolution that provided a very different account of the famine. Even as Russian legislators seemed to acknowledge the catastrophe, they turned it against the main victims. The resolution stated that "there is no historical proof that the famine was organized along ethnic lines," and pointedly mentioned six regions in Russia before mentioning Ukraine.

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**This inability to recognize a tragedy led to an inability to recognize a people.**

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This ordering became habitual in the Russian state press: Mentions of the famine included an awkwardly long list of regions, downplaying the specificity of the Ukrainian tragedy. The famine was presented as a result of administrative mistakes by a neutral state apparatus. Everyone was a victim, and so no one was. In a 2008 letter to his Ukrainian counterpart, the Russian president Dmitri Medvedev flattened the event into an act of repression “against the entire Soviet people.”

The next year Medvedev established the Presidential Commission of the Russian Federation to Counter Attempts to Falsify History to the Detriment of Russia’s Interests, a panel of politicians, military officials and state-approved historians ostensibly tasked with defending the official history of the Soviet Union’s role in World War II. It did little in practice, but it did establish an important principle: that history was what served Russia’s national interests, and that all else was revisionism. This principle was inevitably applied to the history of the famine. In Russian state media, Russian historians repeatedly made the point that the people executing Stalin’s orders in Ukraine were themselves Ukrainians. (This was of course true, but something similar can be said about almost every colonial and genocidal policy.) The Russian foreign ministry took the position in 2017 that Ukrainians who recall the famine had “one goal: to broaden the divide between Russia and Ukraine.”

This inability to recognize a tragedy led to an inability to recognize a people. When Russia invaded Ukraine in 2014, one rationale was that Ukraine was not a real state. Vladimir Putin, by then (again) president, compared the situation in Ukraine to the Bolshevik Revolution: a time of chaos and civil war, when an army sent from Russia could decide matters. Russian international lawyers argued that invasion and annexation were justified by the disappearance of the Ukrainian state.

At the time of the invasion, there was one proper museum to the gulag in Russia, one site to recall millions of deaths and tens of millions of incarcerations: the reconstruction of Perm-36, a particularly notorious “special regime” camp for political prisoners. During the invasion of Ukraine, the site was taken over by the Russian state, its exhibits overhauled to focus on the experience of the prison guards rather than the prisoners, who had been disproportionately Ukrainian. Raphael Lemkin, the Polish-Jewish lawyer who coined the word “genocide,” was of the opinion that Soviet policy in Ukraine amounted to one. During the war, his pamphlet saying so was placed on Russia’s index of “extremist materials,” along with a number of publications about the history of Soviet Ukraine. Possession of these documents could lead to a prison sentence.

These Russian policies belong to a growing international body of what are called “memory laws”: government actions designed to guide public interpretation of the past. Such measures work by asserting a mandatory view of historical events, by forbidding the discussion of historical facts or interpretations or by providing vague guidelines that lead to self-censorship. Early memory laws were generally designed to protect the truth about victim groups. The most important example, passed in West Germany in 1985, criminalized Holocaust denial. Perhaps unsurprisingly, other countries followed that precedent, and banned the denial of other historical atrocities. The West German law was controversial to some advocates of freedom of speech; succeeding measures were disputed on the grounds that the Holocaust was in a special category. Yet these early laws could be defended as attempts to protect the weaker against the stronger, and an endangered history against propaganda.

Russia has turned the original logic of memory laws upside down. It is not the facts about the vulnerable but the feelings of the powerful that are to be protected. The language used to attain this goal is very carefully chosen. During Russia’s invasion of Ukraine, Putin signed into law the misleadingly named “Law Against Rehabilitation of Nazism.” Its premise was that the tribunals at Nuremberg, where some Nazis were tried, had passed exhaustive judgment on the atrocities of the 1930s and ’40s. The law specifically banned, with criminal penalties, “false information on the activities of the Soviet Union during the Second World War.” In other words, any mention of crimes not judged at Nuremberg could be equated to a denial of Nazi atrocities. No Soviet actions were judged there, of course, because the Soviets were among the victors and the judges.

A gesture toward protecting the sanctity of the Holocaust became a controlling grip on the entire universe of non-Nazi atrocities. To note that the Soviet Union had actually begun the war as a Nazi ally, by this logic, was to commit a crime; a Russian citizen who mentioned in a social media post that Nazi Germany and the Soviet Union both invaded Poland was prosecuted. This year, the Russian Parliament is considering a broader law which would criminalize equating the goals and methods of the Soviet and Nazi high commands and militaries. Perhaps the most striking thing about this proposal is that its advocates define its purposes therapeutically. It is “wrong to insult the memory of the victorious nation.” The victory was Soviet, not Russian; Jews, Belarusians and Ukrainians suffered more than Russians did. The point is not to protect historical facts but to cultivate national feeling.



