

Wojciech Wichert

Institute of National Remembrance, Branch in Szczecin

ORCID 0000-0003-1335-592X

DEATH FOR HELPING JEWS... A HANDFUL OF COMMENTS ON  
THE LATEST BOOK BY BOGDAN MUSIAŁ<sup>1</sup>

Time and time again, the issue of Polish-Jewish relations during the Second World War triggers great emotions and passionate discussions among professional researchers, publicists and politicians. This tends to fuel a spiral of further disputes. By their scope and form, they far exceed the framework of reliable debate among members of the scientific community and, by means of the media, influence social views and political conflicts in Poland and abroad. There is no shortage of “amateurs” and “dogmatics,” even those with scholarly ambitions engaged in polemics and works based on them, as the author of the reviewed publication *Kto dopomoże Żydowi...* [Who Will Come to Help a Jew] Bogdan Musiał points out.<sup>2</sup> As a symptomatic expression of the gross distortion

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<sup>1</sup> B. Musiał, *Kto dopomoże Żydowi*, collaboration O. Musiał (Warsaw, 2019), p. 412.

<sup>2</sup> From 1999 to 2004, Bogdan Musiał worked at the German Historical Institute in Warsaw, from 2007 to 2010 at the Institute of National Remembrance, and from 2010 to 2015 he headed the Department of Central and Eastern European Studies at the Faculty of Law and Administration of Cardinal Stefan Wyszyński University in Warsaw. Bogdan Musiał can no doubt be considered one of the most important figures impacting Polish historical policy after 1989. His most significant publications include: *Rozstrzelać elementy kontrrewolucyjne! Brutalizacja wojny niemiecko-sowieckiej latem 1941 roku* (Warsaw, 2001); *Na zachód po trupie Polski* (Warsaw, 2009); *Przewrót majowy 1926 roku w oczach Kremla* (Warsaw, 2009); *Wojna Stalina 1939–1945. Terror, grabież, demontaże* (Poznan,

of historical realities in the realm of mass culture, this respected scholar takes the immensely popular recent novel by Australian nurse Heather Morris, *The Tattooist of Auschwitz*.<sup>3</sup> Both in an interview and in the book itself, the author ahistorically and unfairly drew attention to the alleged indifference of Poles from Oświęcim and the surrounding area to the fate of Jews murdered in the extermination camp.<sup>4</sup>

The same is true of works that ostentatiously claim to be scholarly, to mention studies by Jan Tomasz Gross, Barbara Engelking, Jan Śpiewak and Jan Grabowski in particular.<sup>5</sup> In Musiał's view, they often manipulate and distort historical sources or alternatively take an uncritical approach to the testimony of Holocaust survivors. By surpassing themselves in the radicalness of their statements, these scholars are supposed to create an image of the massive entanglement of Poles in the Holocaust

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2012); *Geneza paktu Hitler–Stalin. Fakty i Propaganda* (Warsaw, 2012); *Sowieccy partyzanci 1941–1944. Mity i rzeczywistość* (Poznan, 2014); *Deutsche Zivilverwaltung und Judenverfolgung im Generalgouvernement. Eine Fallstudie zum Distrikt Lublin 1939–1944* (Wiesbaden, 1999); "Aktion Reinhardt". *Der Völkermord an den Juden im Generalgouvernement 1941–1944* (Osnabrück 2004) (editor); *Genesis des Genozids. Polen 1939–1941*, with Mallmann (Darmstadt, 2004); *Kampfplatz Deutschland. Stalins Kriegspläne gegen den Westen* (Berlin, 2008).

<sup>3</sup> H. Morris, *The Tattooist of Auschwitz* (translated into Polish by K. Gucio as *Tatuażysta z Auschwitz* (Warsaw, 2018).

<sup>4</sup> M. Gostkiewicz, Interview with Heather Morris, "Jak Lale Sokolov zakochał się w dziewczynie, której wytatuował w Auschwitz obozowy numer, *Gazeta Wyborcza*, 21–22 April 2018, <https://weekend.gazeta.pl/weekend/1,177333,23257435,jak-lale-sokolov-zakochał-sie-w-dziewczynie-ktorej-wytatuował.html> (accessed 26 February 2021). See S. Steinbacher, "Musterstadt" *Auschwitz. Germanisierungspolitik und Judenmord in Ostoberschlesien* (München, 2000), p. 307; Musiał, *Kto dopomoże*, pp. 7–9.

