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ALAIN BLUM / THOMAS CHOPARD / EMILIA KOUSTOVA

## Survivors, Collaborators and Partisans?

Bringing Jewish Ghetto Policemen before Soviet Justice in Lithuania<sup>1</sup>

**ABSTRACT:** This article examines the cases of 15 Jewish policemen who worked in ghettos in Lithuania during WW2 and who were put on trial in Soviet Lithuania between 1944 and 1952. The aim is contribute to a more comprehensive understanding of whether or not Soviet police and court officials considered the specific nature of Jewish and ghetto life during the war. What factors were important in coming to a guilty verdict? Alternatively, what did the investigators consider to be mitigating circumstances or even evidence for a verdict of not guilty? As the investigation progressed and, particularly, during the trial and sentencing, were there any changes in the questioning which reflected an understanding of what these people had gone through? In this paper, we analyse how the actions of Jewish policemen were perceived in the immediate aftermath of the war, when the discovery of the extermination may have influenced those perceptions; and how these actions were subsequently viewed in the late 1940s and early 1950s, when the Soviet anti-cosmopolitan campaign led to the arrest of many Jews (mainly for Zionism), thus forcing investigators, judges, the accused and witnesses to confront their wartime experiences together. Looking at the arguments of the prosecution and the attempts to justify the actions of the police provides us with an insight into the real tensions pervading life in the ghetto. We also note that the links that existed between certain policemen and the ghetto's underground were progressively taken into account as an element of the discharge.

*Keywords:* Holocaust – Soviet Lithuania – WW2 – Soviet justice – ghetto – retribution

On 19 July 1944, five days after the withdrawal of the German army from Vilnius, NKVD troops who had arrived in the city with the Red Army arrested a certain Berko M., a man

1 The authors are grateful to the Lithuanian Special Archives for their support and access to files that were crucial in conducting this research, and our thanks also go to the Wiener Holocaust Library. We would also like to thank Simon Perego, Diana Dumitru, Vanessa Voisin, and the anonymous reviewers for their insights. Thomas Chopard would like to express his gratitude to the Institute of Historical Research, University of London, for supporting this research during his two-year postdoctoral fellowship in Jewish Studies. Institut national d'études démographiques, Centre d'études des mondes russe, caucasien et centre européen (CERCEC, EHESS/CNRS), Groupe d'études orientales, slaves et néo-helléniques (Université de Strasbourg), and Agence nationale de la recherche (project "Nazi War Crimes in the Courtroom – Central and Eastern Europe, 1943–1991 / WW2CRIMESONTRIAL1943–1991" led by Vanessa Voisin) funded this research. A preliminary version of this paper has been presented at the workshop "Violence against Civilians on the Eastern Front of World War II" organised by Tania Pentec, Liudmila Novikova and Vanessa Voisin in April 2018, DHI, Paris. We would also like to thank Matt Elmore and Christopher Leichtman for their very careful rereading of the English manuscript.

suspected of having been an informer for the Gestapo.<sup>2</sup> The case file was brief and the investigators wasted no time.<sup>3</sup> Seven witnesses were questioned, and Berko M. himself was subject to a series of interrogations. Charged with having served in the police force installed by the Nazis, participating in the execution of Jews and the “suppression of the Jewish uprising against the German gang”<sup>4</sup>, he was sentenced to death by the Lithuanian NKVD military tribunal on 11 October 1944 and then executed three months later.

The case of Berko M. epitomises a frequent occurrence at a time when severe sentencing to forced labour or the death penalty were commonplace in the USSR’s western territories following the return of the Red Army. The trials for collaboration, treason and “torture activity” [*karatel’naia deiatelnost’*] were summary trials, but based on the discovery of extensive local involvement in the violence during the German occupation, particularly in the extermination of the Jews.

The histories of both the Holocaust under Nazi occupation and the Soviet purges and sentences for war crimes are now being extensively researched. This has been made possible by wider access being granted to police and judicial sources in most of the territories that, at the start of the Second World War, were first annexed by the Soviet Union, then occupied by the Nazis and their allies, and finally fell into Soviet hands again at the end of the war. In the Lithuanian case that is central to this article, exploring these sources has extended our knowledge of the Holocaust, which led to the deaths of more than 220,000 Jews in this country.<sup>5</sup> The extermination took various forms. First, murders began on a very local scale in June 1941, followed by the rapid creation of some one hundred ghettos and temporary holding camps from July onwards. Most of the “small” ghettos in the provinces were then destroyed and nearly all the residents were exterminated on the spot, with a few being transferred to Kaunas, Vilnius or Šiauliai between August and the autumn of 1941. A number of operations (*Aktionen*) periodically removed inmates from these three major ghettos in autumn/winter 1941–1942. The residents, particularly those considered unsuitable for forced labour, were exterminated locally: particularly at the Kaunas Ninth Fort, the Ponary (Paneriai) forest near Vilnius and in another forest near Šiauliai. After a lull in the murders, local exterminations and deportations to work camps and death camps resumed from July 1943 until the destruction of the last remaining ghettos, shortly before Soviet troops arrived in the summer of 1944.<sup>6</sup>

2 We have chosen to use only first names and the first letter of last names.

3 Lietuvos Ypatingasis Archyvas (LYA) [Lithuanian Special Archives], f. K-1, ap. 58, b. 41803, Case file no. 05 concerning Berko M., 20/7/1944 – 20/09/1944.

4 LYA, f. K-1, ap. 58, b. 41803–3 BB, f. 95, Sentence, 11/10/1944.

5 See, in particular, BUBNYS *Holokaustas Lietuvoje*; DIECKMANN *Deutsche Besatzungspolitik*; DIECKMANN/SUŽIEDELIS *The Persecution and Mass Murder of Lithuanian Jews*; DIECKMANN *Holocaust in the Lithuanian Provinces*; BARTUSEVIČIUS/TAUBER/WETTE *Holocaust in Litauen*; TAUBER, *Arbeit als Hoffnung*; BANKIER, *Expulsion and Extermination*; VAN VOREN *Undigested Past*.

6 In addition to the above references, more encyclopaedic works and others aimed at a wider public also deserve a mention: EIDINTAS *Jews, Lithuanians and the Holocaust*; DEAN/HECKER *Encyclopedia of Camps and Ghettos*; LEVINSONAS *The Shoah (Holocaust) in Lithuania*; *Lithuanian Holocaust Atlas*.

