

The Participation of Poles in Crimes Against Jews in the Świętokrzyskie Region¹

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The negative behavior displayed toward Jews by Poles during World War II ran the gamut from withholding help, passive participation in crimes, blackmail, informing on Jews, handing them over to the Germans, to brutal murder. This is an exceedingly difficult issue, filled with traps for researchers both in dealing with the archival material and arriving at possible interpretations. Thanks to the extensive Jedwabne debate, touched off by the publication of Jan Tomasz Gross's book,² and preceded by many years by the writing of Jan Błoński and Michał Cichy,³ some progress has been made in the way these issues are perceived.⁴ However, those who engage in these studies continue to encounter

- 1 This is a revised and translated version of the article, "Udział Polaków w zbrodniach na Żydach na prowincji regionu świętokrzyskiego," which appeared in *Zagłada Żydów*, 1 (2005), pp. 114–148. We are grateful to the editors of *Zagłada Żydów* for their permission to publish this article here.
- 2 Jan Tomasz Gross, *Sąsiedzi. Historia zagłady żydowskiego miasteczka* (Sejny: Fundacja "Pogranicze", 2000); Paweł Machcewicz and Krzysztof Persak, eds., *Wokół Jedwabnego* (Warsaw: IPN, 2002), 2 vols.
- 3 Jan Błoński, *Polacy patrzą na getto* (Kraków: Wydawnictwo Literackie, 1994); M. Cichy, "Polacy-Żydzi: Czarne karty Powstania Warszawskiego," *Gazeta Wyborcza*, January 29–30, 1994.
- 4 See Barbara Engelking, *Szanowny panie gestapo. Donosy do władz niemieckich w Warszawie i okolicach w latach 1940–1941* (Warsaw: Wydawnictwo IFiS PAN, 2003); Jan Grabowski, *Ja tego Żyda znam! Szantażowanie Żydów w Warszawie 1939–1943* (Warsaw: IfiS, 2004); Felyks Tych, *Długi cień Zagłady. Szkice historyczne* (Warsaw: Żydowski Instytut Historyczny IN-B, 1999); D. Siepracka, "Mordercy Żydów przed nazistowskim Sądem Specjalnym," *Pamięć i Sprawiedliwość*, no. 2 (6) (2004), pp. 233–245; Andrzej Żbikowski, "Krótka historia stosunków polsko-żydowskich we wsi Grady Woniecko w roku 1942," *Świat Niepożegnany. Żydzi na dawnych ziemiach wschodnich Rzeczypospolitej w XVIII-XX wieku* (Warsaw-London: Instytut Studiów Politycznych PAN, 2004), pp. 744–760.

a measure of mistrust, a negative attitude, antagonism, and suspicion. In this sense, an objective analysis of the negative Polish behavior seems all the more critical, especially in those areas that remain almost completely absent from scholarly discourse, not to mention common knowledge.

This article presents an introductory analysis based on sources that were heretofore rarely used. The unfolding of the Holocaust in rural areas has not been the subject of serious scholarly study. Yet this is an important subject and requires systematic research and descriptive accounts, especially as there is a rich source base of court records stemming from the so-called August Decree.⁵ This was the first legal act in the area of penal law, promulgated by the Polish Committee of National Liberation (Polski Komitet Wyzwolenia Narodowego), and one of the first of this type of legal acts in general.⁶ It was based on earlier declarations and international agreements relating to the punishment of war crimes,⁷ as well as on the Manifesto of the Polish Committee of National Liberation. The latter provided for drafting a special penal law, a special court system, the appointment of a special body responsible for gathering evidence,⁸ and cooperation with other countries in searching, extraditing, and punishing war criminals. This decree provided a legal basis for punishing war crimes, collaboration with the

5 "Dekret o wymiarze kary dla faszystowsko-hitlerowskich zbrodniarzy winnych zabójstw i znęcania się nad ludnością cywilną i jeńcami oraz dla zdrajców Narodu Polskiego," *Dziennik Ustaw* (1944) nr. 4, poz. 27, September 12.

6 The Decree of the Presidium of the Supreme Council of the USSR was promulgated on April 19, 1943, and the French law on September 28, 1944.

7 Among the relevant documents are: the declaration by eighteen countries that participated in the conference at St. James Palace, convened under the chairmanship of Prime Minister Sikorski, on January 13, 1943; the March 30, 1943 decree of the President of the Polish Republic on criminal responsibility for war crimes; the appointment of the United Nations War Crimes Commission on October 20, 1943; the Moscow Declaration of September 1, 1943, by the USSR, USA and Great Britain, which provided for criminal responsibility of war criminals within the prosecution and penal systems of each Allied country. The London Agreement of August 8, 1945, provided for punishing war criminals by the International Military Tribunal in Nuremberg. The Polish government joined the London Agreement on September 25, 1945, after the Western countries recognized the legality of the Provisional Government of National Unity.

8 This was the *Główna Komisja Badania Zbrodni Hitlerowskich w Polsce* – GKBZHP (Main Commission for the Investigation of Nazi Crimes in Poland), established November 10, 1945.

enemy, crimes against humanity, and crimes against peace (i.e., participation in criminal organizations) committed between September 1, 1939 and May 9, 1945.

These court records are also an extremely important, though rarely utilized, source for analyzing Polish-Jewish relations during the war, especially in rural areas. There are few archival materials dating to the war period that have been preserved, and these could offer insights into the situation in the countryside under occupation. Records of the so-called *sierpniówki* (trials based on the August Decree), preserved in the Archives of the Institute of National Memory (Archiwum Instytutu Pamięci Narodowej – AIPN), cast some light on this practically virgin territory in the history of the Holocaust.

This article focuses on a small rural area, the Świętokrzyskie region, and aims to draw attention to the importance of trial records in the study of Polish-Jewish relations both during and after World War II. The sole illustration of such a focus is the Jedwabne case, which, despite numerous publications, has failed to generate further detailed studies of this issue in other areas in the country. This article, therefore, is barely an introduction to further, more elaborate studies of this exceedingly complicated and almost completely neglected aspect of the war reality. Further reading and analysis of these records is absolutely necessary for our understanding of what really happened between Poles and Jews during the war. It is difficult to understand the tragic events of the first postwar years, above all the Kielce pogrom of 1946, as well as “train actions” – in which Jews were “identified” on trains, abused, thrown out of the train, or even murdered – if they are not within the context of the occupation. Without taking into account this documentation, any full explanation of the source of these events is impossible.

Nevertheless, Polish court records are flawed sources, as they are often politically influenced, and so they need to be juxtaposed with other available archival sources. A future overall description of the period under discussion would involve a very detailed and in-depth analysis of trial records, along with archival research of personal stories, memoirs, and diaries to be found in press collections, as well as other records amassed in State Archives and in the AIPN, as well as the Archives of the Jewish Historical Institute (Archiwum Żydowskiego Instytutu Historycznego – AŻIH). It would also require an objective study of the history and sociology of the countryside.

The present article highlights phenomena and facts that have not been taken into account in the comprehensive studies completed so far. These cast a different light and perspective on the course of the Holocaust of the Jews in Poland, as well as on the question of Polish-Jewish relations in the postwar period. These facts raise important questions not only with regard to the perpetrators of the crimes, but also about the witnesses. However, before embarking on a descriptive analysis, it is important to provide some information about the geographical area being examined in this study.

The Świętokrzyskie Region

For the purposes of this article, the borders of the Świętokrzyskie region coincide with the area of the Kielce *voivodship*, as defined in 1919 (it remained practically unchanged until 1939). The *voivodship* comprised eighteen counties (including three municipalities), 275 *gminy* (rural communities) and 3,668 *gromady* (rural districts). Its area covered about 6.5 percent (22,204 sq. km.) of the territory of the Polish Republic at the time and was inhabited by 2,671,000 people, or 9 percent of the country's population.⁹ According to data from the census conducted in 1937–38, on instructions of the Voivodship Bureau in Kielce, there were 325,000 Jews residing within the area under discussion; they were organized in thirteen large communities (more than 5,000 each) and seventy-seven small ones.¹⁰ A majority of the region's Jewish population resided in small towns and in the countryside. Following the arrival of the Germans, a sizable part of the area was included within the Radom District of the *Generalgouvernement*, which included ten counties (*Kreise*): Busko, Jędrzejów, Kielce, Końskie, Opatowo, Radom, Radomszczańskie, Starachowice, Piotrków, and Tomaszów; as well as three separate municipalities: Częstochowa, Kielce, and Radom.

The chief German civil authority in the district was the governor, a post held in succession by Dr. Karl Lasch (October 1939–August 1941) and Dr. Ernst Kundt (September 1941–January 1945). Each

9 Teresa Koba-Ryszewska, "Przeszłość administracyjna ziem województwa kieleckiego," in *Z dziejów Ziemi kieleckiej 1918–1944* (Warsaw: "Książka i Wiedza", 1970), pp. 20–25.

10 Krzysztof Urbański, *Zagłada Żydów w dystrykcie radomskim* (Kraków: Wydawnictwo Naukowe Akademii Pedagogicznej, 2004), p. 8.

county was headed by a county chief (*Kreishauptmann*), whereas in separate municipalities the equivalent post was held by a municipal chief (*Stadthauptmann*). Independent of and subordinate to this administrative structure, which was manned exclusively by Germans, was a quasi-territorial self-government with town mayors, rural chiefs (*wójt*), and heads of village councils (*sołtys*) in the countryside. In 1944, at the lowest administrative echelon, a majority of the functionaries were Poles, while fifty-nine of the 301 mayors and village council heads in the Radom District were of German origin.¹¹

Within the district police power was exercised by the SS and Police Leader (*SS und Polizeiführer*; SSPF), who was subordinate to the Higher SS and Police Leader in the *Generalgouvernement*. In the Radom District this post was held by Fritz Katzmann (1939–1941), Karl Oberg (1941–1942) and Herbert Böttcher (1942–1945). The SSPF was also the overall commander of the district SIPO forces, including the Gestapo, SD, KRIPO, and ORPO, which, in turn, included the urban police (Schupo) and rural police (gendarmerie). In addition, there were Wehrmacht and SS garrisons in certain cities and towns, which were activated as needed, such as in protecting railway lines. They became very active after the spring of 1943, with the intensification of partisan warfare in the Świętokrzyskie region. On those occasions, police and security forces were reinforced by regular army units.

The Radom District was also the scene of operation of the so-called Osttruppen, composed of former Soviet POWs. These troops were dispatched mostly to protect railway lines, in pacification operations, and in combating partisan units. Alongside the German forces there were also local Polish State Police (“blue” police — *Policja Granatowa*) stations, as well as miscellaneous units of railroad, forest, or industrial guards (*Bahnschutz*, *Forstschutz*, *Werkschutz*).¹² In the countryside, the local population created local formations of “Night Watch” (*Nachtschutz*), as well as fire brigades, which often carried out various public order and auxiliary duties. The Germans also sometimes deployed units of young conscripts of the Building Service (*Baudienst*), which operated out of their barracks.

11 Czesław Madajczyk, *Polityka III Rzeszy w okupowanej Polsce* (Warsaw: Państwowe Wydawnictwo Naukowe, 1970), vol. 1, p. 222.

12 Wojciech Borzobochaty, *„Jodła” - Okręg Radomsko-Kielecki ZWZ-AK 1939-1945* (Warsaw: „Pax”, 1988), second revised and expanded edition, p. 19.