<sup>5</sup> See also J. Grabowski, *Judenjagd. Polowanie na Żydów, 1942–1945. Studium dziejów pewnego powiatu* (Warsaw, 2011); *idem, Na posterunku. Udział polskiej policji granatowej i kryminalnej w zagładzie Żydów* (Wołowiec, 2020); *Dalej jest noc. Losy Żydów w wybranych powiatach okupowanej Polski*, ed. by B. Engelking and J. Grabowski, vols 1–2 (Warsaw, 2018); B. Engelking, "Jest taki piękny słoneczny dzień". *Losy Żydów szukających ratunku na wsi polskiej 1942–1945* (Warsaw, 2011); J.T. Gross, *Sąsiedzi. Historia zagłady żydowskiego miasteczka* (Sejny, 2000); *Skandaliczne słowa prof. Śpiewaka: "Nie mogę znieść retoryki ratowania Żydów przez Polaków"*, <https://dorzeczy.pl/kraj/100332/Skandaliczne-slowa-prof-Spiewaka-Nie-moge-zniesc-retoryki-ratowania-Zydow-przez-Polakow.html> (accessed 26 February 2021). See T. Domański, "Correcting the Picture? Some Reflections on the Use of Sources in *Dalej jest noc. Losy Żydów w wybranych powiatach okupowanej Polski* [Night without an End. The Fate of Jews in Selected Counties of Occupied Poland], ed. by B. Engelking, J. Grabowski, Stowarzyszenie Centrum Badań nad Zagładą Żydów [Polish Center for Holocaust Research], Warsaw 2018, vol. 1–2," *Polish-Jewish Studies* 1 (2020), pp. 637–743; T. Roguski, "Recenzja pracy: *Dalej jest noc. Losy Żydów w wybranych powiatach okupowanej Polski*, edited by Barbara Engelking and Jan Grabowski," *Glaukopis* 36 (2019), pp. 335–356; P. Gontarczyk, "Między nauką a mistyfikacją, czyli o naturze piśmiennictwa prof. Jana Grabowskiego na podstawie casusu wsi Wrotnów i Międzyzyles powiatu węgrowskiego," *Glaukopis* 36 (2019), pp. 313–323.

or their indifference and passivity towards the tragic fate of the Jews. In addition, their arguments are supposed to “downplay, minimise and sometimes even completely ignore” (p. 12) the terrorist occupation policy of the German authorities and the resulting psychosis of fear among Poles. In his view, these authors thus contribute to further perpetuating the false belief spread in the West, including the USA and Israel, that Poles “willingly assisted” the National Socialists in carrying out the Holocaust and are “co-responsible for this crime.”<sup>6</sup> They even go so far as to claim that Poles were supposed to have killed more Jews than they saved, often actively participating not only in German crimes against this population but also in the plundering of their property.<sup>7</sup>

In his book, Bogdan Musiał tries to prove the opposite of what the proponents of a negative vision of the history of Polish-Jewish relations in the years 1939–1945 are pushing. According to him, Poles “were not left a free choice in the matter of their approach to their Jewish neighbours, as the legislation in occupied Poland clearly shows.”<sup>8</sup> As he himself points out in the introduction, his aim is “to introduce into the discourse and scholarly circulation sources concerning German legislation criminalising aid to Jews in occupied Poland.”<sup>9</sup> In his book, Musiał focuses on the General Governorate (GG) as the only subject of his considerations, which may leave the reader feeling there is more to the story. Although the author emphasises that the western Polish territories incorporated into the Reich in the autumn of 1939 (Poznańskie, Upper Silesia, Pomorze) and the North-Eastern Borderlands merit separate considerations because they were under distinct legal and policy occupation regimes that require “additional and separate archival queries,” the fact that the GG is his sole focus might create the impression that the issue has not been fully covered and could lead to speculation about the attitudes of Poles towards Jews in other territories under German occupation. It could also serve as a pre-

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<sup>6</sup> Musiał, *Kto dopomoże*, p. 11.

<sup>7</sup> It is worth adding that Musiał casts doubt on the competence of these scholars who, as far as he knows, do not speak German sufficiently or at all, which is an essential condition for exploring the reality of Poland's occupation by the Third Reich and its specific bureaucratic jargon. Moreover, Barbara Engelking and Jan Tomasz Gross have no higher education background in history, and thus their research skills in this field may seem questionable. See Musiał, *Kto dopomoże*, p. 14.

<sup>8</sup> *Ibid.*, p. 12.

<sup>9</sup> *Ibid.*, p. 17.

text for criticising the author's arguments. A comprehensive analysis of the issue would be very much desired due to the radical polarisation of views in this field of inquiry. On the other hand, the General Governorate did not differ significantly in its methods and means of racial terror from other Polish territories under the German yoke. It is fair to think, however, that only in Hans Frank's "principate" did the ordinances criminalising any assistance to the Jewish population have such a broad reach.<sup>10</sup> In this context, the author rightly emphasises that the legislation in force in occupied Poland was "unique in Europe, as were the repressions and punishments enforced for providing aid to persecuted Jews." For nowhere else "did Germans execute people accused of helping Jews and their families."<sup>11</sup> This vital fact usually escapes scholars associated with the Centre for Holocaust Research and the Jewish Historical Institute (i.e. the forerunners of the New School of Holocaust History Research) or is deliberately downplayed by them.