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While these extermination policies were carried out with the direct participation of a certain number of Lithuanian collaborators, far more local people worked in the administrations and institutions set up by the Germans.<sup>7</sup> They were seen as traitors and collaborators, and many fell victim to the Soviet purges that continued for decades, although their stories remain largely untold.<sup>8</sup>

Despite the apparent banality of the Berko M. case, his story was not a completely ordinary one, as he himself was a Jew, one of nearly 20,000 inhabitants of the Vilnius ghetto, where between 1942 and 1944 he had lost his family.<sup>9</sup> He served in the ghetto police under the control of the Jewish Council of Elders (a body also referred to as the *Judenrat* in Poland), a Jewish municipal council established in Vilnius on 4 July 1941, two months before the creation of the city's ghetto.<sup>10</sup> Such councils had been set up in most Eastern and Central European ghettos, with their members being forced to carry out German orders, organise everyday life and provide certain community services for the Jewish populations. At the end of the war, the few survivors from these councils were investigated for the part they played in any atrocities, but these inquiries were conducted differently in the USSR than in the rest of Europe.

In spite of partisans committing a few summary executions in Soviet territory just after liberation, the ensuing purges fell exclusively under the control of Soviet authorities.<sup>11</sup> Although their investigations were not systematic, they did prosecute some of the few surviving Jews for collaboration.<sup>12</sup> At the start, the Soviet justice system did this without reflecting on the specific nature of either the Jewish experience of war or the dangers that marked their experience. During the investigation, Berko M. was presented not as a Jew or survivor of the ghetto, but as if he were any other collaborator, whether voluntary or forced. The NKVD even tried to find his relatives in order to deport them as family members of a “traitor to the motherland”<sup>13</sup>, even though most of them had already been shot by the Germans.

However, this approach was not totally inflexible, as can be seen from the other trials examined in this article. Several members of the Jewish police and the self-enforcing in-

7 DEAN Lithuanian Participation; DIECKMANN The Role of the Lithuanians; SUTTON The Massacre of the Jews; SUŽIEDELIS Foreign Saviors; SUŽIEDELIS Lithuanian Collaboration.

8 HOLLAND Soviet Holocaust Retribution; KOUSTOVA “Les héritages de la guerre”.

9 ARAD Ghetto in Flames. This figure of 20,000 refers to December 1941, after the elimination from July 1941 onwards of more than 35,000 Jews who had been present in Vilnius when the Germans arrived (ALTMAN Holokost na teritorii SSSR, p. 157).

10 MINCZELES Le conseil juif de Vilnius; PORAT The Jewish Councils.

11 The execution of several ghetto policemen by partisans in Vilnius is explicitly mentioned in: SHNEIDMAN The Three Tragic Heroes, pp. 167–168 and also briefly mentioned in: BAK Painted in Words, pp. 46–47.

12 Research into prosecutions of Jews is still at an embryonic stage and we have no overall vision for assessing their extent: The only publications on this topic are: ŠNEIDERE Politiskās prāvas, p. 328–349; SCHNEIDER From the Ghetto to the Gulag, pp. 83–97. DUMITRU An Analysis of Soviet Postwar Investigation. Dumitru also covers a similar topic relating to Moldavia: “From the Holocaust to the Gulag: Prosecuting Jewish ‘Collaboration’ in Stalinist Courts after WWII”, talk, Georgetown University, 22 March 2019.

13 “Treason to the motherland” was defined in articles 58–1a and 58–1b of the RSFSR Criminal Code as any act carried out by a Soviet citizen “which was damaging to the military power of the USSR, its national sovereignty, or the inviolability of its territory”. It was punishable by a ten-year prison sentence or the death sentence.

termediary administrations in the Lithuanian ghettos were brought before Soviet military tribunals. Notably, all these trials led those sentenced and their families to attempt to have their convictions overturned.

Elsewhere in Europe, institutions within the Jewish community had played an essential role. In the immediate postwar years, nearly 1,800 people in Poland were sentenced by courts for actions relating to anti-Semitic persecution. A total of 44 of them were Jews tried for acts of collaboration, with the Central Committee of Polish Jews (CKŻP) and its various sections actively participating in the proceedings. In some cases, the CKŻP forwarded complete case files to the authorities. In Western Europe, the Jews accused of collaboration were tried by honour courts. One such defendant was Beinish Tkach, the secretary of the Kaunas ghetto police who was sentenced on 17 May 1948 by the Rehabilitation Commission of the Munich Central Committee, an honour court in the displaced persons camps in the American Occupation Zone.<sup>14</sup> The investigations and trials were seen above all as evidence of internal processes, a demonstration of self-administration, a return to Jewish community life and a way of determining who was fit or unfit to assume positions of authority. For this reason, most articles and books on the subject include only a cursory discussion of the actual trial proceedings.<sup>15</sup>

The historiography of the Jewish police is based mostly on cases from the Polish ghettos and largely concerns debates about the context of self-administration; it is polarised between the issues of resistance and submission to Nazi persecution policies, with a focus on decision-making.<sup>16</sup> This debate revised the notions of “bystander” and “perpetrator” coined by Raul Hilberg and made a shift toward considerations about moral responsibility in a situation of “choiceless choice”.<sup>17</sup> From this perspective, Jewish policemen were considered to be merely instrumental, cogs in the administration, and thus historians usually place the emphasis on ghetto leaders.

More recent historiography, however, tends to distinguish the actions and fate of the police from those of the other ghetto institutions in the East. This change in perspective reflects changes in the available sources. Early work was based mainly on survivor testimony, memoirs and the few statements and administrative documents produced in the ghettos. Exceptional sources have been discovered – such as the long joint testimony of the Kaunas ghetto policemen and, more recently, Katarzyna Person’s monograph on Polish ghetto policemen – and these have made it possible to move away from the moral issue of responsibility (which is supported by the survivors’ fully justified recrimina-

During the war, this concept was taken up by the Edict of the Presidium of the Soviet Supreme of the USSR of 19 April 1943, which served as a basis for punishing collaboration with the enemy and participation in its crimes.

14 JOKUSH Collect and record!; TRUNK Judenrat, pp. 549–559; PERSON Jews Accusing Jews; PERSON Policjanci: Wizerunek Żydowskiej Służby.

15 FINDER/PRUSIN Jewish Collaborators on Trial; FOX The Jewish Ghetto Police, pp. 41–47; JOKUSCH/FINDER Jewish Honor Courts.