From the first days of the war, the Jewish population in the Radom District was subjected to the same harassment and restrictions that the Germans imposed on the Jews in the *Generalgouvernement* — armbands, confiscation of property, economic dissolution, forced labor, ghettoization, and, finally, the “Final Solution.” The first ghetto in the district was established in Piotrków Trybunalski¹³ in late September/early October 1939. The largest ghettos were established in Kielce, Częstochowa, Radom, Tomaszów Mazowiecki, and the above-mentioned Piotrków Trybunalski. However, in general, the Świętokrzyskie region was characterized by small ghettos in towns populated by several hundred to several thousand people. In many areas, especially in the countryside and in small towns where the Jewish population was scattered throughout the area, no ghettos were established; the concentration process began only with the onset of preparations for the implementation of the plan for “resettlement in the East.”¹⁴

Most Jews in the Radom District were murdered within the framework of “Operation Reinhardt,” between the end of 1942 and October 1943. Since the Świętokrzyskie region was industrialized, a series of forced-labor camps were established after the liquidation of the ghettos. They were located both on the sites of the liquidated ghettos and also in factories, especially those that produced for the German armaments’ industry (e.g., the HASAG concern — Hugo Schneider AG). As late as 1944, these factory camps housed 20,300 Jews working for the Germans.¹⁵ In the second half of 1944, due to the approaching eastern front, Jewish forced laborers were evacuated together with entire

13 According to Czesław Pilichowski, ed., *Obozy hitlerowskie na ziemiach polskich 1939–1945. Informator encyklopedyczny* (Warsaw: Państwowe Wydawnictwo Naukowe, 1979), ghettos were also established in Radomsko (1939); Jędrzejów, Końskie, Opoczno, Przedbórz, Rakowo, Włoszczów, Wodzisław (1940); Biała Rawska, Białobrzegi, Bodzętyń, Busko, Chęciny, Chmielnik, Ciepiałów, Iłża, Kolaszki, Lipsko, Nowe Miasto, Odrzywole, Ostrowiec, Rawa, Sienna, Skarżysko, Solzec, Starachowice, Stopnica, Suchedniwoie, Tarłów, Wolica (1941); Garbatka, Ożarów, Skaryszewo, Skrzynna, Szydłowo, Zwolen (1942).

14 Urbański, *Zagłada Żydów*. In May 1942, Jews from the localities of Łągów, Nowy Korczyn, Opatów, Osiek and Pińczów, as well as from 150 other hamlets and villages were concentrated in the existing or newly established transitory ghettos in Opatowie, Sandomierz, Zawichost, Bogoria, Ćmielów, Denków, Iwaniska, Klimontó, Koprzywnica, Kunowo, Łągów, Osiek, Ożarów, Połaniec and Rakowo.

15 Stanisław Meducki, “Ekonomiczne aspekty eksterminacji Żydów w dystrykcie radomskim,” *Biuletyn Kwartalny Radomskiego Towarzystwa Naukowego*, vol. 33, no. 1 (1998), p. 31.

industrial complexes into the interior of the Reich, to the main factories run by armament conglomerates, and relocated near concentration camps or their satellite camps. Paradoxically, some of the workers owed their survival to this evacuation by successfully coping with the terrible conditions of the transports, malnourishment, and life in the factory camps or concentration camps, and even lived to experience their liberation.

When the Red Army entered the Kielce province in January 1945, there were still some 7,000 Jews (2 percent of the 1939 population) living in the area; they were survivors of the forced-labor camps and those who had been hiding on the “Aryan side.”¹⁶ Many of those who survived owed their lives to Poles who had offered them shelter and assistance. Unfortunately, many of those who did not survive the war died either directly at the hands of Poles, or with the help of Polish neighbors. It should also be noted that both during the liquidation operation and after, the Germans, together with the “blue” police, local fire brigades, and others, carried out large-scale manhunts for escapees from the ghettos and labor camps in the rural areas of the province. It was during this period that the crimes that are the subject of this article reached their peak.

Numerous partisan organizations operated in the Świętokrzyskie region. In the second half of 1942, and afterward, these partisan forces included the AK (*Armia Krajowa*; Home Army), NSZ (*Narodowe Siły Zbrojne*; National Armed Forces), KB (*Korpus Bezpieczeństwa*; Security Corps), and GL (*Gwardia Ludowa*; People’s Guard). In addition, the Peasant Battalions (*Bataliony Chłopskie*; BCH) operated in the countryside. Although the BCH did not maintain permanent partisan forces, it organized armed groups to carry out specific missions, or for self-defense. Numerous partisan units, as well as nondescript criminal groups of robbers that masqueraded as partisans, constituted a serious burden for the rural population. Some of these formations did not confine themselves to fighting Germans, but often engaged in fratricidal settling of scores, as well as crimes against the Jews. It should also be noted that the Świętokrzyskie forests served as a hiding place for organized Jewish groups, which emerged ad hoc in order to facilitate survival. These included units of the Jewish Combat Organization (*Żydowska Organizacja Bojowa*; ŻOB) from the ghettos in

16 Urbański, *Zagłada Żydów*, p. 211.

Częstochowa, Ostrowiec, Szydłowiec, Kazanowo, Iłża, and Sienna, and from camps in Kielce, Pionki, and Starachowice.

The Court Records

In addition to the trial records examined for this article, complementary sources consisted of interviews conducted by the authors with rural residents in the Świętokrzyskie *voivodship*, where the crimes were committed. People under the jurisdiction of military courts were tried under Article 184 of the Penal Code of the Polish Army of September 12, 1944, whereas all other crimes committed during the war fell within the purview of the Penal Code of 1932, which was still in force. The August Decree necessitated appointing Special Penal Courts for every appellate court;¹⁷ such courts operated almost until the end of 1946, when all cases subsumed under the August Decree passed to the jurisdiction of general courts,¹⁸ or of the Highest National Tribunal (Najwyższy Trybunał Narodowy; NTN), which was established in January 1946.¹⁹

All together, in the two years that the Special Penal Courts existed, nearly 45,000 cases were investigated, and out of the 9,449 people indicted, 2,471 were convicted. The special court system had its own particular mode of operation: cases were not preceded by an investigation or inquiry, provisory arrest was mandatory, and trials were announced within forty-eight hours after the indictment. Sentences were passed immediately after the court (one judge and two jurors) adjourned for consultation. Sentences were final and could not be appealed to a higher court. Only those sentenced to death were entitled to appeal to the chairman of KRN (*Krajowa Rada Narodowa* – Countrywide National Council). Later, amnesty powers were vested in the

17 „Dekret o specjalnych sądach karnych dla spraw zbrodni faszystowsko-hitlerowskich” of September 12, 1944. *Archiwum Instytutu Pamięci Narodowej* – AIPN (Institute of National Memory) contains court records of cases tried by Special Courts in Gdańsk, Katowice, Katowice – Sosnowiec branch, Krakowie, Kraków – Nowy Sącz branch, Lublin, Rzeszów, Wrocław, Toruń, and Warsaw-Łódź.

18 Decree on the liquidation of Special Criminal Courts, October 17, 1946.

19 From November 17, 1946, practically all cases involving war crimes were examined by general courts, with the exception of seven criminal trials examined by NTN as a court of first instance; see Leszek Kubicki, *Zbrodnie wojenne w świetle prawa polskiego* (Warsaw: “Państwowe Wydawnictwo Naukowe”, 1963), pp. 42–44. The first criminal trial under the August Decree lasted from November 11 to December 2, 1944, before the Special Criminal Court in Lublin. The defendants were members of the Majdanek camp staff.

president of the Polish Republic, who invoked them quite often. The August Decree was modified five times in two years, which made it necessary to promulgate a uniform text in 1946.²⁰ Successive modifications aimed at narrowing the category of capital offenses provided for the possibility of leniency in sentencing due to special circumstances, such as acting under the threat of punishment, or on orders.²¹

The judges commonly took advantage of leniency provisions, which, in conjunction with the amnesty laws of 1952 and 1956, resulted in a situation in which a large number of wartime crimes went unpunished, or the sentences passed and carried out can be regarded as incommensurably light compared to the magnitude of the crimes. The amnesty law of April 27, 1956, halted ongoing proceedings and preempted new proceedings regarding all offenses except homicide. Effectively, this meant that “prosecuting and punishing perpetrators of war crimes practically ended in Poland in the 1950s.”²² According to Leszek Kubicki, in the years 1944–1960, sentences were passed against a total of some 18,000 defendants, including 13,500 Poles.²³ Death sentences were passed only in the cases of 1,214 persons, although many sentences were not carried out due to either amnesty or clemency. In the public perception today, all this was excessive and out of proportion with the magnitude of the crimes committed.

A survey of the criminal cases falling within the purview of the August Decree indicates that only about 6 percent of all criminal cases in which the defendants were Poles pertained to crimes committed against Jews. The highest proportion of those cases were tried by the Appellate Court in Lublin (about 44 percent of all criminal cases against Polish nationals), the Appellate Court in Wrocław (about 35 percent, although nearly all those cases pertained to the Eastern territories), and the Appellate Court in Kielce (about 33 percent). The question arises as to whether all the crimes committed against the Jews during World War II were tried. Unfortunately, no reliable data or sources exist to support even an approximate estimate.

20 *Dziennik Ustaw*, December 15 (1946), nr. 69, poz. 377.

21 The legislators assumed that, even when acting under orders or threats, the perpetrators were aware of the manifestly criminal nature of their acts and therefore could not be relieved of criminal responsibility; Kubicki, *Zbrodnie wojenne w świetle prawa polskiego*, pp. 162–163.

22 *Ibid.*, p. 184.

23 *Ibid.*, p. 180.

One indication that many of these crimes did not come to light after the war and that their perpetrators were not punished comes from recent interviews with eyewitnesses, whose stories reveal previously unknown information. No official wartime documentation exists that would make verification possible. A clue to further research can be found in the results of a survey conducted by the *Główna Komisja*, published in forty-nine volumes, corresponding to the forty-nine *voivodships* in the present borders. The volume pertaining to the Kielce *voivodship*²⁴ cites numerous crimes against Jews, but the many open questions in these cases call for dependable and thorough research. A comprehensive survey should also include prosecution material in both district and appellate courts.²⁵ This material includes records of prosecutors who investigated crimes punishable under the August Decree, in which the preliminary proceedings were either suspended or terminated for various reasons. Important complementary materials can perhaps be found in the collections of the *Główna Komisja* in Warsaw, as well as the District Commission for the Investigation of German Crimes in Kielce. Crimes punishable by death were tried under Articles 1.1 and 1.2 of the August Decree, i.e., “taking part in committing homicide of persons among the civilian population or prisoners of war, tormenting, or persecuting them.”²⁶

No Special Criminal Court (*Specjalny Sąd Karny* – SSK) was established for the Kielce region. Therefore, the records of all SSKs that were active at the time throughout the country had to be searched for records of criminal cases involving offenses committed in the area in question and tried in 1944–46. For the purposes of this analysis, the survey encompassed inventories of all cases tried under the August Decree by the District and Appellate Court in Kielce in the years 1946–1960. Records of sixteen criminal cases involving crimes committed

24 *Rejestr miejsc i faktów zbrodni popełnionych przez okupanta hitlerowskiego na ziemiach polskich w latach 1939–1945. Województwo kieleckie* (Warsaw: Ministerstwo Sprawiedliwości. GKBZHWP, 1980), Informacja wewnętrzna nr 66/15.

25 AIPN contains 23,643 prosecution files from the August decree from the entire country. The collection of the Prosecution Office of the SOK (*Sąd Okręgowy Kielce* – Kielce District Court) contains 222 files of cases that did not result in trial, whereas the collection of the Prosecution of the SAK (*Sąd Apelacyjny Kielce* - Kielce Appellate Court) holds 449 files.

26 Andrzej Pasek, *Przestępstwa okupacyjne w polskim prawie karnym z lat 1944–1956* (Wrocław: Wydawnictwo Uniwersytetu Wrocławskiego, 2002) pp. 57, 95, 101.

by Poles in the Kielce countryside were analyzed in detail. The survey included 322 trials before the Appellate Court and 379 trials before the District Court.²⁷ More than 33 percent of them involved crimes committed by Poles against Jews both in the cities and towns in the region and in the provinces. The survey encompassed also *Akta Badawczo-Dochodzeniowe* (Investigation and Inquiry Records)²⁸ at the IPN, but the results in this case were negative.