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<sup>10</sup> The death penalty for such acts was also in force in the Polish parts of the Reichskommissariat Ukraine and Reichskommissariat Ostland – in Volhynia, Polesie, Nowogródzczyzna, eastern Białystok and Vilnius, although it is likely that such legal acts were not issued everywhere. Interestingly enough, for example, documents from the State Archives of the Grodno Region include an official proclamation on the death penalty for helping Jews in Slonim (General Commissariat of Belarus), issued on 22 December 1942, i.e. a few months after the liquidation of the ghetto there. In this proclamation, the German town administration warned the local population against hiding Jews in their homes or on their farms under threat of execution. At the same time, it ordered that Jewish fugitives should immediately be handed over to the German gendarmerie or the local protection police (Schutzmannschaft). In the Polish territories annexed to the Reich, there was no general decree on the death penalty for helping Jews. Announcements prohibiting assistance may have appeared locally at the time of the liquidation of individual ghettos, e.g. on 24 June 1942 in the district of Blachstädt (Blachownia, Upper Silesian Province), after the deportation of all Jews, the local starost issued a "public warning" that "anyone who helps Jews by hiding them or assisting them in any other way was to expect the severest punishment. In addition, people would be held criminally liable if they were aware of the unauthorised residence of Jews in the district of Blachstädt, but did not immediately report this to the nearest police station or gendarmerie." The issue of criminal responsibility for helping Jews in the territories incorporated into the Reich and the North-Eastern Borderlands still needs to be explored in detail. See M. Grądzka-Rejak, A. Namysło, *Relacje polsko-żydowskie w okresie II wojny światowej. Kontekst i uwarunkowania in Represje za pomoc Żydom na okupowanych ziemiach polskich w czasie II wojny światowej*, ed. by M. Grądzka-Rejak and A. Namysło, vol. 1 (Warsaw, 2019), pp. 25–26; Państwowe Archiwum Obwodu Grodzieńskiego (State Archives of the Grodno Region), M.41/3148, Die Stadtverwaltung Slonim, Bekanntmachung, 22 December 1942, p. 6; *Kara śmierci za ukrywanie Żydów. Wywiad z prof. Andrzejem Żbikowskim*, <https://dzieje.pl/aktualnosci/kara-smierci-za-ukrywanie-zydow-wywiad-z-prof-andrzejem-zbikowskim>, (accessed 19 February 2020); *Die Verfolgung und Ermordung der europäischen Juden durch das nationalsozialistische Deutschland 1933–1945*, vol. 8: *Sowjetunion mit annektierten Gebieten II: Generalkommissariat Weissruthenien und Reichskommissariat Ukraine*, ed. by S. Heim, U. Herbert, M. Hollmann et al. (Berlin, 2016), Doc. 157.

<sup>11</sup> Musiał, *Kto dopomoże*, p. 17.

Bogdan Musiał's book comprises six chapters, a summary and an appendix. In the first chapter, the author, taking into account well-known positions from Polish and German historiography, presents an overview of German policy in occupied Poland, with particular emphasis on the situation of the Jewish population in the GG until the end of 1941. The historian outlines the antecedents of the German regulations aimed at eliminating not only Polish-Jewish cooperation but also any Polish assistance to persecuted Jews. Chapters two to five form the book's thematic core and deal with the extermination of Jews from the beginning of 1941 until the end of the occupation. Musiał meticulously describes the situation in the Warsaw Ghetto and the famine that prevailed there, which contributed to the development of Polish-Jewish trade, as well as the hunt for Jewish escapees who escaped from the ghettos before being sent to death camps. He emphasises the drastic tightening of sanctions for helping Jewish escapees: from the death penalty for "perpetrators" (October 1941), to demonstration executions with entire families (November 1942), to pacification operations. The historian devotes considerable space in this part of the work to specific examples of repression, clearly outlining the process of their escalation and radicalisation. He also presents the problem of Poles' complicity in the hunt for Jewish escapees, cases of denunciation and the dilemma of the hostages who were forced by the Germans, under the threat of the death penalty, to take an active part in capturing escapees from segregated Jewish districts. The sixth chapter attempts to present the legal aspects of the punishment for helping Jews in other countries occupied by the Reich and the post-war fate of German perpetrators. The appendix of Musiał's study contains source documents (selected ordinances of the central and local GG authorities penalising assistance to persecuted Jews), an interview with the author and his review of Jan Tomasz Gross's controversial book, *Sąsiedzi* (Neighbours), comments on the German policy of remembrance, and a poignant short story by Krzysztof Kąkolewski, *Bezruch, cisza, ciemność* (Immobility, silence, darkness), deeply rooted in historical realities, about the drama of a Pole who carried the burden of responsibility for the death of a Jew during the occupation.<sup>12</sup>

What conclusions can therefore be drawn after reading Bogdan Musiał's book? First of all, he evocatively depicts the reality of the occupation and carefully pre-

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<sup>12</sup> See K. Kąkolewski, *Bezruch, cisza i ciemność* in *idem, Węzły wojny* (Poznan, 2010), pp. 63–70.

sents the historical context of the issues discussed. He repeatedly emphasises that the monstrous magnitude of the German terror against Poles must have greatly impacted their behaviour and attitudes and, consequently, their readiness to take risks and help their persecuted Jewish fellows. He points out that many Poles were not protected from the terror even by complying with all the occupiers' demands, not resisting passively or actively, and not belonging to the leadership strata. They could have been murdered or deprived of freedom at any time as part of collective reprisals for "anti-German" operations or displaced during the Germanisation of their homelands. By the end of the occupation, several hundred thousand "ordinary Poles" had lost their lives in this way, and millions were deported or forced to flee.<sup>13</sup>