16 Space prevents citation of the immense literature of testimony and historical examination of these questions (particularly regarding the publication of Hannah Arendt’s *Eichmann in Jerusalem*). The major general works are HAFT *Patterns of Jewish Leadership*; TRUNK *Judenrat*.

17 A concept coined by LANGER *Versions*; see also: PETROPOULOS/ROTH *Gray Zones*.

tions) and instead focus on the social and family backgrounds of these policemen, as well as their everyday actions during various stages of the ghetto period.<sup>18</sup>

Although the present article will shed light on the daily actions of the Jewish police in the Lithuanian ghettos – as abundantly described in testimonies – it will not address the vigorous current debate over responsibility in situations of extreme constraints.<sup>19</sup> It will instead shift the discussion and focus to the sentences passed on war crimes committed in these territories rather than on the crimes themselves. The ghettos are more of a background for our discussion than the object of it. This article therefore draws on the recent but still limited literature using postwar trial materials. Its intention, however, is to study and articulate the wartime experience and the Holocaust in Eastern Europe, for which we analyse the operative social and political processes as well as their immediate aftermath.<sup>20</sup>

An examination of the cases of 15 Jewish policemen<sup>21</sup> in Kaunas, Vilnius and Šiauliai who were put on trial in Soviet Lithuania between 1944 and 1952 makes a significant contribution to understanding whether or not Soviet police and court officials took into account the specific nature of being a Jew throughout and at specific times during the war. What factors were important in coming to a guilty verdict? Alternatively, what did they consider to be mitigating circumstances or even evidence for a verdict of not guilty? At what stage of the judicial process? As the investigation progressed and, particularly, during the trial and sentencing, were there any changes in the questioning which reflected an understanding of what these men and women had gone through? How did interrogations, verdicts, review applications and other appeals vary over time? Were they addressed to authorities in Vilnius or Moscow? These questions apply not only to those who investigated and tried the cases, but also to those who defended them as well as those who were directly involved. In other words, they concern the accused as well as their family members and Jewish survivors who were called to testify for the defence or prosecution. In this paper, we will compare the following: how actions were perceived in the immediate aftermath of the war, when discovery of the extermination may have influenced those perceptions; the real tensions pervading life in the ghetto; the Soviet forces' desire for justice or revenge; and how the actions were subsequently

18 LEVIN *How the Jewish Police*; PERSON *Policjanci*; SCHALKOWSKY *The Clandestine History*. See also in Schalkowsky (Introduction) a brief survey of witnesses' and historians' views of the administration and police actions in the Kaunas ghetto; KASSOW *Inside the Kovno ghetto*, pp. 46–51.

19 Within the rich corpus of testimonies on this topic, a few of the most informative worth mentioning are KRUK *The Last Days*; EILATI *Crossing the River*; BALBERYSZKI *Stronger Than Iron*; GANOR *Light One Candle*; GINAITE-RUBINSON *Resistance and Survival*; RABINOVICI *Thanks to my Mother*. For a general illustrated description of the Kaunas ghetto, see *Hidden History*.

20 ALTSKAN *On the Other Side of the River*; DENIS *La fabrique de la Lettonie soviétique*; DUMITRU *An Analysis of Soviet Postwar Investigation*; EXELER *The Ambivalent State*; MOINE *Les vivants et les morts*; PENTER *Local Collaborators on Trial*; PLAVNIEKS *Nazi Collaborators on Trial*; SCHNEIDER *From the Ghetto to the Gulag*; VOISIN *L'URSS contre ses traîtres*; ZUBKOVA *Pribaltika i Kreml'*. This approach is also central to the current collective project led by Vanessa Voisin (University of Bologna) ANR WW2-CRIMESONTRIAL 1943–1991.

21 We also examine the case of a Kaunas ghetto labour recruitment office manager who was tried in a collective trial with three policemen (see table in appendix).

viewed in the late 1940s and early 1950s, when the Soviet anti-cosmopolitan campaign led to the arrest of many Jews (mainly for Zionism), thus forcing investigators, judges, the accused and witnesses to confront their wartime experiences together.

### Confronting Former Policemen in the “Camp-Ghetto”

Two weeks after Berko M. was arrested, an identity check of Tankhum A. served as a starting point for the main postwar trial of former ghetto policemen in Lithuania.<sup>22</sup> It was perhaps by chance that he was identified in the town of Marijampolė, some 60 kilometres from Kaunas, where he had no papers and said he was looking for relatives. According to his arrest warrant, he acknowledged that he had served in “the police in the ghetto camp”.<sup>23</sup> Following his arrest, one of the first police investigators asked him about his situation but did not dwell on his past. Upon being taken to Kaunas on 8 August, he was interrogated in a more systematic manner by other investigators and the inquiry now shifted entirely to charging him with treason and collaboration. This is known from a further arrest warrant, dated 15 August 1944, which specifies that he “had voluntarily joined the police organised in the camp by the Germans entitled ‘security service’”.<sup>24</sup> The same day, three other people who had served with Tankhum A. were arrested.<sup>25</sup> In addition to this collective case, which is central to the first part of this article, we have identified 11 other former members of the ghetto police from Kaunas, Vilnius and Šiauliai, all of whom were charged between 1944 and 1952: four also in 1944, one in 1946, two in 1947, one in 1949, two in 1950 and one in 1952.<sup>26</sup> Most of them were sentenced to between ten and twenty-five years in a labour camp and three were sentenced to death. Of the latter, Berko M. was the only one to actually be executed as he was a victim of the particularly summary justice that was commonly meted out in the immediate aftermath of liberation.

However, among those we identified, the later cases that began in the early 1950s differ from the earlier ones in that they were not restricted to past wartime guilt but instead alleged current anti-Soviet activities, while still participating in the anti-Semitic campaign of that period. For example, the 1952 arrest of Perets P. was due to complaints of anti-Soviet agitation rather than his work in the Kaunas ghetto police, which had been known for years and had not been the reason for his arrest. Although his behaviour during the war was immediately investigated, the investigators focused on accusations of anti-Soviet agitation and used evidence from the prewar period to reproach him for

22 LYA, f. K-1, ap. 58, b. 11236–3, Sledstvennoe delo n° 84 po obvineniiu Moiseia K., Tankhuma A. i drugikh (Case file no. 84 concerning Moisei K., Tankhum A. and others), t. 1, f. 1, record of arrest, 5/8/1944.

