

## LECH GRABOWSKI

### The third day of the trial

**Presiding Judge:** – I hereby resume the court trial. May I call the expert witness, Mr Grabowski.

**Lech Grabowski, 45 years old, attorney, residing in Warsaw at Racławicka Street 11, relationship to the parties: none.**

**Presiding Judge:** – The expert witness was summoned regarding the destruction of social organizations by the German occupational authorities. Please, present the Tribunal your report and opinion.

**Expert witness Grabowski:** – Members of the Supreme Tribunal, from the oldest days, human thought has pursued cooperation between separate individuals. Of course, the forms of people's cooperation have been different, starting from the most primitive, such as cooperation within family or clan, through medieval merchants' guilds and craftsmen's guilds – humanity's aims in those forms of coexistence can be observed today in the structures of all kinds of unions, associations, corporations and societies.

These endeavors of mankind have to be supported by the state, ensuring their societies and their citizens the right of coalition. Both our legislation and our constitution guarantee the right of coalition.

Apart from the constitution, there are many legal acts, which are well known to the Supreme Tribunal, which assure the right to unite and to associate.

From a social point of view, the development of associations and social unions shows us the cultural level of a society. Such a society, thanks to existing and possible associations, has the possibility to affect the shaping of social thought in the country, to organize important social actions, to educate the cadre of community workers, that is, the people who in their activity go beyond the narrow frames of egoistic interests, to fulfill – next to the state and to self-government – many public functions, and finally, to represent and to defend the interests of the particular social groups.

The force and the power of social organizations lie in their voluntariness. From the fact that nobody, by virtue of any laws or legal regulations, can be forced to join any association and cannot be kept in its ranks against their will, we can draw a clear conclusion that such social organizations contain those individuals from the nation and from the society, who have understood the idea and the meaning of the social organization's existence, and they have also sensed the presence of enormous powers which are assembled in the society. That is why the social organizations are perfect grounds for learning service in favor of society.

The social organizations gather the most valuable human elements that have understood the necessity of cooperation. It is the reason why a great deal of effort of the German occupation authorities went into destroying those organizations. The occupants were perfectly aware of that even when all state and self-government units would be controlled by them, it would not give them power over the society. They would need something more, so they reached for the living organism, for the living organizations in which separate individuals were gathered. That should help us explain the fury – because I can't think of a better word – that was leading them to destroy everything that was organized.

We should distinguish two features in the activity aiming to destroy organizational life: a factual one and a formal one.

Factually, the activities of the huge majority of social organizations were terminated by force when the occupation started. It was the result of brutal actions of the administration authorities, which interpreted every sign of cooperation between people as rebellion. Each person who dared to show some social initiative was considered a rebel, an enemy of the great Reich, a dangerous man who should be isolated and annihilated in an appropriate way. Therefore, we can say that in regard to the factual organizational state of our society, it was dissolved from the very beginning of the occupation.

However, the Germans were legitimists. So, they were trying to create some legal system for these brutal actions of the particular administrative forces. And, basing themselves on that system, they could supposedly act legally. With this thought and on this basis, the ordinance of 23 July 1940 regarding associations, which was quoted here twice, was issued. In practice, it led to the factual dissolution of almost all social organizations. The attitude towards organizational movement is also characterized by the regulation, quoted by one of the expert witnesses, which described the possibility of exceptional creation of

registered associations. However, I would like to confirm the expert witness's stance, in that I don't know of any cases of any organization that would be created on the basis of the German regulation.

I would like to present the balance of the organizational losses. And I would like to bring forward to the Supreme Tribunal several numbers extracted from officially published statistics, which, due to obvious reasons, will not regard 1939, because the data from 1939 couldn't be published until 1940. The organizational standing from 1938, in relation to the standing from 1937, will show you how organizational activity looked. First of all, the blows against organizational activity were directed towards the mass organizations. That is, organizations like Polski Czerwony Krzyż [Polish Red Cross], Polski Biały Krzyż [Polish White Cross], Związek Harcerstwa Polskiego [The Polish Scouting and Guiding Association], Towarzystwo Budowy Szkół Powszechnych [Society for Building Primary Schools], Towarzystwo Przyjaciół Młodzieży Akademickiej [Academic Youth Friends Society], Liga Morska i Kolonialna [Maritime and Colonial League]. It was these types of public organizations. I mentioned the Polish Red Cross here and I will say more about it at the end of my expert testimony. Those organizations I've named here, in 1938, had 42,579 departments. Those were organizational units. They had 3,812,000 members and their income from small member fees amounted to over 26 million pre-war zlotys. All those organizations were lost to the void.

The second type were the social services organizations, the associations caring for the welfare of mothers, children and youth, the special care associations and the adult care associations. In 1937 there were 1,040 organizations of that type. They had 767,000 members and their income, which was spent on their actions, amounted to over 29 million pre-war zlotys.

Of the social welfare facilities – nursery schools, houses for mothers, orphanages, shelters, special care facilities – there were 859 facilities for youths and 753 for adults. A considerable number of them, over fifty percent, were maintained by social organizations.

In 1937 there were 1,059 summer camps and 3,288 day camps for children. 418,000 children benefited from them and over 10 million zlotys were spent on this goal. All these numbers tell us how the social activity in the field of children's welfare was developing.