A German Day celebration on Long Island in 1937.

Last November, five days after the latest Russian memory law emerged from a presidential committee, the American president, Donald Trump, created the President's Advisory 1776 Commission. Its "1776 Report," published just as Trump's term came to an end in January, defined its task as the "restoration of American education." The report responded to the 1619 Project, an attempt to bring the history of slavery closer to the center of national narratives, which this magazine published in 2019. The commission's report reproduced the structure of Russian memory policy, acknowledging a historical evil and then relativizing it in a shocking manner. Slavery was discussed, but only as one among numerous "challenges to America's principles," a list that also included "progressivism" and "identity politics." Slavery's practice in America was defined as a "denial of core American principles" and "the attempted substitution of a theory of group rights in their place" — which, the authors contend, "are the direct ancestors of some of the destructive theories that today divide our people and tear at the fabric of our country."

The allusion to "group rights" seems to be a reference to Critical Race Theory: a set of decades-old arguments about how racism works in law and society that has recently become a fixation of Republican politicians. Associated with the U.C.L.A. and Columbia Law School professor Kimberlé Crenshaw and other African American scholars, Critical Race Theory asks why discrimination did not end with the Civil Rights Act of 1964 and recommends critical scrutiny of laws focusing on their consequences rather than upon the avowed intentions of their authors. The 1776 Report fixates upon the related scourge of "identity politics" — a "creed" by which "supposed oppressors" must "atone and even be punished in perpetuity for their sins and those of their ancestors." These ideas received more attention in the 1776 Report than slavery did.

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## **It is a perverse goal: Teachers succeed if students do not understand something.**

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This spring, memory laws arrived in America. Republican state legislators proposed dozens of bills designed to guide and control American understanding of the past. As of this writing, five states (Idaho, Iowa, Tennessee, Texas and Oklahoma) have passed laws that direct and restrict discussions of history in classrooms. The Department of Education of a sixth (Florida) has passed guidelines with the same effect. Another 12 state legislatures are still considering memory laws.

**The particulars** of these laws vary. The Idaho law is the most Kafkaesque in its censorship: It affirms freedom of speech and then bans divisive speech. The Iowa law executes the same totalitarian pirouette. The Tennessee and Texas laws go furthest in specifying what teachers may and may not say. In Tennessee teachers must not teach that the rule of law is "a series of power relationships and struggles among racial or other groups." Nor may they deny the preamble to the Declaration of Independence, words that Thomas Jefferson presumably never intended to be part of an American censorship law. The Idaho law mentions Critical Race Theory; the directive from the Florida school board bans it in classrooms. The Texas law forbids teachers from requiring students to understand the 1619 Project. It is a perverse goal: Teachers succeed if students do not understand something.

But the most common feature among the laws, and the one most familiar to a student of repressive memory laws elsewhere in the world, is their attention to feelings. Four of five of them, in almost identical language, proscribe any curricular activities that would give rise to "discomfort, guilt, anguish or any other form of psychological distress on account of the individual's race or sex."

History is not therapy, and discomfort is part of growing up. As a teacher, I cannot exclude the possibility, for example, that my non-Jewish students will feel psychological distress in learning how little the United States did for Jewish refugees in the 1930s. I know from my experience teaching the Holocaust that it often causes psychological discomfort for students to learn that Hitler admired Jim Crow and the myth of the Wild West. Teachers in high schools cannot exclude the possibility that the history of slavery, lynchings and voter suppression will make some non-Black students uncomfortable. The new memory laws invite teachers to self-censor, on the basis of what students might feel — or say they feel. The memory laws place censorial power in the hands of students and their parents. It is not exactly unusual for white people in America to express the view that they are being treated unfairly; now such an opinion could bring history classes to a halt.



Students marching past protesters of desegregation in Baltimore high schools in 1954.

The assumption is that psychological distress about race arises chiefly when the subject is raised. That might make sense from the perspective of a white person whose concern is not to be regarded as a racist, and who can conclude that the best way to avoid the risk of such discomfort is to keep the subject off the table. But what would it really take to remove “discomfort, guilt, anguish or any other form of psychological distress” on account of race from the lives of Black people, or from the school days of Black students? What would happen if African American students in a state with a memory law spoke up in class to say that teaching the story of the founding fathers without reference to their slaveholding caused discomfort and anguish to them specifically as Black people?