23 LYA, K-1, 58, 11236–3 BB, t. 1, f. 2, arrest warrant, 15/8/1944. We try to remain as faithful as possible to the sources, for example by placing “ghetto” in inverted commas when this occurs in the sources.

24 LYA, K-1, 58, 11236–3 BB, t. 1, f. 2, arrest warrant, 15/8/1944.

25 Including Pavel M., not himself a policeman but tried at the same time as three policemen.

26 There are also many former heads of barracks from the camps in Dachau and Stutthof who were arrested and condemned. We do not include them in this study.

his commitments dating back to the days of “bourgeois” Lithuania. Later still, after the death of Stalin, investigations into economic crimes (especially in the 1960s) led to such past activities resurfacing without them being the prime reason for arrest or sentencing, instead being mentioned only as aggravating factors.<sup>27</sup>

The collective trial in 1944 is central to the postwar prosecutions of Jewish “collaborators”, given the number of accused, its early nature, the precedent it set for future cases and the rich documentation it generated. Tankhum A.’s actual behaviour was not the subject of the initial interrogations, which aimed mainly to establish lists of people involved in the Jewish institutions that ran the ghetto. The investigators<sup>28</sup> first sought to determine the workings and internal organisation of the ghetto in order to demonstrate its submission to the Germans – a common feature in the interrogations of all those accused of collaboration, as it led to the charge of treason.<sup>29</sup> Consequently, in his first statements, Tankhum A. made a point of distancing himself from the activities of the occupiers, not least by playing down his links with the Gestapo. In order to do so, he named other members of the police who had greater responsibilities. Ultimately, dozens of surnames were cited during the 18 interrogations that he underwent from 5 August 1944 to 30 November 1944: he supplied a list of 34 senior policemen, 8 neighbourhood heads and 41 members of the “security service” which was installed after the self-administered ghetto had been turned into a concentration camp run directly by the Germans.<sup>30</sup> From all these names and those supplied by the other accused, the investigators compiled a table of 78 people – comprising 63 Jews and 15 Germans – who were assumed to be alive and were suspects based on “compromising evidence”<sup>31</sup>. Most of them were policemen.

Among those mentioned by Tankhum A. during his interrogations, three were arrested and tried with him because of their high rank in the ghetto police or the labour recruitment service: Moisei K., Moiša U. and Pavel M. The first interrogations of Moisei K., head of the Kaunas ghetto police, followed the same pattern of beginning with the creation of lists of ghetto policemen and leaders. Once that was completed, the investigators attempted to identify and document any actions liable to prosecution under two articles applied in collaboration cases: the infamous Article 58–1 on counterrevolutionary activities and treason, which was used extensively in prewar political trials; and the April 1943 decree, specifically aimed at war crimes and collaboration. As the latter mainly concerned the use of violence on the orders of the Germans, the investigators sought to prove that the accused had worked for the occupiers, had participated in acts leading to executions, and had been violent against ghetto residents.

27 CADIOT *L'affaire Hain*; HEINZEN *The Art of the Bribe*.

28 One investigator in Marijampolė, four investigators in Kaunas and one who worked on a large number of collaboration cases.

29 On Soviet trials, see CADIOT/PENTER *Law and Justice*. Among the many articles studying collaboration in general are PENTER *Local Collaborators*; VOISIN *Déstaliniser l'épuration? BANKIER/MICHMAN, Holocaust and Justice*.

30 LYA, f. K-1, ap. 58, b. 11236–3 BB, t. 1, ff. 14–20, Tankhum A. interrogation report, 15/8/1944.

31 LYA, f. K-1, ap. 58, b. 11236–3 SB, f. 50–52, List of compromised individuals arrested in investigation, Kaunas GO NKGB, investigation case n° 84, n. d.



This search for specific acts of violence characterising most of the cases studied here led to the investigators relying heavily on witnesses. The testimonies of ghetto survivors were indeed used extensively to frame the cases and greatly informed the wording of the charges.

In the 1944 collective case, however, witnesses were not heard until Tankhum A. and Moisei K. had been interrogated, respectively ten and five times over a one-month period, with most of these witnesses testifying against the accused. The first to testify in the Tankhum A. case was one Naum D., who had managed to escape from the Gestapo cells and go into hiding in October 1943. He made a significant contribution to the main accusations, brutality and treason, by claiming, first, to have witnessed Tankhum A. beating another inhabitant of the ghetto when he was in charge of guarding the ghetto gates and, second, by quoting other survivors who had told him about Tankhum A. informing the Germans where the children and old people were hiding.<sup>32</sup> The accusation of beating a number of people, whose names were often given, reemerged in several testimonies, sometimes together with that of corruption.<sup>33</sup> Pavel M. and Moisei K. were accused of similar crimes, such as allegations that Pavel M. sent a number of Jews to the ghetto prison. To emphasise his violence, some stated that on the walls of the prison people had written, “Pavel M. drinks our blood. Death to Pavel M.”<sup>34</sup> He was also accused of corruption by Grigorii E., who also claimed to have himself been arrested by Pavel M. and that “on the Germans’ orders, he sent several thousand people to hard labour in Estonia and Latvia.”<sup>35</sup>

Certain scenes and names of people beaten by the police recur in different witness statements, almost as if a small number of cases had been circulating in the ghetto as incarnations of this violence, whether in rumours at the time or the subsequent memories of the survivors. These details may have been suggested by the investigators, who were eager to use these emblematic examples to prosecute those they were investigating. What value should we ascribe to statements made to these investigators and tribunals, which are well known for being arbitrary, violent and capable of pressuring witnesses while twisting their words? These accusations are probably not imagined or invented by the investigators, but it may be that one witness first made them and they were then suggested to others who may even have been forced to repeat them. While there is no doubt that undue influence was exerted by investigators, through various means, on the content of witness statements, assessing its extent is not easy. All we have are the answers to questions that only dealt with certain aspects and were thus guided in a certain direction. In addition, these answers were selectively transcribed by the investigators in a rewording of witness statements rather than a faithful transcription of their actual words. Admittedly, the investigators were seeking primarily to prove charges of violence,

32 LYA, f. K-1, ap. 58, b. 11236-3 BB, t. 1, f. 149, Naum D. interrogation report, 3/10/1944.

33 LYA, f. K-1, ap. 58, b. 11236-3 BB, t. 1, f. 153, Natan Š. interrogation report, 6/10/1944; LYA, f. K-1, ap. 58, b. 11236-3 BB, t. 1, f. 155, Iakov V. interrogation report, 7/10/1944.