Despite the repression, apprehension and an all-pervading psychosis of fear, in Musiał's view, Polish society did not, on the whole, remain indifferent to the tragic fate of the Jews. In this context, the researcher points out, for example, that without smuggling, the number of deaths from starvation in the Warsaw closed-off residential district would have been many times higher, which is also confirmed by the testimonies of the city's Jewish residents. The researcher writes at length about Jewish half-starved child beggars who managed to go outside the ghetto walls to the Polish population to ask for food. The sight of them caused shock and sympathy among Varsovians, which meant that the little beggars often received alms. (Sometimes, the children strayed into the German districts of the city, and this ended tragically, usually with their murder on the spot). In order to end the "practice" of Warsaw residents supporting the hungry, Ludwig Fischer, Warsaw District Governor of the General Governorate, issued a decree on 10 November 1941, forbidding, on penalty of death, the giving of alms and food to Jews, including starving children. He must have deduced that helping Jewish children "was not a marginal phenomenon, it had to be widespread, because otherwise, German officials would not have demanded the death penalty for these crimes."<sup>14</sup> Moreover, he states, citing data from Jozef Gitler-Barski, director of the Warsaw Ghetto Child Welfare Committee, that by the time the ghetto was liquidated in the

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<sup>13</sup> Musiał, *Kto dopomoże*, p. 27.

<sup>14</sup> See "1941 listopad 10, Warszawa – Obwieszczenie dr. Ludwiga Fischera dotyczące kary śmierci za nieuprawnione opuszczanie żydowskich dzielnic mieszkaniowych," in Musiał, *Kto dopomoże*, p. 272.

summer of 1942, a total of up to 300 children had escaped through its walls and taken refuge with Polish families.<sup>15</sup> Also in the provinces, Jews were hidden (either for free or in exchange for money or valuables), and illegal Polish-Jewish trade and economic cooperation flourished, especially concerning handicraft services. According to Musial, this prevented mass starvation deaths in other ghettos in the General Governorate as well. It seems that, to illustrate the development of the black market more fully, it would be worth analysing the situation in other ghettos in more detail, especially in those that were not physically separated from the so-called Aryan section. After all, most of them were open or semi-open. Apart from Warsaw, the stereotypical image of a ghetto separated by a wall still applies in the GG only to Cracow and Nowy Sącz. The possibilities and opportunities for Polish-Jewish contacts in the economic sphere were not limited to Warsaw, though the author did not describe this in detail.

An extremely interesting part of Musial's work is the characterisation of the course of official correspondence and the increasing radicalisation of German legislation concerning the criminalisation of any hint of support from Poles for the Jewish population. In this way, the author is part of the structuralist current in research on the Third Reich, noting the important element of rivalry and competency friction between the various institutions of the Nazi regime.<sup>16</sup> Interestingly, he also gives examples of senior officials of the occupation apparatus who resigned from their positions in protest against the tightening of anti-Jewish laws. This was the case of Eberhard Westerkamp (head of the Main Department of Public Administration in the GG government) and Alfred Spindler (head of the Main Department of Finance), who did not suffer any professional or personal

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<sup>15</sup> See Archiwum Instytutu Pamięci Narodowej w Warszawie (Archives of the Institute of National Remembrance), AIPN, GK 196/337, Józef Gitler Barski's testimony of 25 January 1947 during a trial before the Supreme National Tribunal in Ludwig Fischer's case (extract), p. 136.

<sup>16</sup> See K. Hildebrand, *Das Dritte Reich* (München, 1991), p. 178 ff.; *idem*, "Monokratie oder Polykratie? Hitlers Herrschaft und das Dritte Reich," in *Der Führerstaat, Mythos und Realität*, ed. by G. Hirschfeld and L. Kettenacker (Stuttgart, 1981), p. 73 ff.; I. Kershaw, *The Nazi Dictatorship. Problems and Perspectives of Interpretation* (London, 1993), p. 59 ff.; P. Reichel, *Der schöne Schein des Dritten Reiches. Faszination und Gewalt des Faschismus* (München-Wien, 1991), p. 10; M. Broszat, *Der Staat Hitlers. Grundlegung und Entwicklung seiner inneren Verfassung* (München, 1992), p. 423 ff.; M. Ruck, *Führerabsolutismus und polykratisches Herrschaftsgefüge – Verfassungsstrukturen des NS-Staates in Deutschland 1933–1945. Neue Studien zur nationalsozialistischen Herrschaft*, ed. by K.D. Bracher, M. Funke, and H.A. Jacobsen (Bonn, 1992), p. 36 ff.

consequences because of their resignation. For the vast majority of German officials, however, the extermination of the Jews was not a significant problem, and they participated in this crime voluntarily. The growing criminal dynamics of Nazi polycracy in the General Governorate resulted in the increasingly draconian laws of the GG occupation authorities regarding racial policy. Musiał reports that Ludwig Leist, plenipotentiary of the district chief for the city of Warsaw, issued an order on 14 January 1941 containing a clear threat of punishment for Poles for giving aid to Jews residing outside the Jewish quarter.<sup>17</sup> In subsequent legislation of 13 February, Leist criminalised not only illegal Polish-Jewish exchanges but also the “donation and otherwise transfer of all kinds of goods to Jews.”<sup>18</sup> The author notes that similar regulations (prohibitions on contact with Jews, on trade, on giving a ride in a horse cart, on giving aid or shelter, etc.) were often issued arbitrarily and at the time still without a proper legal basis by the governors of other districts in the GG. He demonstrates that punishments (fines, arrests of up to three months or deportation to a forced labour camp) did not remain on paper alone, and gives documented examples of Polish “supporters” who faced reprisals for helping Jews.<sup>19</sup>