Seven categories of crimes committed by Poles against Jews were tried under the August Decree:

(1) Plunder of Jewish property, both real estate and movables. Plunder was part of almost all the crimes committed against the Jews and constituted one of the perpetrators' leading motives. If no plunder was involved, it was often only because the apprehended Jews were handed to the police or German gendarmerie "too quickly."²⁹ When arrests were carried out by the "blue" police, plunder was routine, either directly by the policemen, or by the peasants who acted with their consent and permission.

(2) Denunciations; i.e., leading the local village authorities, village council heads, German gendarmerie, or Polish police, to the hiding places of Jews. Some testimonies, especially by former "blue" policemen or village council heads, indicate that in all likelihood the police had its own network of informants who were appropriately rewarded. This allowed for efficient, coordinated action.³⁰

27 AIPN, SAK: 166, 180, 187, 203a-d, 229, 257–258, 297, 301, 311; SOK: 40, 98, 124, 158, 214, 246, 306.

28 The relevant records preserved in the AIPN date from 1944–46 and were generated by investigations by prosecutors of the Main and District Commissions for the Investigation of Nazi Crimes in Poland. These are personal files of Nazi criminals and of persons who collaborated with them and are not arranged alphabetically.

29 Testimony by the defendant Antoni Lisowski regarding the apprehension and murder of the Berek family by "blue" policemen, who took the family from Bartłomiej Sadowski's stable. He added that Sadowski told him "that they shouldn't have been reported yet, just get their money and then report [them]"; SAK, 301, pp. 3–4.

30 SOK 98, testimony of the witness, Stanisław Skóra, head of the Niewiatrowice village council, p. 8: "Jews, that is, a couple and two small children, were hiding in the pits of Niewiatrowice. They stayed there pretty long, the whole village knew about it...One day the blue police came for a manhunt...they headed straight for the pits...I don't know who informed the police...Whenever [Łagnowski] arrived he always reminded me that if there were Jews in the area, it should be reported because otherwise there was a danger that Poles would be shot." See, also, the testimony of the suspect Józef Godawa, AIPN SAK 203, p. 29v.

(3) Direct and personal participation in hunting down the Jews in hiding. This included operations planned by higher authorities and manhunts in forests and fields in order to capture Jews, as well as individual initiatives by local residents with the same purpose. In the latter case, the apprehended persons were brought either to the village chief or the rural district chief, who then requisitioned horse-carts and brought the captured Jews to the nearest police post, or to the German gendarmerie. Members of the *Straż Wiejska* (Village Guard), assigned the task of keeping public order in the territory of the community, were required to submit reports and to apprehend Jews in hiding. Yet in many cases the peasants did not take part in the manhunt, but were forced to do so by the Germans, “blue” policemen, or as a result of being blackmailed by a group of perpetrators.

(4) Direct and personal participation in homicide. Murder was usually carried out by shooting, or, in rare cases, by hanging,³¹ axes, or clubs.³² The perpetrators were Polish “blue” policemen, members of local partisan units affiliated with a broad range of different resistance organizations, as well as peasants with access to weapons, possibly including members of an underground organization. Possession of firearms and the sense of impunity with which the acts could be committed were decisive factors.

(5) Physical and psychological torment of apprehended persons, such as raping women, beating, kicking, pushing and shoving, insults and verbal humiliation.

(6) Denunciations to the Polish police or the German authorities against Poles suspected of assisting Jews or sheltering them.³³ The most important motivation for denunciations was revenge, or “settling” local conflicts and accounts between neighbors. Threats and blackmail against farmers sheltering Jews was a permanent fixture of the crimes. In this context, we should also take into account ordinary human envy. Knowledge about sheltering Jews by one’s neighbors most often went hand in hand with the myth of Jewish riches and profits that could be gained from them. Similarly, rewards promised for “uncovering” a Jew could provide opportunistic motivation for informing on the Jews or their protectors. In the poor villages of the Świętokrzyskie countryside, 50 kilograms of sugar were no less desirable than a gold watch.

31 See SAK 229.

32 See SAK 277.

33 See SOK 174.

There were also three types of purely “disinterested” denunciations: (a) stemming from an instinctive submission to the terror of the occupation and the decrees of the German authorities; (b) stemming from antisemitism; and (c) stemming from fear for one’s own life and those of one’s family. The widespread Nazi terror, together with the widely publicized death penalty for those who helped Jews, resulted in a situation in which it was safer to inform against one’s neighbor than to risk one’s own safety. Moreover, the Germans applied collective responsibility, especially in the countryside.³⁴

(7) Other acts in which perpetrators took advantage of the Germans’ anti-Jewish decrees, such as taking away their food or other possessions, but without the intent of denunciation or homicide,³⁵ as well as causing such plunder by the authorities.³⁶

The defendants in the trials for these crimes included peasants, local “blue” policemen, and members of local partisan units — often also peasants — who lived in the village and not in the forests with the partisans. In a large proportion of cases, the defendants were local officials. As a group, the defendants do not stand out in terms of their economic or family status, not to mention education. Both the defendants and the witnesses had minimum education. Most of them had completed two to four grades of elementary school, but none was illiterate (although some witnesses were), and their level of education was the norm for the rural areas of Poland.

The most sizable group among the accused were peasant farmers and forest workers, although others came from a broad range of professions, including a bookkeeper, baker, store owner, worker, and hired hand. They owned very little property. The Kielce countryside was among the poorest and most backward regions in Poland. All the

34 Waclaw Bielawski and Czesław Pilichowski list seven cases of this type of repression in the Kielce *Voivodship*; see Waclaw Bielawski and Czesław Pilichowski, *Zbrodnie na Polakach dokonane przez hitlerowców za pomoc udzielaną Żydom* (Warsaw: Ministerstwo Sprawiedliwości GKBZHWP, 1981). See, also, SAK 171–171a.

35 See eyewitness testimonies implicating Franciszek Ślązak, in SOK 306. “During the occupation, Ślązak harassed Jews, tricked them to give him all kinds of things, such as soap or handkerchiefs, and his attitude to the Jewish population was so hostile that even wandering Jews avoided his house.”

36 See the case of Antonina Wróblewska, who, in the fall of 1939, was instrumental in the confiscation of the Jewish merchant Mandykiel’s shoes by three armed German soldiers. She had had an argument with Mandykiel about money before the war; SOK 246.

defendants were Roman Catholics, and most of them had no criminal record.³⁷ Most were men between twenty and fifty years old at the time the crime was committed, although some were younger (fourteen to fifteen) or older (about sixty). Their family situation was stable; they had wives and often several children. After the war, some of them joined the PPR (*Polska Partia Robotnicza* - Polish Workers' Party) or the MO (*Milicja Obywatelska* - Citizens' Militia [police in Communist Poland]). Could these defendants have belonged to the margins of Polish society, or to the world of crime? It seems not. On the contrary, their positions as local officials indicate that at least some of them were part of the local rural elite.

There were also a few women defendants, but their role in the crimes was always secondary — denunciation but not murder. This fits culturally prescribed norms and the social position of women in the countryside at the time.³⁸ In the trials included in the survey, only two women were indicted, and both were acquitted due to insufficient evidence.³⁹

All in all, more than 250 people were indicted in the District and Appellate Courts in Kielce for the crimes under discussion. At least several hundred Jews fell victim to the crimes, as they had been hiding in the villages and rural communities of the Świętokrzyskie region.⁴⁰ A majority of the victims will remain anonymous forever, although a close reading of trial records would enable us to establish the first and last names of at least some of them.⁴¹

37 In cases included in the detailed survey, a total of forty-three persons were indicted; only two were sentenced in separate trials for collaboration with the Germans (SAK 203 a-d), and one person for forest fraud (SAK 301).

38 See interviews with witnesses, as discussed later in this article.

39 See SAK 301 and SOK 246. Four other women were indicted by the District and Appellate Courts in Kielce. See the cases of Katarzyna Doroz of the village of Wojsławice, SAK 197–197a; Irena Polak of the village of Gaik, SAK 164; Władysława Rokicka II, née Dudzińska, for crimes committed in the village districts of Mstyczów i Sędziszów, Jędrzejów county, SAK 228; and the trial of fifteen NSZ and BCH members, including two women, Julia Żelazko and Maria Furtak, SAK 277a–c.

40 It is impossible to reach a more detailed estimate of the number of victims. In many cases, the defendants were tried for taking part in the capture of an “unspecified number of persons of Jewish origins.” In some trials, the number of victims reached several dozen; see SAK 257–258, SAK 189, SAK 157, SAK 260–267, SAK 203a–d, SAK 208, 208a, SAK 277a–c, SAK 233.

41 Among the victims: Julek Troim and his mother; Jusek Kaufman and his children, Mosiek, Wulf, and Sura Kaufman; Pinka Betel; Bajla Milsztajn; Icek Zekler; Icek Fabrykant; Abram Rapaport; Icek Goloński; Bryś Lipka; Berek Gold; Judka Kunst;

Motives, Circumstances and Course of the Crimes

When and under what circumstances did these crimes come about? What were the motives of the perpetrators? What were the necessary conditions for them to occur? Both the trials covered by the authors' in-depth survey and analysis and the additional trials with which the authors familiarized themselves by reading the summaries in the archival finding aids of criminal cases tried by the district and appellate courts in Kielce⁴² indicate that a majority were collective trials, which reflects the nature of the crimes: many people took part in them, and even more witnessed them.⁴³

These cases share certain characteristics with regard to the circumstances in which the crimes were committed. Most of them took place in the second half of 1942, or later; that is, after the liquidation of the ghettos in the Radom District. In most cases, the Jews who went into hiding in the villages, forests, and fields of the region had escaped from small ghettos. They had eluded the Germans and had sought shelter in the familiar area among people they knew from before the war. Some wandered from village to village, staying only briefly in each place. Others managed to organize family camps in the woods; in most cases, these were groups of several people, sometimes larger concentrations numbering 50–100 escapees. Still others found shelter on farms belonging to peasants who had offered to help them, usually without compensation. In each of those cases, the Jews were dependant on the peasants for food. This situation posed a great danger to the Jews, because it forced them to leave their hiding place, the forest, and face the risk of contact with unfamiliar people.

Fizel Zeberman (also known as Zoberman), the only survivor of a large group hiding in the forests near the village of Strzegom,

Szejwa Rozenbaum; Abuś Jakubowicz; Salka and Tobka Pińczowski; Hersz; Lejba Altek and Salka Lewkowicz; Fizel Fiszliński; Szulim Makowiecki; Fajwel Najerfeld; Jozek Zylberg and his wife Hejna; Ruchla and Perla Cherszkowicz; Kiwa Sendrowicz; Berek Dytman; Szłoma Bebelski; and families Ptaśnik, Czosnkek, Szapszewski, Szydłowski, Berek, and Dziewięcki.

42 Entries in the inventories of records of court proceedings, as preserved in the AIPN, were made on the basis of indictments, not verdicts. They include defendants' names, and often, though not always, the date of the trial; in a few cases, the verdict, especially if it was the death penalty, also appears. Data relating to execution, the verdict, or its revision are missing.

43 In most cases, anywhere between ten and thirty witnesses gave statements; in large mass trials, such as SAK 203a-d, no less than 103 persons gave statements.

in Sandomierz County, gave eyewitness testimony containing many gruesome descriptions of situations he observed (see Appendix).⁴⁴ The witness, who lived in Kraków after the war, filed a motion before the court requesting to be absolved from appearing personally at the trial itself.