34 For example LYA, f. K-1, ap. 58, b. 11236-3 BB, t. 1, f. 160, Nohemas B. interrogation report, 27/10/1944.

35 LYA, f. K-1, ap. 58, b. 11236-3 BB, t. 1, f. 162, Grigori E. interrogation report, 28/10/1944.

thus they transcribed and emphasised only the facts involving such violence. A number of witnesses say that the tenor of their previous statements in some interrogations was in part imposed by the investigators, who for example asked them to talk only about the negative characteristics of a given person, reporting that parts of their statements had even been cut out. In this way, they explain, investigators refused to take into account the complexity of the situation.<sup>36</sup>

Even if the investigators were responsible for the wording and selective nature of the information that they sought and recorded, these statements surely express the extremely violent resentment that pervaded ghetto life and left its mark on the survivors. Whether the testimonies were recorded in the weeks and months after liberation or years later, they were characterised by the violence of ghetto life and the tensions between those who had administered it and those who had suffered under that administration. Given the varied form of these statements and their details, combined with the way they are repeated over time on different occasions and in different places, they are clearly not purely constructions of the investigators.

Years later, Tankhum A. was accused of extreme violence in autobiographical narratives collected in Israel,<sup>37</sup> demonstrating that the incriminating statements made in Stalinist courts are not the only source denouncing police brutality. This is also corroborated by many ghetto diaries and written testimonies in both Western and Eastern Europe, such as the diary of the teenager Yitskhok Rudashevski, who did not survive the Vilnius ghetto and expresses a visceral hatred of the police: “I hate them from the bottom of my heart, ghetto Jews in uniforms, and how arrogantly they stride in the boots they have plundered! [...] Everyone feels the same way about them and they have somehow become such strangers to the ghetto.”<sup>38</sup> Descriptions of food handouts, the guarding of ghetto gates and German *Aktionen* assisted by the Jewish police were opportunities for the survivors to point out how the policemen and their families were a distinct “caste” that was temporarily protected at these critical moments.<sup>39</sup>

As Diana Dumitru, Wolfgang Schneider and others have pointed out, this inequity is all the more true in light of the fact that the ghetto did not erase differences within the Jewish population but, in fact, might even have exacerbated them. In this regard, it appears that social divisions before the war were to some extent being reproduced. The Council of Elders was made up of doctors, lawyers, industrialists, bank insurance company managers and the like, which the Soviet investigators made a point of speci-

36 This same refusal “to consider the complexity of the circumstances” in which ghetto administrations had to act is highlighted by Vadim Altskan when analysing the investigation against the chief of the Zhmerinka ghetto, Dr. A. Herschmann: ALTSKAN *On the Other Side*, p. 4.

37 See, for example, ABRAMOVICH/ZILBERG *Smuggled*, p. 112, 156; SCHALKOWSKY *The Clandestine*, p. 56.

38 RUDASHEVSKI *The Diary of the Vilna Ghetto*. See also KRUK *The Last Days*; ŠUR *Evrei v Vil’no*, pp. 108–109, 114, 122–125 and *passim*.

39 Archives of the Jewish Historical Institute (AŻIH), Warsaw, fond 301 (Collection of Holocaust Survivor Testimonies), testimonies 25, 116, 169, 2095 for the Vilnius and Kaunas ghettos; Wiener Holocaust Library, London, GINSBURG *Recollections of Prisoner no. 82336*, typescript; GANOR *Light One Candle*, pp. 171, 201–202; GORDON *The Shadow of Death*, pp. 73–74; BALBERYSZKI *Stronger Than Iron*, pp. 195–211; ROLNIKAITE *Le journal de Macha*, pp. 100, 103, 114, 126, 151.

fyng.<sup>40</sup> A ghetto anti-fascist committee was similarly created under the leadership of Elin and Galpernas, with the latter being from a family of lawyers. Senior police officers also seem to have often come from privileged social backgrounds: among the associates of Moisei K., head of police, he names and identifies a former insurance company director, a former Kaunas architect, a former lawyer and a former owner of a Klaipėda shipping company.<sup>41</sup> Tankhum A.'s father was an important businessman in Kaunas and had owned a printing firm before leaving for Africa in 1929.

However, not everything can be explained by the continuation of social tensions. The investigation of another Kaunas ghetto policeman, Izrail F.<sup>42</sup>, brings to light some other factors that might add to the social dimension. He served in this function for only a few months in 1941–42 and then again in 1943–44. His arrest was clearly the result of a statement from a woman, one Zelda M.<sup>43</sup>, who, along with her sister Taida P. and Taida P.'s daughter, attacked him in a series of statements made to an investigator between 9 September 1946 and 11 March 1947, before he was arrested on 19 April 1947 and subsequently interrogated.<sup>44</sup> They accused him of having prevented them and a group of Jews from escaping the ghetto in early 1944.<sup>45</sup> The fury of the three women is possibly intensified by the social distance between him and them. They had no jobs and appear to have come from disadvantaged backgrounds with a low educational level (one was illiterate). What emerges most clearly in such testimonies is people's resentment toward Jews whose jobs involved their participation in the extreme violence imposed by the Germans. This resentment can be seen in the rumours, true or unfounded, that spread during the years of confinement and emerged when the city was liberated. These rumours expressed moral judgements on people's behaviour, specifically by stigmatising their cowardice and lack of sacrifice in response to the perverse actions of the German occupiers that had forced people to choose either losing their own lives or sending hundreds to their deaths, hundreds with whom they had shared a destiny up until that point. The following two episodes serve as flagrant examples that recur in a number of statements, which clearly left a mark on those who lived in the Kaunas ghetto.

A number of witnesses mention the execution of Nahum Meck, who was arrested for attempting to escape and shooting at a German guard in November 1942. By order of the Germans, the inhabitants of the ghetto were forced to attend his hanging, and his corpse was left on the rope in public view under the guard of two policemen for 24 hours.

40 In her habilitation thesis, Nathalie Moine mentions in particular the social inequalities in coping with a life of confinement and the fate of Jews confined to concentration and extermination camps: MOINE *Les vivants et les morts*.