The Germans quickly concluded that the promulgated orders were not being complied with. They, therefore, began to tighten the regulations and, for the first time on 15 October 1941, Governor General Hans Frank issued an administrative regulation, but with the force of a decree, concerning the death penalty for leaving a Jewish quarter without permission. At the same time, under the same penalty, Poles were forbidden to give shelter to Jews.<sup>20</sup> However, it must be remembered that

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<sup>17</sup> See *1941 styczeń 14, Warszawa – Zarządzenie Ludwiga Leista o utworzeniu dzielnicy żydowskiej w Warszawie* (odpis), in Musiał, *Kto dopomoże*, p. 257.

<sup>18</sup> See “1941 luty 13, Warszawa – Rozporządzenie Ludwiga Leista o zbywaniu towarów Żydom poza żydowską dzielnicą mieszkaniową w Warszawie (odpis),” in Musiał, *Kto dopomoże*, p. 258.

<sup>19</sup> For example, on 10 February 1941, Zbigniew Mroczkowski, an engineer, was arrested for supplying food to Jewish people. On the same day, he was imprisoned in the Pawiak prison in Warsaw, and then transported to Auschwitz at the end of May that year. See Musiał, *Kto dopomoże*, p. 66; T. Gonet, “Mroczkowski Zbigniew,” in *Rejestr faktów represji na obywatelach polskich za pomoc ludności żydowskiej w okresie II wojny światowej*, ed. by A. Namysło and G. Berendt (Warsaw, 2014), p. 247.

<sup>20</sup> The administrative regulation provided that: “(1) Jews who leave their designated district without authorisation are subject to the death penalty. Anyone who knowingly gives such Jews a hiding place is subject to the same punishment. (2) Instigators and abettors shall be subject to the same punishment as the perpetrator, an attempted act shall be punished as an accomplished act. In milder cases, heavy imprisonment or prison may be imposed. (3) Sentencing shall be by the Special Courts.” Musiał

the thrust of this legislation was primarily directed against the Jews themselves. The prohibition on providing escapees with a “hiding place,” which was subject to an identical punishment, was subsidiary to the first prohibition. This is indicated by both the construction of this provision and the title of the regulation itself: “on restrictions on residence in the *General-Gouvernement*.” Significantly, during the first year the ordinance was in force, the death penalty was carried out exclusively on Jews. In Warsaw, for example, the first execution of eight Jews for illegally leaving the ghetto took place on 17 November 1941. For Poles, the threat of death for helping the Jewish population became real a year later.<sup>21</sup>

However, the threat of the death penalty for merely hiding Jews was not enough for all high GG officials. Some representatives of the local civil authorities concluded that the measures taken had proved unsatisfactory and that it was necessary, under penalty of death, also to prohibit any assistance, however small. Thus, the governor of the Warsaw District, Ludwig Fischer, less than a month later, on 10 November 1941, extended the threat of this sanction to other acts of assistance to Jews, including the provision of food and, consequently, the giving of alms to begging Jewish children. As cases of helping Jewish people continued to occur, the German officials concluded that the sanction for a Pole must be harsher than for a Jew. The death penalty was extended to cover the family of the “abettor.” These draft regulations were agreed on ad hoc in the GG occupation administration in 1942. Friedrich Wilhelm Krüger, Higher SS and Police Leader in the General Governorate issued identical ordinances establishing Jewish housing quarters for the Warsaw and Lublin districts<sup>22</sup> (on 28 October 1942) and for the Radom, Cracow,

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points out that the German judges most often pronounced the death penalty. Only the Governor General could save the lives of the condemned, a right that he even exercised sometimes. However, due to the protracted nature of *Sondergerichte* proceedings, from the second half of 1943 onwards, criminal cases for aiding and abetting Jews were often referred to police summary courts, which immediately passed and executed death sentences on defendants without any procedural formalities. See “1941 październik 15, Kraków – Trzecie rozporządzenie o ograniczeniach pobytu w Generalnym Gubernatorstwie,” in Musiał, *Kto dopomóż*, pp. 269–270, and 137–149.

<sup>21</sup> See K. Persak, “Co dziś wiemy o niemieckich represjach za pomoc udzielaną Żydom? Omówienie pracy: Represje za pomoc Żydom na okupowanych ziemiach polskich w czasie II wojny światowej, vol. 1, eds Martyna Grądzka-Rejak, Aleksandra Namysło (Warsaw, IPN, 2019), 464 pp.,” *Zagłada Żydów. Studia i Materiały* 16 (2020), p. 783.