I kindly request that the court allow me to give testimony in this case in the court in Kraków, because I am afraid to travel there [to Sandomierz], in consideration of the fact that I am well known to the local population, and the Brzyszczy family is threatening me with revenge if I give testimony which would have adverse effect on the defendants. I would like to note that I have three children and a wife I have to provide for, and, to put it bluntly, I am afraid for my life, should I travel to Sandomierz for the trial.⁴⁵

The court rejected his motion. According to the court, parts of Zeberman's testimony were "incredible and untrustworthy because the witness had lived in permanent fear (hiding in the Strzegom forests for nearly two years) and reacted without reservations to any alleged or real danger."

In view of the fact that he was the only survivor of a group of some thirty people, the court's reference to the danger he faced as "alleged" is clearly an abuse of that term. Jews risked their lives every time they left their hiding place to purchase or procure food. They certainly must have tried to use "tested" and established contacts, but they could never feel safe. The person who had been helping them could become a denouncer, a murderer, or even a victim of blackmail himself. Usually the Jews in hiding would hunt for food in a village under cover of night. As Zeberman's testimony makes clear, mainly women and children were dispatched on such missions, probably in the hope that they would evoke greater sympathy and compassion than men.

The testimonies lead to the conclusion that the fact that Jews were sheltered by a farmer in the area of the village, or in the nearby forest, was known to many peasants in the area well before the crime was committed. Moreover, the same people who participated in the crime may themselves have helped hide Jews, but only as long as this was not publicly disclosed to the neighbors. For example, according to the tes-

44 SAK 257–258.

45 Letter by Zeberman to the SAK, p. 23.

timony of Elżbieta Wrona, during the harvest in 1943, Jan Kryj called on villagers in Pętkowice to capture and turn in the Jewish miller Berek Gold, who was hiding in a nearby grove. Kryj had worked for him before the war and had also helped him (for pay) during the war. Gold was well liked and had been helped willingly by the local farmers, but Kryj threatened to report the village for harboring a Jew. Gold was taken away by the German police.⁴⁶ Fear of exposure could lead people even to turn in their beneficiaries.

Participants in the crimes found themselves psychologically “bonded”; motivated by fear for their lives, they submitted to blackmail without opposing the people who initiated actions aimed at apprehending Jews, plundering them, and ultimately killing them. Such people became accomplices to the crimes. Fear of denunciation or of future blackmail as a result of conduct that contravened German decrees was often sufficient for people who became accidental witnesses to Jews in hiding in a village to become actual participants in the ensuing events.

On the basis of testimonies of both the accused and the witnesses, it appears that there were many participants and passive spectators at nearly every crime under discussion. In many cases, it is impossible to determine whether the crowd formed spontaneously, as the result of a rumor or information spread through a village, or because someone who was interested in capturing Jews made special efforts to gather them together. It is likely that all of the above were factors in many cases.

In the case of the denouncing and murder of the Berek family of three, one of the accused, Antoni Lisowski, testified that he had been forced to inform on the Jews by other peasants. Bartłomiej Sadowski, who had pretended to help them, was supposed to lure them to his place in order to rob them and then hand them over to the authorities.⁴⁷ Testimonies by witnesses in this case were so contradictory that reconstruction of the actual sequence of events is impossible. One thing is clear: each of the versions was equally plausible, and each described the participation of some twenty peasants.

Events in the village of Topola, in Pińczów County, were similar. Two sisters, Tobka and Salka Pińczowski, hid in the village for a long

46 SAK 166, testimony of the witness Elżbieta Wrona, p. 34.

47 SAK 301, testimony of Antoni Lisowski, pp. 3–4.

time, until the fall of 1943, and this was apparently common knowledge. One of the local peasants, Józef Dusza, the son of the village council head, a AK member and secretary of the “Społem” cooperative after the war, had an affair with one of the women.⁴⁸ Testimonies by witnesses do not establish why one day several peasants from the village set out for the hiding place and handed over the captured women to the village council head. He then had them delivered to the nearest police post, where they were shot to death. Although the court believed Józef Dusza wanted to avoid responsibilities he found inconvenient, he was not indicted due to insufficient evidence. Five people involved in apprehending the two women were indicted.⁴⁹ Although the motive for the crime was probably not greed, this does not mean that there was no plunder.⁵⁰

In the same trial, the head of the village council, Władysław Dusza, was charged with leading the “blue” police to a bunker in the field belonging to a peasant named Porada, where six people were hiding. The nighttime manhunt ended with shooting the victims to death in their sleep. A large number of peasants from the village arrived at the site and stripped the bodies of their clothing before throwing them into a pit.

Seven people who had been sheltered in the barn of the Środa family in the village of Klemencice, in the Wodzisław village district, were gruesomely murdered.⁵¹ According to the testimony of the accused, Jan Środa, the Jews had paid him 4,000 złoty for sheltering them and 3,000 złoty for food. The court found that the Środa family had taken advantage of the trust of the victims and, confident of its impunity, decided to murder them in April 1944. Their motivation was to despoil the hidden Jews of the “riches” that they allegedly had with them. Two people were sentenced to death, but later the sentence was commuted to ten and fifteen years, respectively, in prison. A large

48 According to some testimony, Tobka Pińczowska was engaged to Józef Dusza and most likely was pregnant by him at the time of her capture.

49 SAK 180, testimony of the defendant Tadeusz Kula, p. 7: “A crowd of people gathered in front of the council building, fire brigade in uniforms and helmets with its chief, Stanisław Stawarski... The Jewesses parted from Józef Dusza, and one of them, named Tobka, Dusza's fiancée, who didn't blame him said: ‘He who betrayed us, let him answer to God.’”

50 Testimony of the defendant Stanisław Stawarski, SAK 180, p. 16.

51 SAK 187, 187a; see, also, the case of the denunciation and murder of two Jewish children in Kokot, in the Kliszów village district, SAK 297.

number of village residents who crowded around the site were eyewitnesses to the crime.⁵²

Eleven Jews from Bogoria were murdered in July 1943, in the field near the village of Wysokie Małe, in the Jurkowice village district, where they had been hiding. Several armed men shot eight of the Jews and hanged the remaining three. Before the murder, one of the Jewish women was beaten and raped in full sight of her mother and brother. After the murder, the victims were stripped of their clothing and everything else they owned.⁵³

The murderers divided the spoils among themselves. Witnesses relate that the murderers took the victims' clothing and found some money as well.⁵⁴ Nine people took part in the crime, but only three were indicted. The remaining participants were shot to death during the war under unexplained circumstances. Two of the accused, Zygmunt Wiśniewski and Józef Porębski, belonged to the NSZ. Wiśniewski admitted that, in the area of Jurkowice, the NSZ confined themselves to murdering Jews and battling the groups of the BCH (see Appendix). During the trial, the witnesses and the defendants blamed each other, or else people who were already dead. As in previous cases, this precluded a clear-cut conclusion as to who took part in the crime and how. Many of the participants were members of the NSZ, but also of the BCH and AK. However, the investigation did not focus on determining whether they acted according to a plan and on behalf of their partisan organizations, or on their own initiative. Information about the organizational affiliation of the defendants comes from spontaneously given testimonies and personal data to be found in the records of individual cases, and not as a result of a thorough investigation by police, prosecutors, and judges.⁵⁵

In the village of Sorbin, the Rozenberg family was murdered by a large number of people, although only six were indicted.⁵⁶ The Rozenbergs hid in a pit in a forest not far from the village from 1940. They would come to the village for food and managed to survive in this fashion until the winter of 1943, when several villagers noticed the

52 SAK 229.

53 Testimony of Stanisław Wójcik, SAK 229, p. 8.

54 See testimonies of Władysław Unik, SAK 229, p. 4; Stanisław Wójcik, *ibid.*, p. 8; Ignacy Owak, *ibid.*, pp. 9–10.

55 See, for example, the testimony of Stefan Skwarzac, SAK 257–258, p. 257.

56 SAK 311.

father, Moszek, and his son in the evening. They were apprehended and brought to the head of the village council, who ordered them to be brought to the police post, where they were shot. According to eyewitness testimonies, the Jews refused to go, begged to spare their lives, kissed hands and legs, and finally

lay on the road, and said, kill us right here, we are not going any further.... We put the Jews on sleds, some pushed, others pulled, and in this fashion we brought them to the police post in Bliżyno. Antoni Boczek and Adam Kopeć incited me to apprehend [the Jews]...because the Germans offered 50 kilograms of sugar for each Jew.⁵⁷

The mother and daughter were killed in the summer of 1944, by the river not far from the village and buried there. The witness Jan Żak testified that he had seen human bones in the meadow by the river. According to Władysław Kopeć, the two Jewish women were taken away from the home of Waleria Kuklińska by two men who wanted to kill them in the yard, but Kuklińska asked them not to kill them there. Kuklińska testified that he successfully pleaded that the two women's lives be spared.⁵⁸ Kopeć also admitted that, "I myself saw the bodies of the victims when keeping an eye on cows in the pasture; they lay near the surface, where dogs and foxes dug under them."⁵⁹

The presumed motive of the murder of the two women was to get rid of them as witnesses to the capture and shooting of the two men. Jan Żak testified that village residents had said that the same people who brought about the capture of the men were those who murdered the women.

Here, as in the above cases, the eyewitness testimonies are unclear and preclude a full reconstruction of events. The recurring motif of participation of a nondescript partisan movement in the murder is typical of the information that emerges from many trials. It is difficult to determine to what extent partisan movements in the area played a significant role in murdering Jews, and to what extent both the defendants and witnesses exploited knowledge of such cases to defend themselves against charges — assuming that proving anything would

⁵⁷ Testimony of Jan Kopeć, *ibid.*, p. 27; see, also, testimony of Edwarda Zycek, *ibid.*, p. 129.

⁵⁸ Testimony of Waleria Kuklińska, *ibid.*, p. 41.

⁵⁹ Testimony of Jan Kopeć, *ibid.*, p. 26.

be difficult, if not impossible. This question requires separate research, drawing on many complementary sources.

One example of this line of defense is the murder in the village of Klemencice, as described above. Jan Środa, father of the accused, Bolesław, tried to convince the court that his family had supplied the Jews with food for money, whereas the crime itself was committed by a gang of thugs unknown to him. He alleged that earlier, these people had threatened him and his family with blackmail and denunciation. The court found these statements to be completely fabricated, with a view to misleading the court and defending the son against the charges of responsibility.

Nevertheless, the testimony of the witness includes credible details pertaining to the plunder of the Jews in hiding.⁶⁰ The Jews refused to leave their hiding place voluntarily, and the thugs threatened they would throw a grenade inside, but if the Jews would hand over merchandise, they would refrain from doing so. The Jews replied that all they had was a watch, and the merchandise had to be “arranged.” The thugs lowered a string to the hiding place, the Jews tied the watch to it, and saved themselves in this fashion. The next day, everybody left the hiding place. Several of them crossed the fields, heading for the village of Łany; their fate remains unknown. Another group also walked across the fields in the direction of Wodzisław. They were caught, dragged to the forest, and shot to death there. On the basis of statements by the village residents, the court concluded the murder was committed by the Środa family, with the cooperation of Henryk Jachym, who later appears to have taken part in the division of the “spoils.”

Records of this and many other cases provide details of the crime itself, during which words were exchanged between the victims and their executioners. According to Józef Kostan, “After the murder of that man, this little boy got up and said to everyone: ‘Poles, spare my life, I am not guilty of anything, it’s just my misfortune that I am a Jew.’”⁶¹

The Jews defended themselves, pleaded with their attackers, appealed to the conscience and sensitivity of the murderers, and attempted to bribe them with everything they still owned in order to save their lives.

These fragments in the testimonies by both the accused and the

⁶⁰ Testimony of Jan Środa, SAK 187,187a, p. 29.