41 For an account of some early attempts "to recruit policemen from all segments of the ghetto population", which did not prevent tensions and caused generalized resentment against the ghetto administration and the police, see KASSOW *Inside the Kovno Ghetto*, pp. 20–21, 31–32, 48.

42 LYA, f. K-1, ap. 58, b. P-4021, Delo n° 2257 po obvineniiu Izrailia F. [Case file n° 2257 of Izrail F.], 21/4/1947 – 11/8/1947.

43 LYA, f. K-1, ap. 58, b. P-4021, ff. 23–24, Pavel M. interrogation report, 26/9/1946.

44 LYA, f. K-1, ap. 58, b. P-4021, f. 1, arrest warrant 19/4/1947.

45 LYA, f. K-1, ap. 58, b. P-4021, ff. 30, 67, 70, 73, Pavel M., Taida P. and Taida P.'s daughter interrogation and confrontation reports, 11/3, 12/5, 22/5/1947.

Through this exceptional display of violence inside the ghetto, the Jewish policemen appeared to be obediently reproducing Nazi violence instead of maintaining public order, as they had claimed. Accusing one former policeman or another of having taken part in this execution would then have meant designating him as a true accomplice of the Germans, while prohibiting any attempt at justification.<sup>46</sup> Another tragic episode is mentioned in connection with the fourth defendant, *Moiša U.*, whom a number of witnesses accused of having reported to the Germans the hiding places of some 2,000 people, many of them children and old people. This episode, described in a number of trials, was linked to the March 1944 collective execution of most of the ghetto policemen in the Ninth Fort, which was also the location of mass shootings of Jews from Lithuania, and later from Germany, Austria and France. To gain information about the hiding places (referred to using the slang term *malina*) built into ghetto houses, the Germans took all the policemen to the Ninth Fort, shot 34 of them and locked others up in cells, threatening to shoot them if they did not reveal these locations. Some appear to have weakened and led the Gestapo to the hiding places. Rumours spread around the ghetto about particular people who returned alive only because they had betrayed others; these rumours caused considerable tensions among the survivors who soon “ostracised” the returning policemen, who were suspected of being informers.<sup>47</sup> *Moiša U.* was one of them.

However, the investigators were interested only in the violence in itself, with no interpretation, no context. Although, as we have shown, the tensions that had been exacerbated by ghetto conditions were an important element, they were never identified as such by the security and judicial authorities, who reduced them to a mere expression of individual violence by a particular person, often interpreted as being gratuitous or due to extreme cowardice. The violence was linked to one identity, one personality: that of the accused, whose criminal nature the investigators were attempting to prove. The initial interrogations, particularly in the *Tankhum A.* case, were aimed at presenting the ghetto as another concentration camp run by the Germans, where the Jewish police were free to act and carry out their tasks of their own free will, with no pressures. The investigators never refer to the context of the extermination policy and the very specific situation of the ghettos. They individualise person-on-person violence. Often, an investigator would seek to characterise the police as being under the direct responsibility of the Germans, thus strengthening the case for a trial and condemnation because then the charge would be of crossing over to the enemy, of treason to the motherland. After the first trial in 1944, the conclusions focus on acts of collaboration and emphasise individual violence. The major mass shootings provide the background, but it is the day-to-day brutality that underpins the prosecution case:

People detained in the camp “ghetto” who had embarked on a path of treason collaborated with the German occupiers in exterminating the Jewish population. Such people were *Tankhum A.*,

46 Mentioned in several statements: *Hidden History*, pp. 177–179; *GINAITE-RUBINSON Resistance and Survival*, p. 80.

47 *AŽIH*, 301/116; *GINSBURG Recollections of prisoner no. 82336*; *FROME Some Dare to Dream*, p. 85.

the former deputy head of the ghetto police; Moisei K., the chief of the ghetto police; Moiša U., the former policeman; and Pavel M., the former head of the mobilisation department in the ghetto.<sup>48</sup>

The court then found Pavel M. guilty of having “worked in the ghetto as the head of the mobilisation department”, notably because he “was exceptionally cruel to the inhabitants of the ghetto”, “arrested and beat innocent people”, diligently organised forced labour, and “always energetically carried out the tasks the German authorities gave him”<sup>49</sup>. Tankhum A.’s actions were described similarly. His indictment emphasises his brutality and proactive actions against escape attempts, which “set [him] on a path of outright treason”. Both types of behaviour were to be qualified as “crimes under Section 1 of the Edict of the Presidium of the Supreme Soviet of the USSR of 19 April 1943”<sup>50</sup>.

### Guilty by Nature (1950s–1960s)

The fact of having been a member of the police did not necessarily mean criminal conviction, as shown by the existence of long lists, dating from 1944, of former policemen (whether Jewish, Lithuanian or Ukrainian), some of whom were never tried or even followed up. After the 1944 collective trial, any decision to pursue a particular individual appears to have depended on a combination of elements in which the tenor of certain witness statements was a significant, but not exclusive, factor.

The wider political context of repression also played an important role, as evidenced by the paradigm shift in the prosecution of former ghetto policemen in the early 1950s. This change, which we shall now examine, became increasingly apparent once the priorities of Stalin’s repression policy started, in the late 1940s, to shift towards new offences and targets. Now the objects of repression were people perceived to be current sources of danger (particularly in combatting anti-Soviet resistance in the Baltic republics and Western Ukraine), which took priority over any guilt associated with the wartime past.<sup>51</sup> Another aspect of the backdrop to the change in policy was an increasingly virulent campaign of anti-Semitism.<sup>52</sup> The campaign took on specific aspects in Lithuania, due to the country having been only recently annexed, the prewar presence of a particularly large, active Jewish community, and the attempts made at the end of the war to repair the fabric of the community.<sup>53</sup> While nearly 200 Lithuanian Jews were arrested from 1945 to 1948 for Zionist activities and for attempts to escape abroad or for organising such

48 LYA, f. K-1, ap. 58, b. 11236–3 BB, t. 1, f. 213, indictment, 1/12/1944.

49 LYA, f. K-1, ap. 58, b. 11236–3 BB, t. 1, ff. 216–217, indictment, 1/12/1944.

50 LYA, f. K-1, ap. 58, b. 11236–3 BB, t. 1, f. 216, indictment, 1/12/1944.

51 DENIS La fabrique de la Lettonie soviétique; MERTELSMANN/RAHI-TAMM Cleansing and Compromise; ZUBKOVA Pribaltika i Kreml.