<sup>22</sup> See “1942 październik 28, Kraków – Policyjne rozporządzenie o utworzeniu żydowskiej dzielnicy mieszkaniowej w dystryktach warszawskim i lubelskim,” in Musiał, *Kto dopomóż*, pp. 299–303.

and Galicia districts (on 10 November 1942).<sup>23</sup> Under these identical decrees, any assistance to Jews (providing shelter, giving food) was to be punished by death. Moreover, paragraph three of the ordinance read: “Anyone who is aware that a Jew is illegally staying outside the Jewish quarter and does not report this to the police will be liable to police security measures.” Implicit in this official euphemism was the death penalty or deportation to a concentration camp.

Musiał notes that these regulations did not stop Poles from supporting Jews and showing them solidarity. He describes demonstration executions, during which German policemen and gendarmes murdered “not only the ‘culprits’ or those ‘suspected’ of helping Jewish escapees, but also their nearest and dearest, including small children,” such as the Ulma family from Markowa (24 March 1944) and the Kosior, Obuchiewicz and Kowalski families from the village of Stary Ciepeliów (6 December 1942).<sup>24</sup> At the same time, he stresses that those who aided Jewish escapees had to reckon with the fact that those escapees might hand them over to the Germans, fearing being subjected to physical abuse to force confessions. The Jews in hiding were also often unaware of the sanctions that would be meted out to their benefactors for helping them. At the same time, the author notes that the repressions mainly affected the inhabitants of the Polish countryside. He has not noted any cases of Poles accused of helping persecuted Jews being shot directly on the spot and together with their family members in large cities. He concludes that the reasons for this cannot be responsibly explained without further research and archival queries.

In his book, Musiał does not shy away from difficult topics in Polish-Jewish relations during the war. One of these is the denunciation by Poles to Germans of Jews who were in hiding. The author places this issue in the context of German anti-Jewish legislation and the occupation regime’s terror against Poles. The motives for denunciation varied. Prevalent among them were: fear of repression, desire for revenge, anti-Semitism, and material motives related to the anticipated reward for turning in or catching a Jewish escapee. Musiał emphasises that both the Polish

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<sup>23</sup> See “1942 listopad 10, Kraków – Rozporządzenie policyjne o utworzeniu żydowskich dzielnic mieszkaniowych w Okręgach Radom, Krakau i Galizien (Galicja),” in Musiał, *Kto dopomoże*, pp. 306–311.

<sup>24</sup> Musiał, *Kto dopomoże*, pp. 159–161, 175–179.

independence underground during the war (through death sentences) and the post-war Polish courts punished people who denounced Jews to the occupying forces. He points out that behaviour of this kind was also stigmatised by Polish society in general. He adds that the German authorities often took hostages to force the surrender of Jewish refugees and those helping them, which were either systemic or ad hoc. Due to the small presence of occupation units in the rural area, the Germans contrived to pick hostages in each village. They were responsible with their lives if there were “acts of violence,” which included helping Jews. If a hostage was aware that someone in a village was hiding ghetto escapees and did not report it, they were threatened with death. The intimidation of the inhabitants was also carried out in such a way that a representative of the German administration, usually the district governor, would announce to the village heads that Jews were being kept in their area and that if they were not handed over, the Germans would execute five people in each village, regardless of whether they were “guilty” or not. Musiał noted examples of executions for a failure to comply with the denunciation order, also carried out against Poles forced under penalty of death to serve in what was known as village guards/patrols<sup>25</sup> (Ortsschutzwache/Ortsschutz).

In addition, the local population was used by the occupying police forces in hunts and manhunts for Jewish escapees. The historian writes that it is unknown how many Poles voluntarily undertook to catch escapees. In his opinion, although they cost the lives of hundreds or perhaps several thousand Jews, it can be assumed that they were not massive. Indeed, if this reprehensible phenomenon had been widespread, the Germans would not have had to use terror and drastic punishments for offering any assistance to ghetto escapees or to take so many Poles hostage. Nonetheless, under these horrific conditions, there were thousands of Righteous Among the Nations who crossed the boundaries of fear by deciding to help the Jews, for which they often had to pay the highest price. While reading Bogdan Musiał’s book, that the author cites too few examples of Poles breaking or observing anti-Jewish legislation. Because of the focus on the analysis of legal acts, the stories are often too short, given in a dispassionate manner, and thus lacking in detail and description of the circumstances of the events.

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<sup>25</sup> *Ibid.*, p. 200.

Against the backdrop of reflections on the darker sides of Polish-Jewish relations in 1939-1945, however, the author firmly denies Jan Grabowski's revelations about the scale of Polish involvement in the persecution of Jews. The latter maintains, allegedly based on an article by the long-time director of the Jewish Historical Institute, Szymon Datner,<sup>26</sup> that Poles murdered, directly or indirectly, more than 200,000 Jews during the Holocaust, most of them escapees from the ghettos.<sup>27</sup> Rejecting such, as he put it, "plucked from thin air" claims,<sup>28</sup> Musiał shares the relevant argumentation of Shevah Weiss, a Holocaust survivor. In 2011, the former Israeli ambassador to Poland said that the percentage of Poles harming Jews in various ways had been "a pathology and a margin that grew in importance and strength during the war, under the terrible terror of the German occupier. If the Germans had not occupied Poland," Weiss argued, "such behaviours would not have occurred."<sup>29</sup> He also pointed out the enormous risk to Poles who saved Jews, so often overlooked by Jan Grabowski and others like him: "To risk death – one's own and one's children's – to save a stranger requires great courage. To demand this of ordinary people terrorised by the occupier is too much. The Jewish people did not undergo this trial," stressed Weiss.<sup>30</sup> Musiał concludes that Poland was the only nation in Europe occupied by the Third Reich that was subjected to such a harsh and tragic trial. According to him, authors dealing with the problem of rescuing Jews should ask themselves the fundamental question of whether they would have risked their own lives and those of their children to help others. It is easy to make accusations and judgements from the perspective of several decades. In this case, it is perhaps worth first reading the account of the incident on the Kierbedzia Bridge in