⁶¹ Testimony of Józef Kostan, *ibid.*, pp. 33–38.

witnesses are among the most shocking — even mind-boggling — of their kind. The crimes were committed against people that the killers often knew by name, against one's neighbors, against "one's own." In Sorbin, "Adam Kopeć [then head of the village council] leaped at the older Rozenberg and hit him in the face so hard that Rozenberg fell to the ground. He also addressed the Jews: 'What the hell are you hanging around here for? I've been looking for you for a long time.'"⁶²

These fragments testify to advanced dehumanization, demoralization, and crossing the natural limits of human sensitivity on the part of the perpetrators; perhaps under the conditions of occupation, they easily succumbed to German propaganda, which placed the Jews beyond human values and beyond the law.

Among the factors influencing this behavior were also the above-mentioned pre-war antisemitism, which gained momentum, especially in the last years before the war, as well as entrenched stereotypes, prejudices, traditional anti-Judaism disseminated by Church authorities, and, last but not least, the propaganda of right-wing political factions.⁶³ In fact, under the conditions of war and terror, noticeably strong in the countryside of the Kielce region,⁶⁴ the act of murdering Jews could even attain respectability, as it could be construed as a valuable contribution to the defense of one's own group. Teresa Prekerowa notes: "It was also in the countryside that the Germans most often applied the principle of collective responsibility as a deterrent, by murdering not only persons who offered shelter [to Jews], but also their closest neighbors."⁶⁵

The fact that many of the perpetrators served in the official administrative apparatus under the occupation is also of importance. Al-

62 Testimony of Jan Kopeć, SAK 311, p. 26.

63 Emanuel Ringelblum, in *Stosunki polsko-żydowskie w czasie drugiej wojny światowej. Uwagi i spostrzeżenia* (Warsaw: "Czytelnik", 1988), p. 15, refers to the connection between pre-war attitudes to Jews and behavior toward them during the war, especially in certain rural areas. The book was published in English: *Polish-Jewish Relations during the Second World War* (Jerusalem: Yad Vashem, 1974).

64 The Kielce *Voivodship* was among the most thoroughly pacified by the Germans; in fact, only the Zamość and Tarnobrzeg *voivodships* suffered more in terms of the number of pacification operations, the number of murdered victims and destroyed buildings. The next in line were Radom, Łomża, and Białystok *voivodships*; see Józef Fajkowski and Jan Religa, *Zbrodnie hitlerowskie na wsi polskiej 1939–1945* (Warsaw: "Książka i Wiedza", 1981).

65 Teresa Prekerowa, *Zarys dziejów Żydów w Polsce w latach 1939–1945* (Warsaw: Wydawnictwa Uniwersytetu Warszawskiego, 1992), p. 159.

though serving as a village council head or in the ranks of the Polish police was not deemed a punishable offense after the war, it nevertheless often put the individuals involved in a situation in which they had to face choices for which they were not prepared. The circumstances of the crime brought them to make a choice, and, within a group, one tends to follow the behavior of others, to yield to them, and, in so doing, to gain a sense of anonymity, impunity, and diffusion of responsibility. Arguably, many of the perpetrators would not have committed these acts as individuals; the acts became possible as joint action taken by a group. In the case of crimes committed in the countryside, one can even talk about an aggressive, criminal crowd in which several perpetrators played the part of initiators and leaders of the pack, with the remaining participants serving as witnesses and providing a background and “moral” alibi for the crime.

In this sense, the entire village took part at various levels of involvement or witnessing, and, after the war, the entire village retained in its collective subconscious and memory the events that took place with its participation. This anonymous crowd constitutes one of the most important factors in any analysis of the phenomena under discussion. It facilitated the ability to wash away responsibility for the crimes that were perpetrated, and, in a way, lends silent consent to the deeds committed against the Jews. Both the perpetrators and the spectators are beholden to each other — not unlike hostages of a situation in which they participated.⁶⁶ It became a secret to be kept after the war, since usually it implicated the village as a whole.

Arguably, it is precisely this factor that explains the unwillingness to tackle the subject of crimes against the Jews in contemporary research, as well as difficulties encountered in field research even sixty years after the end of the war. At the same time, however, it should be stressed that the cases described in this article do not have the hallmarks of pogrom situations. They also differ in vital respects from other widely analyzed and discussed cases, symbolized by the Jedwabne crime. We will not find here a large crowd running amok and possessed of murder lust. In addition, the political context, which was a significant contributing factor in the wave of pogroms in the eastern territories in the summer of 1941, was absent here.

66 Gustaw Le Bon, *Psychologia tłumu* (Warsaw: Państwowe Wydawnictwo Naukowe, 1986), from the Introduction by Stanisław Mika, p. 22.

Crimes by “Blue” Policemen

From our survey of the court cases under discussion, a separate category of perpetrators responsible for a series of crimes committed against the Jews emerges: the functionaries of the so-called “blue” police. Who were they? The surveyed documentation makes it clear that the overwhelming majority had been policemen before the war, and they remained in service during the occupation.⁶⁷ They were men of all ages, all Catholics, usually with minimal education (elementary school, often only three grades) and manners to boot, as is reflected in the way they phrased their statements in court appearances. In terms of the overall profile of the perpetrators, the policemen involved in committing crimes against the Jews, in murdering them or handing mothers, children, and the elderly over to German gendarmes, were themselves heads of families and fathers of several children. Their economic situation was usually not bad (though not affluent), as they owned their own farms, houses, or apartments.⁶⁸

The surveyed trial records of the *Sąd Okręgowy w Kielcach* — SOK (Kielce District Court) and *Sąd Apelacyjny w Kielcach* — SAK (Kielce Appellate Court) include at least seventeen cases in which the main defendants and perpetrators were “blue” policemen responsible for the death of several dozen Jews.⁶⁹ These are the only cases in which police functionaries were directly involved. However, nearly every trial examined by the authors contains references to the “blue” policemen’s participation in crimes against the Jews. More often than not, they made an anonymous appearance as those who ordered organized manhunts, took delivery of the captured Jews, escorted them, and carried out executions. However, both the investigating magistrates and the court rarely picked up this lead and did not try to explore it further.

The authors have based their analysis of the types of crimes committed and the behavior of the perpetrators on a detailed survey of three cases that relate entirely to the acts committed by policemen. One of those cases involves the above-mentioned proceedings conducted in the years 1947–1950 (and later) by the SAK against the comman-

67 Adam Hempel, *Pogrobowcy klęski. rzecz o policji “granatowej” w Generalnym Gubernatorstwie 1939–1945* (Warsaw: Państwowe Wydawnictwo Naukowe, 1990) pp. 12–14.

68 See, for example, SAK 203 a–d and SOK 98.

69 SAK 320, 147, 174, 203, 203a–d, 18, 315, 208–208a, 98, 304, 304a, 309, 288, 204, 301; SOK 158, 124, 98, 350, 245, 123.

dants of the police post, together with several “blue” policemen from Sędziszów and its environs.⁷⁰ The defendants were charged, among other things, with the following:

In May 1944, in Raszkowo, [the defendants] Godawa, Malec, Bonarski, Jankowiak, Trzcíński, Kowali, Strojek, Wierzbicki, acting in concert with other perpetrators, who are still at large, took part in the murder of two Jews and one Jewess of the Szapszewski family; in 1944, in Raszkowo, Godawa, and Jankowiak took part in the murder of the Jews Julek Troim and his mother whose identity remains unknown; in 1943, in Barszczowice, Bonarski, Jankowiak, and Trzcíński took part in the murder of Jews: two men, one woman, and one child of the Szydłowski family, as well as one woman and a child of the Dziewięcki family; ...in March 1943 or 1944, in Sosnowice, Godawa, Trzcíński, and Bonarski took part in the murder of Jews: five men and a woman with a child; in January 1944, in the village of Tarnowa, Godawa, Strojek, Trzcíński, Kowalik ... took part in the murder of the Jews: Jusek Zylberg and his wife, whose identity remains unknown.⁷¹

As can be seen from this compilation, a group of policemen from the police post in Sędziszów and the environs committed a series of crimes that cover almost the entire range of the categorization detailed above. A charge not listed in the compilation, which nonetheless appears in testimonies, relates to plunder of the murdered victims' property, from concealed merchandise and valuables to personal articles.⁷²

The main defendant, Józef Godawa, defended himself by claiming credit for his alleged contributions to saving Jews, including the murdered victims. He portrayed his participation in one of the crimes as an attempt to save the father and son of the Szydłowski family, who “did not exercise any caution.”⁷³ According to him, as a result of the involvement of others, his action proved futile. He described his participation in the crimes as passive, hinting mysteriously at his knowledge of the shooters, while claiming he would reveal their identities only at the trial itself.⁷⁴ Symptomatically, in his self-defense, he referred to the

70 SAK 203, 203a-d.

71 Ibid., excerpts from indictments.

72 Ibid., p. 6, testimony of witness Eugeniusz Herman.

73 SAK 203a, pp. 373–374, testimony of the defendant Józef Godawa.

74 SAK 203, p. 26; SAK 203 a, p. 277, testimony of Józef Godawa.

Germans as principals, or even direct commanders with regard to his actions. Furthermore, he changed his version of events several times in the course of interrogation and the trial. Both he and his co-defendants adjusted themselves to the circumstances revealed by other witnesses in order to present themselves in the best possible light.

Following hearings in several courts, the main defendant, Józef Godawa, as well as the policemen Malec, Domagała, Bonarski, and Trzcíński, were sentenced to death and confiscation of their property. The sentence was not carried out, however, and, following the 1952 amnesty, it was commuted to fifteen years in prison.

The remaining perpetrators, who were found guilty only of some of the charges brought against them (several charges were dropped due to insufficient evidence in the court's view⁷⁵), received sentences ranging from six to twelve years in prison, even though all the defendants were accused of participation in the murder of at least several people. In addition, in large trials, there were also secondary trials with peasants accused of participation in manhunts, capture, delivering Jews to police posts, and denunciations.⁷⁶

In many cases, policemen went on criminal sprees in their official capacity, so to speak. The crimes they perpetrated and the accompanying events (for example, denunciations of the hiding places of the Jews, despoliation of bodies carried out by the local population) fit the above-mentioned categorization of crimes almost perfectly. In these trials, we encounter a particular and symptomatic incident. One of the witnesses in the trial of Ignacy Łagnowski — his subordinate, Maciej Krasuski — admitted his guilt, but pleaded superior orders from his commander. As a result, he was put on trial separately, and during the main proceedings, he denied all previous statements. At the same time, there was eyewitness testimony to his killing “a defenseless Jewish woman who carried a child in her arms,” on a Sunday in the spring of 1943.⁷⁷

Łagnowski, from the beginning, consistently denied participating in the crimes and issuing the incriminating orders: “I didn't give any

⁷⁵ Regarding evidence presented during the trials and the sentences passed, see below.

⁷⁶ See, for example, SAK 203; see, also, the trials of Ignacy Łagnowski, SOK 98, and Maciej Krasuski (alias Krasowski), SOK 124.

⁷⁷ SOK 98, p. 5, testimony of the witness Serdelski; see Krasuski's testimonies in SOK 98, pp. 6–7, and SOK 124, p. 73.

written orders in the matter of shooting Jews, on the contrary, every time I dispatched policemen into the field, I instructed them how they should behave...”⁷⁸ The court, based on contradictory and retracted statements, did not establish a conclusive version of the events and could neither rule out nor confirm the participation of gendarmerie or German police in the crimes. Maciej Krasuski was acquitted, whereas Ignacy Łagnowski was sentenced to five and a half years in prison.

Analysis of the cases discussed above, as well as a broad range of other cases, makes it clear that in the countryside, in the areas under their jurisdiction, “blue” policemen acted almost as independent agents, often terrorizing an entire area. Their actions against Jews display a high degree of liberty and independence from their German superiors. The policemen did not fear anyone. They carried out murder and despoliation raids while performing two missions: the official ones that arguably stemmed from the duties assigned to them by the Germans; and the unofficial ones, such as robbery and pacification of the area under their jurisdiction. We should bear in mind that both tasks seem to complement each other and are equally criminal. In no case discussed here were the captured Jews escorted back to the ghetto or arrested, which, in any event, would have ended in their death. As a rule, the captured victims were murdered on the spot or in the forest nearby.