The memory laws arise in a moment of cultural panic when national politicians are suddenly railing against “revisionist” teachings. In Russia, the supposed revisionists are people who write critically about Stalin, or honestly about the Second World War. In the United States, the “revisionists” are people who write about race. In both cases, “revisionism” tends to mean the parts of history that challenge leaders’ sense of righteousness or make their supporters uncomfortable.

In Russia, it is tempting to imagine that Stalinism was fundamentally about management. The famine in Ukraine was an administrative miscalculation. The terror of the late 1930s was a regrettable error. The alliance with Hitler was geopolitical necessity. To Americans, these Russian justifications seem ludicrous, because we have no feelings of guilt or shame over the events in question, no emotional stake in being innocent, no connection to the narrative. We have no trouble seeing that famine, gulag and terror were something other than administrative excesses, and can’t easily overlook an alliance with Hitler. By the same token, anyone looking at the United States from the outside immediately sees that our new memory laws protect the legacy of racism. We are only fooling ourselves.

The American memory laws do not usually even refer to specific historical events over which they enforce orthodoxies; in this sense they are one step more advanced than the Russian memory laws. But the moments when the new laws do venture into specificity are illuminating. “Examples of theories that distort historical events and are inconsistent with State Board approved standards,” the Florida Department of Education’s new policy states, “include the denial or minimization of the Holocaust, and the teaching of Critical Race Theory, meaning the theory that racism is not merely the product of prejudice, but that racism is embedded in American society and its legal systems in order to uphold the supremacy of white persons.”

This is a striking repetition of the rhetorical tactic of the Russian memory law of 2014: In both, the crimes of the Nazis are deployed to silence a history of suffering — in Russia to deter criticism of the Stalin era, in Florida to forbid education about racism. And in both cases, the measures in question actually make the Holocaust impossible to understand. If it is illegal in Russia to discuss the 1939 Molotov-

Ribbentrop pact of nonaggression between Nazi Germany and the Soviet Union, then it is impossible to discuss how, where and when the Second World War began. If it is illegal in Florida to teach about systemic racism, then aspects of the Holocaust relevant for young Americans go untaught. German race laws drew from the precedent set by Jim Crow in the United States. But since Jim Crow is systemic racism, having to do with American society and law, the subject would seem to be banned in Florida schools.



Demonstrations in front of an Indianapolis hotel in 1964.

**The Russian memory** law that uses the Holocaust for leverage demeans it; the Florida measure that compares Holocaust denial to Critical Race Theory trivializes it. There is a more generous and constructive way to approach Black American and Jewish history. Though it has been extravagantly caricatured by its detractors, a central argument of Critical Race Theory is a straightforward and, to a historian, intuitive observation: Discrimination is not simply a matter of attitudes or institutions, but of their interaction in society over time. This analysis is broadly applicable. It is tempting to see the Holocaust as just a matter of German racial prejudice; then we can easily distance ourselves by assuring ourselves that we are not Germans and not anti-Semites. But it is impossible to explain how nearly six million people were murdered in a particular time and place simply by referring to attitudes.

Atrocities begin in everyday life, so we need tools and concepts to peel away the familiar and the exculpatory. I started writing this essay after doing what I do most days, dropping off my children at school. After I arrived in Vienna last summer, I had to hustle to find a school for my kids. There was a pandemic; I was a foreigner; and there were some moments of uncertainty. It was a huge relief to me when my kids were admitted to a good school. What would I have done if I had then learned that the slots opened up because some other kids had been expelled from the school? Most likely I wouldn't have looked too closely; a human reaction would be to presume that those other kids must have deserved expulsion, just as my kids deserve admission.

Now let us imagine that I am in Vienna, looking for a school, but it is 1938. Hitler has arrived, and the Austrian state has collapsed. Jewish children are leaving schools as their families flee the country. My children, who have been on a waiting list for a very desirable school, suddenly have places. What would I do? The school authorities spare my feelings by not mentioning just how the spots opened up. Perhaps I am not an anti-Semite, and perhaps the school director is not, either. But nevertheless, something anti-Semitic is happening, and regardless of how I assess my own motives, I am drawn in. For me and for the other parents in my situation, whom I would no doubt come to recognize and know, it would come to seem normal that there were no longer any Jewish children in school.