52 BRENT/NAUMOV Stalin’s Last Crime; KOSTYRCHENKO Out of the Red Shadows.

53 See, for example, an informant’s report hostile to the reconstruction of the Jewish community in Vilnius in autumn 1944: SALOMONI L’Union soviétique et la Shoah, p. 245.

attempts, the repression took on a more systematic and explicitly anti-Semitic turn, especially after the dissolution of the Moscow Jewish Anti-Fascist Committee at the end of 1948.<sup>54</sup> Any activity concerning Jewish culture, religion, language or the memory of the Holocaust was at risk of being accused of Zionism, which in turn was interpreted as an expression, whether past or present, of a subversive, anti-Soviet movement.<sup>55</sup>

This was the background to a new “criminal case” opened in 1952 against a senior police officer from the Kaunas ghetto, Perets P.<sup>56</sup> It took a different course to the earlier cases analysed above, namely by reflecting the priorities and fears of the time. Perets P.’s activities in the ghetto were only one of several accusations; they were not investigated further but rather reinterpreted in light of evidence gathered after the first trials of Jewish policemen and administrators, notably in terms of being identified with a standard enemy profile: the “bourgeois nationalist”, albeit in Zionist form.

Perets P., head of the criminal section of the Kaunas ghetto police, had been frequently mentioned by both Tankhum A. and Moisei K. He was clearly identified as early as 1944, having been placed on the list of ghetto members against whom there was compromising evidence. Yet, he appears not to have been of interest to the authorities before his arrest in November 1952.<sup>57</sup> During the preliminary hearings after his arrest, his activities as a policeman represented only one of many issues and not the main focus of the investigators. Unlike the inquiries made in the late 1940s, the investigators now had detailed knowledge of the operations of the ghetto and they could rely on a large number of earlier files and statements. Even without extensively investigating the individual case, they were able to use this knowledge to construct the “typical collaborator” profile that the prosecution required. The image of the criminal collaborator that the investigator now sought to present was a rather “typical image” based on compromising evidence collected in the earlier inquiries. This image placed even greater emphasis on the individual’s violence, sadism and inhuman character:

He personally beat, arrested and interrogated Soviet citizens who had disobeyed the Hitlerite authorities; he raped young women in the camp; and, along with the German administration of the camp, he participated in selecting prisoners who were sent off to be shot.<sup>58</sup>

54 An MGB report to the First Secretary of the Lithuanian Communist Party, A. Sniečkus, in early 1949 estimates the number of people charged with Zionist activities between 1946 and 1948 at 188 people (LYA, f. K-51, ap. 1, b. 62, f. 82). The USHMM database mentions 176 people arrested for attempted escape abroad between 1945 and 1947: [https://collections.ushmm.org/findingsaids/RG-26.004M\\_02\\_fnd\\_ru.pdf](https://collections.ushmm.org/findingsaids/RG-26.004M_02_fnd_ru.pdf) (Accessed 07/01/2021). These two figures refer partially to the same individuals.

55 KOSTYRCHENKO Stalin protiv “kosmopolitov”, ch. 3; SALOMONI L’Union soviétique et la Shoah, ch. 6. On the application of this policy to Lithuania, see report from the MGB LSSR minister D. Efimov to the First Secretary of the Lithuanian Communist Party, A. Sniečkus, 26 January 1949, “Zionist activities in Lithuania before and after 1940”, LYA, f. K-51, ap. 1, b. 62, ff. 79–81, 87.

56 LYA, f. K-1, ap. 58, b. P-10992, Delo n° 19160 po obvineniiu Perets P. [Case file n° 19160 of Perets P.], 3/12/1952 – 3/2/1953 (20/10/1965).

57 The archives revealed no evidence of any interrogation or surveillance before his arrest in 1952.

58 LYA, f. K-1, ap. 58, b. P-10992 SB, f. 4, arrest warrant, 20/11/1952.

The violence against the Jews confined in the ghetto, which had previously been investigated, now included rape, although there is no evidence of this in the file. Only one statement briefly mentions the accused having violently imprisoned women. Nevertheless, in light of this testimony, the investigator's conclusions go beyond exaggeration and appear to be the completely fabricated account of a sadistic policeman who should be found guilty on all counts. These accusations were evidently confabulated, biased and manipulated by the investigator, which is in keeping with the long tradition of Stalinist repression that was practised during the Great Purge.

More generally, the logic behind these inquiries was quite different, because this "typical image" of the perpetrator did not emerge from any of the statements. During the 1944–1946 inquiries, Perets P. appeared on a few lists of policemen supplied by the defendants, without any mention of his particularly violent, unfair, treasonous or cowardly acts. Some witnesses did report resentment towards him, mentioning not his brutality but the part he played in supervising the forced labour of ghetto Jews. This activity constituted something of a double-edged sword, as it temporarily protected some workers while also sending others out to perform potentially exhausting labour which rapidly worked them to death. Contemporary ghetto testimonies make accusations of favouritism among policemen and every member of the ghetto administration, all of whom were suspected of protecting their families and friends while forming something of a privileged caste.<sup>59</sup> The allocation of labour office certificates is cited as an illustration of this.<sup>60</sup> These documents provided protection for their bearers and allowed them the possibility of buying provisions outside the ghetto. "A certificate is a ticket for life", says young Rudashevski after describing how policemen took bribes for them.<sup>61</sup> The statements taken during the 1952 inquiry reveal the persistence of deep resentment about the unfair allocation of work. However, these accusations concern only the "normal" running of the ghetto, and the investigator does not take the matter further.

Constructing the profile of a brutal, sadistic policeman that is not based on these statements relates more to the predominant features of the more arbitrary phases of Stalinist purges; namely, a police method that uses the class origin or status to construct a personality whose guilt is beyond doubt. The investigator is interested only in the fact that Perets P. was a policeman because this meant that acts could be pinned on him even without evidence of his participation in them. This type of inquiry followed the thinking of the Soviet period, especially under Stalin, when the defendant's social profile was enough to provide evidence of their guilt. The investigation of specific acts perpetrated in the ghetto was less important than reconstructing the life course of the accused. In

59 On the (self-)perception of Kaunas ghetto policemen: LEVIN *How the Jewish Police in the Kovno Ghetto Saw Itself*; SCHALKOWSKY *The Clandestine History*, pp. 21, 32, 48–50 and *passim*.