The policemen got off the wagons and approached the cart that carried Jewesses with children ... Near the cart I heard the voice of the policeman Machnik yelling, “get off!” At first, the Jewesses didn’t want to get off the cart, but a moment later they jumped off. Then the policemen fired more than a dozen shots from their firearms. After the shots, there was silence. Then I heard a child crying, at a distance of about 50 meters from my wagon. A moment later again a few shots were fired and the crying died down.⁷⁹

The local peasants were saddled with the job of burying them. In those actions, we also see an element of vengeful satisfaction with the actions taken and absence of any moral restraints: “... policeman Machnik said that the bodies of the killed Jews must not be taken away anywhere,

78 SOK 98, p. 12, testimony of the defendant Ignacy Łaganowski.

79 SAK 203 c.

just buried under Herman's threshold, as a reminder that he sheltered them."⁸⁰

It should also be noted that these actions are peculiar in another sense. Those who sheltered Jews rarely suffered the consequences mandated in German decrees.⁸¹ Police raids ended with instilling fear, beating, some property destruction, sometimes plunder, forced supplying of wagons and horses, as well as burying the bodies of the murdered victims. When questioned about possible consequences, the policemen often assured the fearful peasants that the matter had been "settled" and would not be brought to the Germans' knowledge. The action itself was presented to the persons who had been sheltering Jews as in fact helping them to extricate themselves from a dangerous situation.⁸²

On numerous occasions, the perpetrators tried to exploit those circumstances to their advantage during trial. Former policeman Józef Godawa testified: "I didn't report to the Germans about shooting Jews because I could pull the wool over their eyes with regard to the persons in hiding."⁸³ All these factors indicate that the policemen enjoyed far-reaching freedom and permission from the Germans to carry out the actions.⁸⁴

Analysis of the cases under discussion leads to the unequivocal conclusion that the direct motive for the majority of the murders and denunciations in the countryside was the plunder of the property of the Jews in hiding and the desire to take possession of their belongings — which, in the perpetrators' imagination, were much more valuable than in reality. Stereotypical views of Jewish riches — huge properties, gold, dollars, and jewelry — played an important role in this. The peasants hoped to take over the victims' property after murdering them.

We may surmise that the fact that Jews often paid large amounts of money, considering the circumstances, for sheltering and supply-

80 Testimony of Władysław Więcek, chief of the Barszczowice village council, SAK 203 c.

81 See Bielawski and Pilichowski, *Zbrodnie na Polakach*.

82 SAK 203, testimony of Eugeniusz Herman.

83 Ibid.

84 As early as 1942, the Germans ordered the "blue" police to carry out immediate executions of Jews captured outside the ghetto; see "Walka" (1942) no. 21, in Urbański, *Zagłada Żydów*, p. 215. Stanisław Trzeciński, testimony, SAK 203b.

ing them with food helped bolster the peasants' belief that the Jews had large amounts of cash that could be taken away from them with impunity. Indirectly, this was the underlying motive for crimes against Jews who could no longer "pay off" their guardians. Extending assistance to people without any means, when such help was punishable by death, became too risky, or, to put it bluntly, unprofitable. In this sense, the crimes committed against the Jews who no longer owned anything they could be robbed of were also committed out of profit motives.

According to the transcripts of the trial of crimes in the village of Strzegom: "Konat said about others that they went to 'do a Jewess.'"⁸⁵ An additional inducement to commit the crimes against Jews was undoubtedly rewards — vodka, sugar, grain, money, or part of the valuables found on the victim — paid out by the Germans for each captured Jew.⁸⁶ The intense pauperization of the countryside, drained of resources, pacified by the occupation authorities and despoiled by partisans, does not in any way justify these crimes, but it did facilitate their commission, at least in the minds of the perpetrators.

The social and psychological mechanisms of the events described here can be explained with the help of the frustration-aggression theory, which, when "applied to prejudice also predicts that when a powerful frustrator is feared, or impossible to retaliate against, aggression may be displaced onto a *scapegoat*."⁸⁷

In more than a dozen cases surveyed in detail by the authors, we also find a number of characteristic and telling facts accompanying the crime. Having committed the crime, the peasants would gather in the house of one of the accomplices to drink vodka together, seemingly to seal their "solidarity" act and the division of spoils by their libations, while, at the same time, to discharge the tension. Stanisław Stawarski testified: "After drinking vodka, Józef Dusza's mother told us that she was going ahead with the wedding of her son; she said this because the Jewesses had already been brought to the police and her son used

85 SAK 258, p. 98.

86 The reward for capturing Jews was 50 kilograms of sugar, 500 zloty, vodka, or one-third of the despoiled property. Announcements about the reward were promulgated by the *Kreishauptmänner*.

87 Philip G. Zimbardo and Floyd L. Ruch, *Psychology and Life* (Glenview, IL: Scott Foresman, 1975), p. 615.

to visit one of the Jewesses before they had been taken away to the police.”⁸⁸

A separate study is needed to investigate the ideological motives of members of partisan organizations such as the NSZ to murder Jews.⁸⁹ How many actions of this type did they carry out in all of occupied Poland, including after the war? There is as yet no answer to this question. It also seems likely that in the areas with strong partisan activity, such as the Kielce province, ordinary robbers with no true organizational affiliation banded together. Under the cover of partisan activity, with firearms at their disposal, they could have carried out various criminal acts both against the Jews and against the Poles. For example, village residents testified that Stefan Ciszewski, a twenty-year-old resident of the village of Kokota, in the rural district of Kliszów, roamed the village with a firearm, threatening and terrorizing its residents. He forced the head of the village council to supply him with a horse and cart to transport captured Jewish children to the police post. He allegedly threatened him by saying, “if you won’t get me the cart and the horse, you’ll be in the ground tomorrow.”⁹⁰

There is also no doubt that in the area under discussion there were clashes between the partisans fighting for Polish independence and Communist partisans, which created yet another danger for the Jews in hiding. The trials before courts in Kielce included many cases

88 SAK 180, p. 16. See, also, testimony of the defendant Władysław Dusza, SAK 180, pp. 23–24: “Having thrown them into the pit, they pulled off their clothes ... We drove to the apartment of Władysław Pawlik, who invited all of us for supper and served us with vodka.”

89 See SAK 277a-c, trial of fifteen people, some of whom were members of NSZ, accused of carrying out or taking part in murders of Jews in hiding in the territory of the village district Tuczepy, county Busko-Zdrój, and with the murder of two members of BCH; SAK 233, trial of four AK members, who took part in the homicide of eighteen persons of Jewish origin in the Starachowice county; SAK 316–316a, trial of nine people who took part in murders in Pinczów county; SAK 303–303a, trial of eight members of the NSZ, charged with murders committed in the villages of Droblin and Klemencice, Jędrzejów county; SAK 270, trial of three members of the AK, charged with the murder of a Jew in the village of Podlipie, Włoszczów county; SAK 278, trial of Henryk Podgórski Henryka and Julian Kumor, charged with leading a NSZ combat squad in January 1944, to the hiding place of Abuś Jakubowicz, who was murdered. Kumor was acquitted, whereas Podgórski was sentenced to five years in prison; SAK 260–267, trial of sixteen members of Korpus Bezpieczeństwa (Security Corps) charged, among other things, with capturing nine Jewish people and murdering five other Jews in the localities of Bełtów and Chruszczyna Wielka.

90 SAK 297.

in which the victims of the crimes were members of underground organizations.

Fizel Zeberman testified regarding NSZ persecution of a group of Jews hiding in the forest near Strzegom (see Appendix). In his recently published study, Krzysztof Urbański quotes a series of cases of partisan groups helping Jews, as well as actions that targeted them in the Kielce region.⁹¹ However, this subject requires very detailed research and verification of numerous sources, including the underground press, reports submitted by the underground, personal accounts and diaries, etc., because some of the trials after the war could have been politically tainted, especially when members of right-wing organizations were involved.

A survey of at least several dozen criminal trials should be conducted for the Kielce *Voivodship* alone, since court records do not always reveal that the defendants were members of a clandestine organization. Sometimes they were charged under another article, even though underground activity could have had serious implications for the case. Further study is needed to establish whether at least some of the cases amounted to Stalinist trials staged with a view to settling scores with political enemies.

The investigations and trials discussed in detail in this article took place in 1946–1951. Forty-six people were charged. Several of the suspects fled during the inquest stage; others, whose guilt was established beyond a doubt by eyewitness testimonies, either died, or were killed during the occupation. Ten defendants were acquitted. Most received sentences of five to ten years in prison,⁹² and sixteen were sentenced to death. All of the defendants were eligible for the amnesty declared in 1952 (sentences were halved, or the remaining sentence commuted). No death sentence was carried out. The death-row inmates had their sentences commuted to ten or fifteen years of imprisonment, and, in one case, to life.

During the inquiry and the main trial, most of the defendants pleaded not guilty. In statements given during the trials, only witnesses expressed sorrow, even compassion, toward the murdered victims: "When I learned about the incident I was sad, but there was nothing

⁹¹ Urbański, *Zagłada Żydów*, pp. 227–232.

⁹² In the thirteen trials examined by the authors, one defendant was sentenced to three years in prison, and one to fifteen.

I could do."⁹³ Usually, however, these were isolated voices, which were overshadowed by all the non-introspective accounts of the events. Witnesses, who, in some cases, numbered more than several dozen people, were clearly divided, and their statements were sometimes wholly contradictory. This precluded a reliable reconstruction of events and the ability to charge all those who should have been punished. Implicating many persons in the case naturally complicated the possibility of establishing the truth. Together with the investigators' lack of inquisitiveness, this resulted in a situation in which the course of events as established by the court (and quoted in justification for the sentence) could easily be undermined in appeal trials.

Many witnesses questioned during the investigation either contributed nothing to the case, or the information they gave amounted to generalities. Evidently unwilling to implicate anyone personally, they often claimed they had seen nothing, heard nothing.⁹⁴ Contradictory witness testimonies and their retraction during the actual trial were noticed and emphasized; for example, in the justification of the conviction of Franciszek Ślęzak.⁹⁵ The court affirmed that the defendant "worked the witnesses over," and that some testimonies amounted to "politeness" due to good neighborly relations with the defendant. In the case of Zeberman's accusations, the witnesses testified with remarkable restraint and in favor of the defendants. They changed their statements during the trial, which indicates pre-trial coordination of the village residents' version.⁹⁶ The defendants themselves also changed their statements, sometimes several times in the course of the trial, denying facts to which they had confessed during the investigation. They claimed that their statements during the pre-trial investigations were obtained under duress, or that the contents had been completely falsified.⁹⁷ However, the court had the right to take into account testimonies given during the inquiry and often used them, though not always.

93 SAK 311, p. 132, testimony of Janina Pelucha, daughter of Józef Olejarz, who was helping the Rozenberg family; they were later murdered.

94 See, for example, the testimony of Stanisław Toruń, SAK 311, p. 130.

95 SOK 306.

96 SAK 257–258.

97 Both of these arguments were employed by the defendant Jan Kopeć; during the trial, he categorically denied having seen anything and refused to offer further explanations, SAK 311, p. 124: "During the questioning, I was threatened with a pistol I wasn't questioned in the investigation division; the transcript was ready and I was told to sign it."