When we claim that discrimination is only a result of personal prejudice, we liberate ourselves from responsibility. Only our story matters, and what matters in our story is our innocence. The only way to preserve the neutral description of a situation like that one is to expel from the story the other people involved. The parents who want to think that what they did was normal could be drawn to think of the Jews as beyond the national community. The Jews become less than human so that we can tell ourselves that we are human. The anti-Semitism that grows from this conjuncture lies not just in the mind and not just in the institutions: It resides somewhere in between, in a system that is now functioning in a new way. We know where it led. Jews were excluded from the vote and from the professions. They were separated from their property, and from their homes, and from their lives.

In Austria in 1938, the previously impossible suddenly became possible. The Austrian state ceased to exist, and some Austrians took advantage by abusing Jews. Austrian Nazis had lists of Jewish apartments and automobiles, and took them for themselves as soon as they could. Jews were subject to humiliation, violence, rape and in some cases murder. A student of Eastern and Central European history can see in the events of May 31 and June 1, 1921, in Tulsa, Okla., a certain resemblance to what happened in Austria — although the violence in America was more concentrated.



At the time, Oklahoma was a Jim Crow state. Greenwood was a prosperous Black neighborhood in Tulsa. On that spring day, white Tulsans entered and destroyed Greenwood, burning buildings and murdering Black citizens on a large scale. They were supported by some police officers. Afterward, as in Vienna, property relations were forever altered, which had an impalpable but unmistakable effect on attitudes.



Aftermath of the massacre in Tulsa, Okla., in 1921.

As in Austria, though, racial violence did not lead to a discussion of racism. On the contrary: As the historian Scott Ellsworth details in his new book on the massacre, “The Ground Breaking,” the systemic power of racism reveals itself in the long silences. In Tulsa, the local press ceased to mention the events. Documents concerning the massacre vanished from state archives. Oklahoma history textbooks had nothing to say. Young Tulsans and Oklahomans were denied the chance to think about their own history for themselves. Silence prevailed for decades.

A hundred years after the Tulsa massacre, almost to the day, the Oklahoma Legislature passed its memory law. Oklahoman educational institutions are now forbidden to follow practices in which “any individual should feel discomfort, guilt, anguish or any other form of psychological distress” on any issue related to race. (This has already led to at least one community college canceling a class on race and ethnicity.) The governor of Oklahoma has claimed that the Tulsa massacre can still be taught in schools. Teachers have expressed their doubts. Since the aim of the law is to protect feelings over facts, teachers will feel pressure to discuss the event in a way that would not give rise to controversy.

Facts do tend to be controversial. It would be controversial to note, for example, that the Tulsa massacre was one of many such instances of racial cleansing in the United States, or that its consequences are manifest in Oklahoma to this day. It would be controversial to note that racial pogroms, alongside whippings, shootings and lynchings, are traditional tools to intimidate Black Americans and to keep them away from the ballot box.

In most cases, the new American memory laws have been passed by state legislatures that, in the same session, have passed laws designed to make voting more difficult. The memory management enables the voter suppression. The history of denying Black people the vote is shameful. This means that it is less likely to be taught where teachers are mandated to protect young people from feeling shame. The history of denying Black people the vote involves law and society. This means that it is less likely to be taught where teachers are mandated to tell students that racism is only personal prejudice.

My experience as a historian of mass killing tells me that everything worth knowing is discomfiting; my experience as a teacher tells me that the process is worth it. Trying to shield young people from guilt prevents them from seeing history for what it was and becoming the citizens that they might be. Part of becoming an adult is seeing your life in its broader settings. Only that process enables a sense of responsibility that, in its turn, activates thought about the future.

Democracy requires individual responsibility, which is impossible without critical history. It thrives in a spirit of self-awareness and self-correction. Authoritarianism, on the other hand, is infantilizing: We should not have to feel any negative emotions; difficult subjects should be kept from us. Our memory laws amount to therapy, a talking cure. In the laws’ portrayal of the world, the words of white people have the magic power to dissolve the historical consequences of slavery, lynchings and voter suppression. Racism is over when white people say so.

We start by saying we are not racists. Yes, that felt nice. And now we should make sure that no one says anything that might upset us. The fight against racism becomes the search for a language that makes white people feel good. The laws themselves model the desired rhetoric. We are just trying to be fair. We behave neutrally. We are innocent.



The Capitol riot in Washington in January 2021.

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Photograph sources: Montgomery high school protests (Flip Schulke/Corbis/Getty Images); Long Island Nazi rally (AFP, via Getty Images); Baltimore desegregation (Bettmann Archive/Getty Images); Indianapolis demonstrations (Bob Daugherty/Associated Press); Tulsa massacre (Universal History Archive/UiG, via Getty Images); Capitol riot (Erin Schaff/The New York Times).

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