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<sup>26</sup> See S. Datner, "Zbrodnie hitlerowskie na Żydach zbiegłych z get," *Biuletyn Żydowskiego Instytutu Historycznego* 75 (1970), p. 29.

<sup>27</sup> See *Orgy of Murder: The Poles Who 'Hunted' Jews and Turned Them Over to the Nazis. More than 200,000 Jews were killed, directly or indirectly, by Poles in World War II, says historian Jan Grabowski, who studied the brutal persecution of the victims*, <https://www.haaretz.com/world-news/premium.MAGAZINE-orgy-of-murder-the-poles-who-hunted-jews-and-turned-them-in-1.5430977> (accessed 26 February 2021)

<sup>28</sup> Musiał, *Kto dopomoże*, pp. 233–235.

<sup>29</sup> "Szewach Weiss w Międzynarodowy Dzień Holokaustu," *Rzeczpospolita*, 26 January 2011, <https://www.rp.pl/artukul/600404-Szewach-Weiss-w-Miedzynarodowy-Dzien-Holokaustu.html> (accessed 26 February 2021).

<sup>30</sup> *Ibid.*

Warsaw,<sup>31</sup> or the story of the actor Jerzy Trela's grandfather, who reproached himself for years for refusing a request to take in a Jewish girl out of fear of being denounced by Volksdeutsche living in his village.<sup>32</sup>

Musiał, analysing the literature on the German occupation in other parts of Europe, especially in the west of the continent, states that, to the best of his knowledge, there is no indication that outside Poland, the Germans created special legislation criminalising help for Jews. The same was true of the entire system of violence and terror enforcing complicity in rounding up Jewish escapees. He infers from that that there was probably "no such need in other occupied or satellite countries" to create legislation of this kind. In his opinion, the reason for this may have been that "the scale of aid and escapes was not very large, and the German authorities could count on the effective and voluntary participation of the local population and local authorities in catching Jews."<sup>33</sup> In this context, the author mentions the activities of the French police, Lithuanian collaborators and the collaborationist governments of Slovakia and Hungary, although he adds that further research is needed to understand this issue better.

In this part of his work, Musiał also demystifies Germany's alleged "exemplary reckoning with its Nazi past." He points out that, after the establishment of the Federal Republic of Germany in 1949, its successive governments deliberately scaled down the denazification policy, including specifically putting Nazi criminals on trial. As a result, most of them continued their careers in the new German state as civil servants, judges or police officers. The researcher regrets that, with regard to the crimes committed against the Polish population during the occupation, the authorities of the Republic of Bonn, and later Berlin, completely disregarded the problem of holding the guilty to account. He states he is unaware of "any West German court conviction for *Nazi* crimes committed against ethnic Poles in occupied Poland."<sup>34</sup> As an aside, for Musiał, a symbolic example of the failure to hold to account German torturers and murderers "from behind the desk" is the fate of Heinz Werner Schwender, the governor of the Łowicz county during the war and

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<sup>31</sup> Musiał, *Kto dopomoże*, p. 83.

<sup>32</sup> *Ibid.*, back cover page.

<sup>33</sup> *Ibid.*, p. 214.

<sup>34</sup> *Ibid.*, p. 221.

the author of the notice of 17 December 1941, featured on the cover of his book as “a testimony to the inhuman anti-Jewish and anti-Polish decrees.”<sup>35</sup> Schwender suffered no consequences for his criminal practices after the war. The same was true of German police lieutenant Eilert Dieken, responsible for the massacre of the Ulma family, who led a quiet life in West Germany after the war and worked as an exemplary policeman until his death.

In his conclusion, the author again dissects the arguments and research workshop of revisionists and representatives of the New School of Holocaust History Research. He particularly criticises the works of Jan Grabowski and Jan Tomasz Gross, accusing them of distorting or completely omitting the historical context of the German occupation, manipulating sources and falsely accusing Poles of allegedly massive and voluntary entanglement in the Holocaust. For a vivisection of Gross’s work based on his flagship book *Sąsiedzi* (Neighbours), see also the annexe section. They use materials from the press and scientific periodicals published years ago,<sup>36</sup> in which Musiał accurately demonstrates the now well-known, blatant methodological flaws, deliberate distortions, selective approach to sources and biased interpretations made by Gross. However, Musiał, striking a journalistic tone at times, unnecessarily resorts to biting remarks, *ad personam* arguments and sarcasm towards some of his academic adversaries representing a different view of Polish-Jewish or Polish-German relations (e.g. towards Krzysztof Ruchniewicz, Barbara Engelking or Jan Błoński.<sup>37</sup>) The strength of the documented arguments presented in his study easily suffices in this debate and, with its reliability, speaks for itself more effectively than attempts to discredit and demonstrate the incompetence of opponents in a historical dispute.