Evidence that consists exclusively of testimonies brings into relief the role of relations among neighbors — both good and bad. In some cases, practically the entire village rallied to the defense of the defendant, so that establishing guilt on the basis of the testimony of a single (wronged) witness, not supported by other evidence, was impossible. For example, Stefan Woźniak, head of the Suchowola village council, in the village district of Wolica, and a member of the NSZ, was charged with abuse of power. He had handed over eight Jewish people,⁹⁸ had informed the German authorities about people who sabotaged occupation decrees, had made insulting statements against the Polish state, and had exacted levies, among other offenses. He was acquitted because no witnesses could be found to corroborate the charges. Records of the proceedings include a statement signed by many village residents, saying that the defendant, “did not act to harm the community, did not collaborate with the Germans, and was a good Pole.”

Such statements corroborating the defendant’s reputation and honor can be found in nearly every trial and reflect the village residents’ solidarity with the defendants; in their minds, there was no need for redress and adjudication of the crime. The defense used the same elements throughout: not confessing to the crime; saddling other participants or persons who had died or could not be identified with responsibility; invoking faulty memory; acting under the threat of orders or official instructions; unawareness of the consequences of one’s actions; accidental presence of the defendant at the site of the crime; and, very often, helping Jews and saving the lives of the persecuted.

Arguments used in pardon pleas included the poverty of the convicted defendants (who often were their family’s only breadwinners),⁹⁹ their good behavior and positive opinion about them by others, their patriotic worldview, the lack of any criminal record, and sometimes membership in the PPR or MO. Nearly all these elements are to be found, for example, in the text of a motion to acquit Stefan Bąk, whose death penalty was commuted to fifteen years in prison. The motion argued that

98 Testimony of Lech Roman, SOK 40, p. 10.

99 This was of considerable significance with regard to the mandatory punishment of confiscation of the defendants’ property, regardless of the severity of the punishment. However, court records do not contain any materials that would indicate how this punishment was carried out in practice.

Bąk is a simple, ignorant peasant! ... He joined the organization [AK] to fight the invader and was pushed to commit crimes by orders! [He was] a blind, ignorant instrument... While saving a Jewess's life, Bąk talked with contempt to the murderer of two Jewish children! He is possessed of a healthy human instinct of brotherhood which enables him to distinguish good from evil.¹⁰⁰

The circumstances in which investigations were launched and legal proceedings begun must also be examined. An accusation of the commission of a crime could have originated in a neighbors' quarrel, even among members of the same family. Such circumstances are very difficult to verify or to prove. However, cases in which the village was split into two camps can point to such ulterior motives.

Investigations conducted under the provisions of the August Decree were launched following oral or written denunciations by one of the witnesses or by the wronged person, by anonymous letters to the authorities, statements made by witnesses in other cases, and sometimes by information reaching the police or the UB (Urząd Bezpieczeństwa - Security Service) from sources described in the records as "confidential." It is quite likely that this phrasing refers to information provided to the UB by secret collaborators and agents, which, in turn, would require further research on the question of the part played by the UB in criminal cases under the August Decree.

Interestingly, out of sixteen trials examined by the authors, only two originated as a result of letters sent by victims of the persecution.¹⁰¹ One of them, Chaim Joachimowicz, summoned the courage to send his denunciation as late as 1948; this was after he left Poland for good to go to Germany, and, therefore, did not make an appearance as a witness in court.¹⁰² Fiszel Zeberman, who still resided in Poland, was clearly afraid for his life. There were no other Jewish witnesses at the trials. There is no doubt that many of the survivors refrained from seeking justice out of fear; others, who could have given statements, were murdered by those who wanted to ward off the investigation. This, in fact, could have been one of the motives for the murders committed against the Jews in the first years after the end of the war, when it became clear

100 SAK 257, p. 141.

101 SAK 187-187a, SAK 257-258.

102 Letter from Chaim Joachimowicz to the *Voivodship* Committee of Jews in Katowice, December 1948, SAK 187, 187a.

that actions from the war years would be prosecuted and their perpetrators would not escape punishment.

Conclusions

The study of the contents of the court proceedings and the field research conducted by the authors of this article indicate that the people who were in charge of the investigations were far from thorough and ignored some statements and facts that had come to light. The policemen who gathered evidence often failed to establish the identity of personnel in “blue” police stations, which were the source of many of the crimes. Professional and collegial solidarity played a role here, not to mention the desire to shield them from prosecution. It should be kept in mind that professional policemen from before the war served in the Polish police, and many of them continued their professional careers in the ranks of the MO or the UB after the war. It also seems that at least some investigations were conducted half-heartedly or even quashed on instructions from higher authorities.

This state of affairs is clearly indicated in the June 26, 1947, denunciation by Władysław Więcek, head of the Barszczowice village council, describing the case involving “blue” policemen from the police post in the village of Sędziszów. He requested opening an investigation against the former “blue” policeman Godawa for the shooting of eight Jews and the persecution of Poles. He complained that his previous requests had been ignored, and he threatened to go to higher authorities if no action were taken.¹⁰³

In addition, the investigations reveal the low level of education, crude manners, and poor skills of the investigators themselves, as reflected in their handwritten protocols. These were characterized by poor style, grammar and spelling mistakes, and even glaring and frequent errors in spelling the names of the witnesses, defendants, place names, number of victims, etc. Glaring errors and alterations also crop up in the indictments and court verdicts. They indicate the slovenliness and incompetence of the people in charge of those matters, or, even worse, a deliberate and conscious attempt at a cover-up. The conclusions of Andrzej Rzepliński seem correct: many investigators, prosecutors, and judges were guilty of “not fulfilling their duties as prescribed

103 Letter of Władysław Więcek, SAK 203, p. 1.

by the criminal code, and thereby causing harm to the public interest as well as the interest of the victims.”¹⁰⁴

Following clues in the trial records, the authors also conducted a number of field trips and interviews with residents of the villages mentioned at the trials.¹⁰⁵ Usually villages close to each other were selected for that purpose, because in many cases the geographical scope was fairly wide, and the Jews in hiding often interacted with residents of several villages in the area. Furthermore, witnesses also remembered information based on hearsay that related not only to their own village but also to the surrounding localities. Unfortunately, only a few people who had testified during the investigation or during the court sessions themselves could be reached. In a majority of cases, these were people who did not appear before the court. The authors tried to reach eyewitnesses who had been directly involved in the events, or persons whose knowledge was based on a direct account by people close to them.

The research shows that the events in question are still taboo. A researcher who reaches a village where the events described in the trial records took place encounters a wall of suspicion and aversion. Just to mention the subject of our research provoked withdrawal and denial, or even open hostility. Witnesses who agreed to talk would often ask,

104 Andrzej Rzepliński, “Ten jest z ojczyzny mojej? Sprawy karne oskarżonych o wymordowanie Żydów w Jedwabnem w świetle zasady rzetelnego procesu,” in Machcewicz and Persak, eds., *Wokół Jedwabnego*, v. 1, p. 458.

105 The research in question was conducted in the framework of the Oral History project of the *Centrum Badań nad Zagładą Żydów* (Center for Research on the Extermination of Jews) and the *Instytut Filozofii i Socjologii Polskiej Akademii Nauk* IFiS PAN (Institute of Philosophy and Sociology of the Polish Academy of Sciences), in cooperation with the Oral History Project of the United States Holocaust Memorial Museum in Washington. The project included the following localities: Wysokie Małe, Wysokie Duże, Bogoria, Górki, Sieczków, Tuczepy, Grzymała, Rudki, Wólka Tuczepska, Długojów, Kołomań, Raszków, Borszowice, Tarnawa, Szałas, Różnica, Pętkowice, Wólka Pętkowska, Klemencice, Wodzisław, and Topola. Thirteen interviews were conducted with audio or video recordings, and fifty-eight interviews and conversations with witnesses who refused to be recorded. The authors often met with flat refusals to conduct an interview, or were confined to brief conversations “through the door.” The overwhelming majority of the respondents were men (83 percent). The witnesses’ average age was eighty-two; the youngest was seventy-two, and the oldest was ninety-one. The conclusions below are based on the analysis of materials gathered during preparations for the interviews and the audio and video recordings. Some of the conclusions are based on the authors’ personal experiences during field trips and conversations with residents of villages in the Świętokrzyskie region.

“Will anything bad come of it?” Very often, the interviews reverberate with echoes of the investigations conducted decades ago and fears of being “dragged through the courts.” In many cases, the witnesses expressed fear of their neighbors, beginning with the common objection, “What will people say?,” to fear of harassment or even revenge: “I am afraid, my sister didn’t want to talk to you, and to me she said, ‘Don’t be stupid, they’ll burn you.’”

It should also be noted that occasionally the witnesses, often of very advanced age, agreed to talk, and during the conversation revealed exceptionally drastic details, which often implicated other residents in their village. However, their families tried to block the testimony or its recording. People who agreed to be interviewed were much more willing to talk about their own misfortunes so as to provide the background for the entire situation. They were eager to talk about crimes committed directly by the Germans, or change the site of the crimes committed by pointing to another village, or shift the blame onto non-locals. The more or less conscious attempts to clear the perpetrators were especially apparent in cases of crimes committed by partisan units, whose members are described as “non-locals” or “bandits,” not partisans.

Another whitewashing method in the interviews was pointing to the participation of the Germans (and only rarely “blue” policemen) in connection with the events in question. In the witnesses’ view this creates a picture of a singular element of duress that affected everyone; thus, they acted under pressure and as the result of the danger to their own lives. Interestingly, in almost every interview in which the blame for the crimes was shifted completely to the Germans, the witnesses nonetheless could not avoid elements of truth. Thus, for example, when questioned about the source of information of the occupier about the Jews in hiding, a symptomatic answer was: “Well, someone must have informed on them, otherwise how could they have known? There was a lot of spying. I think that the Germans must have been informed by someone, because they themselves didn’t know.”

There seem to be three reasons for this. For many witnesses, the memories of postwar repression are still vivid, as are — in some cases — the awareness of the crime to which they were passive observers. The second, equally important factor at play is a fear of the reaction of one’s milieu. The witnesses and their families still live in the same village; their neighbors are often descendants of people who were involved in

crimes against the Jews. Local solidarity, or fear of the consequences of exposing the murders takes precedence over abstract notions of truth and historical remembrance. There were also frequent references to the Jedwabne affair, especially as it appeared in the mass media – some of which, such as Radio Maryja, are often opposed to dissemination of the relevant information. An excerpt from one interview conveys it best: “Better not to talk about it, because we’ll be turned into [another] Jedwabne.” The third important reason has to do with psychological self-defense, which took the form of disowning the feeling of guilt and responsibility, and, as a consequence, the necessity to rationalize actions that stand in glaring contradiction to fundamental human values and religious commandments: do not kill, do not steal, do not bear false witness against your neighbor.

And what about contrition, or empathy for the victims? Although more than sixty years have passed since the events under discussion, one would be hard pressed to discover deeper reflection on the story either by the main characters, or even those who were just spectators.

An overwhelming picture of almost complete indifference to the fate of the murdered Jews emerges from the interviews. If some emotion surfaces in them, it is rather a dislike of the murdered victims and only rarely of the murderers. More often than not, the antipathy to the murderers stems from animosity between neighbors, or suspicion of getting rich “from Jewish gold,” rather than because of the crimes committed against the Jews.

Indifference is one of the mildest manifestations of such attitudes; the cases discussed here reveal that often it escalated to passive or active involvement in the Holocaust. The interviewees who witnessed the events, or took part under duress in manhunts of Jews, or happened to observe the transport of the apprehended Jews to the police post, rarely initiated actions aimed at rescuing the endangered Jews. Statements by both trial witnesses and present-day interviewees indicate that almost unconsciously it was accepted that by definition a Jew was someone worse than others, condemned to death, and so it was not worth taking a risk. Only rarely did attempts at reflection or compassion surface in our conversations: “What should they have been murdered for?” “How much they suffered before they were beaten to death”; or even more personal remarks, such as “She was so pretty, this young Jewess, pity they killed her,” or “One of them was a fairly old woman, but the second was so young and pretty, she could have lived some more.”