The scientific societies also were stricken by the ordinances and the factual destruction of the social organizations. In 1937 their total number amounted to 314,000 and they covered many different scientific fields: natural sciences, philosophy, literature, art, law, economics, pedagogy, etc. The educational activity of the social organizations was also operating on a large scale. In 1938 we had in Poland 5,419 mobile libraries and 8,098 stationary libraries, they had at their disposal over 4,5 million volumes, and they were tending to over 617,000 readers who borrowed around 8 million books.

From 175 museums existing in Poland, 81 were supported by social organizations.

Let me mention some of the most important educational-cultural associations: Polska Macierz Szkolna [Polish Educational Society], Towarzystwo Szkoły Ludowej [People's School Society], Towarzystwo Czytelni Ludowych [People's Libraries Society], Towarzystwo Uniwersytetów Robotniczych [Workers' Universities Society], Katolicki Związek Młodzieży Męskiej [Male Youth Catholic Association], Katolicki Związek Młodzieży Żeńskiej [Female Youth Catholic Association], Centralny Związek Młodej Wsi [Central Union of Rural Youth], Związek Młodzieży Wiejskiej "Wici" [Rural Youth Union "Wici"], Centralna Organizacja Kół Gospodyń Wiejskich [Central Organization of Rural Housewives' Associations], Związek Młodzieży Polskiej YMCA [Union of Polish Youth YMCA]. All of them had over 22,000 organizational units, departments and associations with a total number of 812,000 members.

There were over 18,000 common rooms, over 11,000 people's theatres, and almost 6,000 people's choirs.

The occupants were also destroying sports organizations, so that they wouldn't influence the physical development of our nation. We had 8,188 sports associations with 469,000 members. Those organizations couldn't, of course, develop their activities during the occupation.

Professional organizations. The professional associations were dissolved by a separate ordinance and supposedly were included in the Centralna Izba Gospodarki [Central Economy Chamber]. In 1938 we had 248 trade unions with 7,383 departments, 914,000 members and control over 13,9 million zlotys of annual income.

In short, this is how the balance of losses looks. Everything was destroyed, factually and formally. Factually by the administrative activities, and formally by issuing the appropriate ordinances.

However, members of the Supreme Tribunal, this expert opinion, this review wouldn't be complete if I didn't say a few words about the organization that was left alive by the Germans: the Polish Red Cross. I will not analyse why the PRC was left alive. It's enough to say that this organization wasn't acting only on the basis of Polish legislation, but it was supported by international conventions. The Germans had to take that into consideration. But how did the factual activities of this organization look during the occupation? The first blow was aimed at imposing their own management, the management of people who would be trusted by the occupants. When the rightful PRC authorities firmly resisted that, the ordinances and the harassment appeared. Just to mention a few, I will remind you that the PRC was deprived of the right to directly communicate with the International Red Cross in Geneva, the PRC field stations were dissolved, they were prohibited from charging fees, accepting new members, collecting contributions and organizing fundraisings. The PRC got around that by not collecting but accepting contributions. Next, an ordinance was issued that dissolved all PRC youth associations, it was forbidden to teach nursing even at the lowest level. The PRC was completely abolished in the territories that were incorporated into the Reich. The PRC property was confiscated, for example the main material storage in Warsaw was confiscated as spoils of war. The PRC hospital was handed over to the city, the PRC sanatorium in Zakopane was closed down, the PRC was forbidden to administer the funds which were available in its accounts. Of course, the arrests of many staff members left the work disorganized. The PRC statutory activity in the field of prisoner welfare was restricted by introducing the rule of passing correspondence to the Polish prisoners only by the medium of the German Red Cross. Finally, restrictions were introduced that concerned sending correspondence and packages during the periods of intense postal traffic, when the post was available only for the Germans. All nutrition and sanitary points, and other facilities and institutions, were handed over to the Rada Główna Opiekuńcza [Central Welfare Council]. Lastly, the PRC was deprived of the right to care for hostages and political prisoners. So that's how the functioning of the organization – which activities were formally permitted – looked.

Members of the Supreme Tribunal, next to the grim balance of mass murders, next to the major losses in human material, next to the harm done to the national economy, the destruction of social organizations must undoubtedly contribute to the judgement of German activity in Poland. The whole organizational output was destroyed, the

organizational network was smashed, the properties of associations and societies were devastated, and we can only attribute the fact that today a new life is being born to the fortitude and endurance of the Polish nation.

**Attorney Śliwowski:** – I would like to ask you something: where the restrictions concerning the existence and activity of social organizations hadn't been imposed by legislative act, but by a specific administrative act, where did those acts come from? From which level of authorities – central authorities, or maybe others?

**Expert witness Grabowski:** – I can answer this question only by talking about how that issue looked from the legislative point of view. According to the ordinance, the liquidation of the associations was handed over to the *starostas* [district governors], and they were responsible for expropriation of the property for the General Government.

**Attorney Śliwowski:** – And how did that look in practice?

**Expert witness Grabowski:** – I can't answer that, and I would like to ask to be excused from answering this question.

**Attorney Śliwowski:** – Could you point out the exact regulation of this act concerning the *starostas*?

**Expert witness Grabowski:** – Of course. It is the regulation from the act of 23 April 1940.

(In the absence of further questions, the Court exempts the expert witness.)