In addition, the annexe section contains selected source documents, i.e. German decrees criminalising aiding Jews in the GG (a total of 34 legal acts 70 pages long).

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<sup>35</sup> “I draw your attention once again to the order that anyone who gives shelter to Jews leaving a place of confinement without permission from the Authorities, or otherwise shows his assistance to Jews, shall be punished by death.” See “1941 grudzień 17, Łowicz – Odezwa starosty powiatowego dr. Heinza Wernera Schwendera o karze śmierci za udzielenie pomocy Żydom,” in Musiał, *Kto dopomoże*, p. 277.

<sup>36</sup> See “Nie wolno się bać. O książce Jana Grossa i stosunkach polsko-żydowskich z Bogdanem Musiałem rozmawia Paweł Paliwoda”, *Życie*, 2 February 2001; B. Musiał, “Tezy dotyczące pogromu w Jedwabnem. Uwagi krytyczne do książki ‘Sąsiedzi’ autorstwa Jana Tomasa Grossa,” *Dzieje Najnowsze* 3 (2001), pp. 253–280.

<sup>37</sup> See Musiał, *Kto dopomoże*, pp. 225, 228–229, 238–239.

The original spelling has been preserved, with “Jews” and “Poles” mostly written in lowercase. Occasionally, however, errors resulted from linguistically incorrect translations. The only shortcoming of this part of the work is the lack of translation of some sources from German into Polish. Readers unfamiliar with German will undoubtedly be disadvantaged. This is striking because most documents are in two languages (German and Polish). Given the extraordinary cognitive value of these legal acts, it would be worth remedying this shortcoming in the book’s next edition. This is all the more relevant now, especially when, as Musiał himself rightly points out, a side effect of the German historical policy pursued after 1949 was the coining in the West of the false term “Polish death camps.” In his view, this policy indirectly contributed to the prevailing belief there that the Poles, as a fundamentally anti-Semitic nation, were jointly responsible for the Holocaust along with the “Nazis,” who, in this twisted narrative, supposedly did not necessarily have to be Germans.<sup>38</sup>

Before passing a final judgement on Bogdan Musiał’s book, it is still worth noting the source base he used. Most of the documents cited in the book can be found in Polish archives, including mainly the Archives of the Institute of National Remembrance (AIPN), the Archives of the Jewish Historical Institute (AŻIH), the Central Archives of Modern Records (AAN) in Warsaw, the public archives of the cities of: Warsaw, Lublin, Cracow, the Archives of the Western Institute (IZ), the Archives of the Yad Vashem Institute, the United States Holocaust Memorial Museum in Washington (USHMM), the Bundesarchiv Ludwigsburg, the Institut für Zeitgeschichte (IfZ) and the Hessisches Hauptstaatsarchiv in Wiesbaden (HHStA). In addition, the author drew extensively on Polish, German and Anglo-Saxon historiography, memoir literature on the period, as well as official promulgators, in particular the *Journal of Regulations for the General-Gouvernement* (*Verordnungsblatt des Generalgouverneurs für die besetzten polnischen Gebiete*). The lack of a name index and of a bibliography at the end of the work is a bit upsetting because it is difficult to get a better idea of the sources used by Musiał. It should be noted, however, that the work is enriched with meaningful photographs that

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<sup>38</sup> B. Musiał, “Polskie obozy śmierci” – efekt uboczny niemieckiej polityki historycznej,” in *idem*, *Kto допоможе*, pp. 393–401 (the article was first published in *Gazeta Polska*, 14 June 2012).

depict the anatomy of day-to-day crime and the occupational, political background of the events described.

In formulating a final assessment of the book *Kto dopomoże Żydowi...*, it should be emphasised that it is undoubtedly very important and necessary in the current highly polarised discussion of Polish-Jewish relations during the war. This debate is often characterised by extreme emotions and accusations stemming from different experiences and narratives, which are made not only absolute but also subject to non-scientific conjunctures. In his book, however, Musiał is not guided by emotions but, on the basis of documents, gives a factual and meticulous interpretation of German law that – against the background of Europe occupied by the Third Reich – was only so harsh and ruthless in Poland towards those who in any way gave aid to the Jews. This is definitely a new approach in the analysis of the attitudes of Poles towards Jews, which has been insufficiently exposed in the literature on the subject so far, and which sheds light on the overwhelming influence of the occupation reality on the decisions and choices of ordinary people. Despite the shortcomings mentioned above, such as the limitation of the research area only to the GG or minor technical imperfections (e.g. the lack of a bibliography), in view of the subject matter, this book should be an export commodity of Polish historical policy and, consequently, should be immediately translated into English and German. Due to the researcher's authority, it can be a solid weapon in a more professional scientific discussion, based on facts and not on biased interpretations, half-truths or even deliberate misrepresentations. The latter, unfortunately, still prevail in Western opinion-forming circles, creating a false, damaging and ahistorical picture of Poles purportedly massively collaborating with the Nazis in the extermination of Jews.