

# Nuremberg Trial Records and the Ukraine Question (1954)

*John Q. Barrett\**

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In late February 1954, Nicholas Labiuk, principal of the P. Mohyla Ukrainian Institute in Saskatoon, Saskatchewan, Canada, wrote to Justice Robert H. Jackson at the Supreme Court of the United States. Mr. Labiuk addressed Justice Jackson as “former Chief Prosecutor the Nuremberg Trial,” the presidential assignment to prosecute top Nazi war criminals that Jackson had completed more than seven years earlier.

Mr. Labiuk, explaining that the Mohyla Institute was a residential school for university and other students of Ukrainian origin, asked for Jackson’s help in obtaining Nuremberg trial records:

*Recently we have been informed of the existence of a set of books on the Nuremberg Trial, and that certain volumes of this set, namely volumes XXV, XXIX and XXVI[,] contain information on the Ukraine question.*

*We would appreciate your assistance in procuring at least the volumes that contain information on the Ukraine. This would be an invaluable addition to our library.<sup>1</sup>*

Labiuk’s information was correct. Between 1947 and 1949, the Nuremberg trial secretariat, a component of the U.S. military occupation government in its sector of the former Germany, published in Nuremberg a 42-volume series, *Trial of the Major War Criminals before the*

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\* Professor of Law, St. John’s University School of Law, New York City, and Elizabeth S. Lenna Fellow, Robert H. Jackson Center, Jamestown, New York ([www.roberthjackson.org](http://www.roberthjackson.org)). I emailed an earlier version of this essay to the Jackson List on March 4, 2014. I thank Sara Detenshen at the Mohyla Institute, Diana Kichuk and her colleagues at the University of Saskatchewan library, and Rainer Huhle at the Nuremberg Human Rights Centre for their expertise and generous assistance.

For an archive of selected Jackson List posts, many of which have document images attached, visit <http://thejacksonlist.com>.

To subscribe to the Jackson List, which does not display recipient identities or distribute their email addresses, send “subscribe” to [barrettj@stjohns.edu](mailto:barrettj@stjohns.edu).

<sup>1</sup> Letter from N. Labiuk to Mr. Justice Robert H. Jackson, Feb. 27, 1954 (original), in Robert H. Jackson Papers, Library of Congress, Manuscript Division, Washington, D.C. (“RHJL”), Box 113, Folder 4. An image of this letter is the final page of this document.

*International Military Tribunal.*<sup>2</sup> These books are covered in blue cloth and thus nicknamed “the Blue Series” or “the Blue Set.” The first half of the series contains the full transcript of the 1945-1946 international Nuremberg trial. The second half of the series, including the volumes that Labiuk sought, contain documents that were introduced into evidence at the trial and other materials, published in their original languages (mostly German). These documents, like the trial testimony, pertain in many ways to Ukraine and its people during the Nazi period. They detail aspects of pro-Nazi activity and collaboration; military battles and occupation; forced relocations; enslaved labor; murders; and planned extermination of Jews.

On March 12, 1954, Jackson dictated and sent this reply letter:

*My dear Mr. Labiuk:*

*It did not seem practicable to break a set of the transcript of the Nürnberg trial in order to send you the particular volumes dealing especially with the Ukrainian question. Therefore I am shipping you the forty-two volumes of the record of the trial, in view of your deep interest in the subject matter. Every volume contains matter that will be of interest to you, directly or indirectly, and I am glad to present this set to your Library.*

*With best wishes, I am*

*Sincerely yours,*

*[/s/ Robert H. Jackson]<sup>3</sup>*

Justice Jackson apparently had extra Blue Sets in his Supreme Court chambers. At his request, the Court’s Marshal, T. Perry Lippitt, shipped one set, which filled two cartons, to Mr. Labiuk in Saskatoon. The Court paid the Railway Express Agency shipping charges out of its appropriation for miscellaneous expenses.<sup>4</sup>

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<sup>2</sup> See Benjamin Kaplan, *Trials of the Genocides—From the Official Records*, N.Y. TIMES BOOK REVIEW, Apr. 4, 1948, at 7 (reviewing vols. 1-6 of the series). The series also was published in French, German and Russian language editions.

<sup>3</sup> Letter from Robert H. Jackson to Mr. N. Labiuk, Mar. 12, 1954 (unsigned carbon copy of typed original), in RHJL, Box 113, Folder 4.

<sup>4</sup> See U.S. Government Bill of Lading, Memorandum Copy, in *id.*

In Saskatoon today, the St. Petro Mohyla Institute is a residence for post-secondary school students.<sup>5</sup> It also is the practice home of *Lastiwka*, a renowned Ukrainian Orthodox youth choir.<sup>6</sup> Although the Mohyla Institute no longer has a library, it has retained in storage the Blue Set books that Justice Jackson sent to Mr. Labiuk sixty years ago.

Various libraries also possess Nuremberg trial “Blue Sets.” One, just blocks from the Mohyla Institute, is the University of Saskatchewan library—it contains an original 1940s Blue Set, presented to the University by the United Kingdom Information Office; a second, partial set, published in London by His Majesty's Stationery Office, 1946-1951; and a 1970s facsimile reprint.

Blue Set volumes I-XXII—the trial testimony volumes—and related Nuremberg documents also are available online at Yale University's Avalon Project.<sup>7</sup>

The documents and other items in Volumes XXIII through XLII—the documents that became exhibits in evidence in Nuremberg—need to be digitized individually and made available online.<sup>8</sup>

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<sup>5</sup> [www.mohyla.ca/index.php](http://www.mohyla.ca/index.php).

<sup>6</sup> [www.lastiwka.ca/](http://www.lastiwka.ca/).

<sup>7</sup> [http://avalon.law.yale.edu/subject\\_menus/imt.asp](http://avalon.law.yale.edu/subject_menus/imt.asp).

<sup>8</sup> Each of these volumes is available online as a single scanned document, in PDF format, thanks to the International Research & Documentation Centre for War Crimes Trials at Philipps-Universität Marburg, Germany—see [www.uni-marburg.de/icwc/dateien/imtprotocolindex.pdf](http://www.uni-marburg.de/icwc/dateien/imtprotocolindex.pdf).

**The P. Mohyla Ukrainian Institute**

CORNER VICTORIA AVENUE AND MAIN STREET

Saskatoon, Sask.

February 27, 1954.

Mr. Justice Robert H. Jackson,  
/former Chief Prosecutor of Nuremberg Trial/  
Supreme Court of U.S.,  
Washington, D.C., U.S.A.

Dear Sir:

The above named Institute accomodates in residence students of ukrainian origin, approximately one-half of them being university students.

Recently we have been informed of the existence of a set of books on the Nuremberg Trial, and that certain volumes of this set, namely, volumes XXV, XXIX and XXVI contain information on the Ukraine question.

We would appreciate your assistance in procuring at least the volumes that contain information about the Ukraine. This would be an invaluable addition to our library.

Yours truly,

The P. Mohyla Ukrainian Institute

*N. Labiuk*  
N. Labiuk, Principal