Interestingly, considering the deep religiosity of the peasants, the interviewees do not refer to the Ten Commandments and do not evaluate the situations described in terms of responsibility for one's sins, helping one's neighbor, or just plain moral duty. The dehumanization efforts of the German propaganda, which dovetailed with the underpinnings of traditional anti-Judaism from before the war, proved successful in this case by casting the persecuted Jews completely out of the community, unbound by any ties. It is with regret that we conclude from witnesses' statements at the time that helping Jews appears to have been marginal. Actions that can be construed as assistance appear accidental — sheltering someone for a night or two, or offering some food.

At the same time, cases of long-term assistance usually involved payment by the persons in hiding. Witnesses stress that persons who sheltered Jews decided to turn them over only under the threat of death or blackmail. In contrast to the records of court proceedings discussed earlier, our interviewees do not tell about deliberate denunciations by those who sheltered Jews. They emphasize that desisting from help was caused by the threat of German reaction or by instructions from the head of the village council: "There was a note by the head of the village council warning against keeping Jews." However, this picture is not true. Amidst the boundless savagery and hopelessness of the conditions in which the hiding Jews lived, as they emerge in the interviews, there are also examples of disinterested help or compassion for the tormented victims.

In tackling the issue of participation of Poles in crimes against the Jews during the war, the authors of this article are aware that it cannot be considered in isolation from acts of assistance rendered by the Polish population to the persecuted. Without this help, surviving the Holocaust would have been impossible. Every rescued person owes his or her survival to a large number of noble souls whose value system and morals did not let them remain indifferent to their fate. Every person who rendered assistance to Jews risked his or her own life, as well as the lives of his or her loved ones. Not only the Germans but also their closest neighbors, the Poles, posed a threat to every Jew and every potential Righteous Among the Nations. The question of rendering assistance, as well as participation in crimes, should be researched further, because the views and facts that recur in studies so far are little more than stereotypes and tendentious views, and they fail to describe

the tragic history of the war years in a way that would improve our understanding of how things really were.

Appendix¹⁰⁶

1. SAK, 257–258, pp. 18–19. Testimony of Fiszel Zeberman (alias Zoberman), horse cart driver, born 1903:

During the German occupation, from the persecution of Jews by the German occupation authorities, I was hiding in the forests, near the village of Strzegom, Sandomierz County. While in hiding during this period, we were persecuted by the local population, especially by an organized group of residents of Strzegom, most probably by the NSZ, which launched several attacks against us. The first such attack took place in the summer of 1943, in the forest where we hid. Our group numbered more than thirty people at that time, of whom Szaja was killed and two persons wounded. In the course of the first attack, I didn't recognize any of the attackers, because they started shooting at us from a distance and there was great confusion among us; everyone tried to find some shelter. The Jews hiding in the bunker were brought out, kept under armed guard by the gang members, and the remaining ones plundered our belongings, so that everything we had was taken away. During the robbery I didn't recognize anyone, even though I was not far away from the robbers, because they had disguised themselves (phony mustaches and beards, etc.). In March 1943, while staying in the bushes in the same forest I heard a rustle, so I crawled closer and saw nine Jews standing on the line locally known as the Serdyński line. The following persons, armed with firearms, were standing next to the Jews:

- 1) Władysław Janowski, resident of the village of Strzegom;
- 2) Stanisław Janowski, resident of the village of Strzegom (Władysław's cousin)
- 3) Franciszek Brzyszczyk, resident of the village of Strzegom;
- 4) Wacław Brzyszczyk, resident of the village of Strzegom;
- 5) Eugeniusz Brzyszczyk, resident of the village of Strzegom;

¹⁰⁶ As throughout this article, quotations from the trial files are often from very poorly educated perpetrators (usually peasants) and were recorded by poorly educated investigators. In addition, the investigators preparing an interrogation report often use ungrammatical language with poor syntax, or slang peculiar to their work.

I didn't recognize any of the others, but it's possible that I don't remember at the present moment. In any event, there were about eighteen of them. At that time, the above-mentioned thugs savagely beat the above-mentioned Jews, robbed them, and then shot them to death. At the present moment, I cannot describe the part played by each individual member of the gang in savagely beating and shooting to death these Jews. In consideration of the time that elapsed since then, it should be stressed that all of them took part in beating and plunder, among other things, and the perpetrators were indicated by name.

The next such case involved the shooting of two children. It took place in March 1943, and I was an eyewitness. I dispatched two children of Jozek Kaufman from our group to bring food from the village, and I stood at the edge of the forest, watching them. Returning to the woods, the children carried some food with them, and were followed by Władysław Janowski, a resident of the village of Strzegom, whom I had known very well from before the war. I recognized him without any doubt. As the children were getting closer to the woods, Janowski started walking faster, came close to them, pulled a pistol from his pocket and shot each of them once, killing them. After shooting the children, he returned to Strzegom. Then, in October or November 1943, in the evening, two children of Jozek Kaufman came out of the woods, wanting to find shelter in a haystack because it was raining, while the rest of our group stayed put at the edge of the woods, where I also stood. I won't mention the names of those people because not one of them is alive. Then, after less than an hour, [the following] residents of the village of Strzegom came to the haystack: Franciszek Brzyszczyk, Waclaw Brzyszczyk, Stefan Sikora, Franciszek Kazimierski. I didn't recognize them by sight, because it was getting dark, but I recognized them by their voices, because I grew up among them and knew them very well. I recognized them also by typical expressions that they used ("his mother's a whore," etc.). Even though it was dark and I couldn't see them exactly, I didn't have any doubt about recognizing them. They took with them the children who had hid in the haystack and brought them to the Sikory ponds, where they shot them and buried them in the dyke.

In March 1943, several of us, Mosiek Kaufman, Wulf Kaufman, Pinka Betel and myself set out for the village of Strzegom to get food, heading to the house of Jan Pawełek. I remained behind, some distance from Pawełek's house, to watch the other three people. They entered

Pawełek's house, and were led out after half an hour by several individuals, and escorted to the edge of the woods, near Jan Brzyszczy's [residence], where they undressed them and executed them. In this case, I recognized Stefan Sikora, as well as Władysław Kunat, although in his case I cannot be sure. This took place at night, although the moon was out, giving a lot of light. I didn't recognize other participants apart from Kunat, whom I also couldn't recognize exactly.

Also in February, or perhaps in March, two women from our group, Bailowa Milsztaj, my sister, and Sura Kalfman, went to the village of Strzegom to get food, and several of us remained behind at the edge of the forest as was our habit, in order to watch the person who was walking away, and, on return, to help them to carry the food they had brought with them. And then, after some time, we saw Bajla Milsztain being escorted by Szczepan Bąk and another person whom I didn't recognize. After they brought her to the edge of the forest, they shot her and left. Stefan Bąk did the shooting. Later we learned that the second woman, Sura Kafman, managed to hide from them and avoid death.

The next attack took place in April 1944. Our group was attacked by more than a dozen armed individuals, among whom I recognized Leon Czeszek [Cenek], Eugeniusz Dzieciuch, but I didn't recognize the others because pandemonium broke out and we fled. Leon Cenek and Eugeniusz Dzieciuch ran after me, which is why I recognized them exactly. It was then that my wife was shot to death and her teeth with gold crowns were pulled out, as well as two children [were shot], but whether the above-mentioned did the shooting I cannot say, because I ran away and didn't see it with my own eyes. Most likely it was Leon Cenek who took my wife's teeth, which he sold to Franciszek Konat, now residing in the Regained Lands [western Poland after the war], I don't know the address; Kanas told me about it after the liberation. Next, I know that my sister's son, Icek Zekler, was hiding at Maciąg in Strzegom, and was murdered there. I don't know the details, but I would like to mention that after the liberation I saw Stefan Sikora wearing the sweater of the murdered Icek Zekler. Agnieszka Maciąg can provide more detailed information. The Kolektor family of four persons was hiding with Franciszek Kazimierski in Strzegom; they were also murdered at the edge of the forest, but I am not familiar with the details and circumstances of the murder.

I cannot provide witnesses to the above-mentioned circumstanc-

es because of the whole group only myself and my two children, then 7 and 8, remained, and they don't remember these incidents.

2. SAK 229, pp. 13–14. Testimony of the defendant Zygmunt Wiśniewski:

As my brother Edward has said, the NSZ organization's goal was to murder Polish citizens of Jewish extraction, but I don't know what its other goals were. I confess to taking part in murdering Jews between the villages of Wysokie Małe and Wysokie Średnie, village district Jurkowo, county of Sandomierz. The murder was carried out as follows: it was summer time, 1943, I was at home at the time and heard a shot, so I went out, and headed for the site, and in the field, as I approached the location I noticed five or six Jews shot to death, and one Jewess and one Jew still alive. In my presence, the Jewess and the Jew were told to take five steps, after which Kazimierz Domagała shot the Jewess twice, she was hit in the stomach and fell to the ground. Teofil Mroczek, resident of Moszny, Jurkowiec village district (shot to death during the occupation), shot the Jew from his pistol four times, first hitting him twice in the head, but the Jew didn't fall, so he shot him for the third time, hitting him on the side, and then the Jew lowered himself to the ground, kneeling, and only after the fourth shot, in the stomach, did he fall to the ground. Szamański, first name unknown, resident of Mała Wieś, Jurkowiec village district, also took part in the shooting of the Jews. He was armed with a pistol. Porębski Józef, resident of Grzybowo, Opatów County (now in western Poland), was armed with a pistol. A cousin of the aforementioned Józef Porębski, first name Marian, from Radom (he probably died of excessive drinking of vodka), armed with a pistol (similar to Karwacki from the same locality), or Karpacki, Franciszek Sosnowski, resident of the village of Zagorzyce, Jurkowiec village district (dead now), also armed with a pistol. My brother, Edward Wiśniewski (killed by partisans). I don't remember other people [present], or who shot those Jews, because they had been shot by them, only the aforementioned took part in this... Three people were still not shot, i.e., a Jewess, about 50, and her daughter, about 18, and a Jew, about 30. Kazimierz Domagała told me that there was no more ammunition to shoot those three Jews. So Domagała told me and Sosnowski to go bring some rope in order to hang those three Jews, and both of us went to get the rope from a farm in the village of Wysokie Małe, I don't know the name [of the owner]. After we brought the rope... we took

those three Jews, heading for the village of Wysokie Średnie. After we brought them to a ditch, Franciszek Sosnowski grabbed a stake with which he hit the older Jewess once in the neck and once in the back, as a result of which she fell on the ground, where she lay dazed for about another half hour. When her daughter saw this, she fell on her knees before Franciszek Sosnowski, begging him not to hit her mother with a stake, not to torment her anymore, just shoot her with his fire-arm, saying, "This world is so beautiful, I am young, and I want to live." Hearing these words Sosnowski replied, "I'll let you live yet," and grabbed her hand, dragging her behind him, while she shouted, "Spare my life!" But he said, "Today your end must come," to which the Jewess said, "I'll give you anything you want, just spare my life." Sosnowski knocked her down, leaving her only in the nightshirt and started raping her. The Jewess did not defend herself while being raped because she thought that this would save her life. After raping her, he brought her to a tree, the weeping willow where we all stood, looped the rope around the tree, and I lifted her by the legs, because the noose was too high, and Sosnowski put the noose around her neck...I released her and she was hanging, without her feet reaching the ground, and in this fashion, after one and a half hours from the moment of hanging she ended her life...From Domagała I received a short coat of the Jewess who was shot, and in the collar, at home, I found 110 dollars, and also got 10 dollars from Domagała, which belonged to the murdered [Jews]. Domagała and Sosnowski collected the clothes of the murdered [Jews]. All the murdered [Jews] were robbed by us of their clothing, and wore only their undergarments.

Translated from the Polish by Jerzy Michałowicz