60 For examples of this double-edged nature of work in the ghetto and the crucial importance of labour certificates, see: Gerber's diary in ZAPRUDER *Salvaged Pages*, pp. 329–360; GOLDSTEIN *From Ghetto Kovno to Dachau*; AŽIH, 301/561; *Hidden History*, pp. 132–133; SCHALKOWSKY *The Clandestine History*, pp. 106–119. On Vilnius: KRUK *The Last Days*, pp. 150, 160 and *passim*; ROLNIKAITE *Le journal de Macha*, *passim*.

61 RUDASHEVSKI *The Diary of the Vilna Ghetto*.

this case, the accused's whole life was characterised by the highly specific profile of an enemy of Soviet power, driven by his very nature as a "Jewish fascist".

His arrest indeed resulted from the MGB making use of the list they had compiled from archives and interrogations of members of the Union of Jewish Fighters [for Lithuanian Independence], a voluntary organisation established in 1933. As a nationalist Jewish organisation that openly supported the Lithuanian government, the Soviet authorities soon came to consider it as "bourgeois" and "fascist" because of its alliance with the Antanas Smetona government. Its members now represented an ideal target for the anti-cosmopolitan campaign then underway to discredit "Jewish chauvinism" and the interwar "fascist regime in Lithuania":

The fascist government supported Lithuanian and Jewish chauvinism. [...] The leadership of the Union of Jewish Fighters was composed of reactionary elements, and it strongly supported the fascist regime in Lithuania. [...] Jewish fascist "Jabotinskyites" [...].<sup>62</sup>

The inquiry shifted quickly and began to focus on the interwar years and Perets P.'s membership in the Union of Jewish Fighters. While it had hardly been mentioned before, Perets P.'s involvement in the Union eventually consumed hours of interrogation. The "typical collaborator profile" was now set aside in favour of the "typical enemy of Soviet power". The stage of his life that involved police activity became merely the consequence of a career as a "Jewish fascist", consistent with the individual's fundamental identity. Guilt was inevitably part of such a life. Becoming a policeman was the logical conclusion to a career that had begun when he volunteered in 1919 to fight in the Lithuanian army against the Red Army and the Poles, and then became a senior official in the Union of Jewish Fighters.<sup>63</sup> Just as he had supported the "Lithuanian fascists" before the war, Perets P. "supported the German fascist power by enforcing a strict regime whereby he personally mistreated Jews confined in the ghetto", according to the continuity spelt out in the conclusion to the inquiry.<sup>64</sup>

The arguments put forward by Perets P. and others accused of the same offences during that period were not accepted by the investigators. Perets P.'s social profile was not especially privileged; his father was a warehouseman and he himself a travelling salesman prior to becoming a small shopholder. That was enough for the Soviet authorities to consider him bourgeois, especially since he had chaired the small shopholders' association. His statement that he had hidden underground Communists during the prewar period was of little concern to the investigators.

By criminalising the past activities of the "Jabotinskyites" and any expressions of "Jewish chauvinism", the trial reveals the regular course of the anti-Semitic and "anti-cosmopolitan" campaign that had been conducted across the Soviet Union from the late 1940s onward. At no point does the Perets P. investigation explicitly mention any

62 LYA, f. K-1, ap. 58, b. P-10992 BB, t. 3, ff. 175–176, Historical report on the Union of Jewish Fighters, who took part in the struggle for the "independence" of Lithuania from 1930 to 1940.

63 For example, LYA, f. K-1, ap. 58, b. P-10992 SB, f. 16, Order of indictment, 15/12/1952; SB, f. 21, indictment.

64 LYA, f. K-1, ap. 58, b. P-10992 SB, f. 21, indictment.



alleged “cosmopolitanism” or collusion with Israel, yet some features of the prosecution do exhibit links with anti-cosmopolitanism. The first thing that strikes us is the length of his sentence: those found guilty of similar crimes in the first trial were generally sentenced to 15 or 20 years’ imprisonment; yet, Perets P. and all others convicted after 1949 received 25 years in forced labour camps. The second noticeable aspect concerns the use of rhetoric against any form of Jewish “nationalism” or “chauvinism”, as well as the defendants being identified with Zionist Revisionist elements led by Vladimir Jabotinsky. The Perets P. affair thus demonstrates the discrete, day-to-day side of the anti-cosmopolitan campaign, which took on a specific form in these recently annexed territories as it aimed to both eliminate Jewish aspirations and criminalise Jewish interwar organisations in particular.

This police approach to the accused’s past persisted in later prosecutions, even after Stalin’s death and the end of the anti-cosmopolitan campaign. The figure of the collaborator emerges more strongly in the late 1950s in the new official history of Soviet Lithuania, which traces a continuous narrative between pre-1940 and post-1944 anti-Soviet commitments or activities, and which includes components of active collaboration and participation in Nazi war crimes. Among Jewish survivors, one case in point is that of Naftali S., who was arrested in 1962 for currency offences, an economic crime subject to severe punishment, in many cases the death penalty.<sup>65</sup> His career is identical to that of Perets P., who was arrested ten years earlier. The investigator’s summary of facts lists the various stages of his life: during the interwar years, he was a member of the Union of Jewish Fighters, which the Soviets described as a “bourgeois-nationalist organisation”, this was followed by him becoming a ghetto policeman. His life before and during the war and his postwar behaviour were thus incompatible with Soviet order. In the summary, Naftali S. is described with a succession of characteristics and occupations that indicate his consistent status as a class enemy, with his police work in the ghetto being merely a continuation of such a career. However, the summary does not mention this to support the charge or conviction, but rather to characterise and strengthen the determining factors that made Naftali S. engage in criminal activity. Naftali S. gives a long account of his police activity, describing it as mainly routine enforcement of law and order, although he does admit having been involved in some violence. Moisei K. and Tankhum A. are mentioned and the summaries of the previous cases were appended to the file.<sup>66</sup> Still, the accused’s position and activities in the ghetto are not used as prime leverage in the police inquiry, they rather provide the investigator with a kind of social consistency in the defendant’s personality, which is used to his detriment. In his second interrogation, Naftali S. is required to describe how he hid valuables both inside and outside the ghetto, as if that predisposed him to the currency offences he was accused of.<sup>67</sup>

65 LYA, f. K-1, ap. 58, b. 47338 BB, t. 5, Ugolovnoe delo po obvineniiu Moiseia Ts., Jonasa Ia., Antanasa Š. i drugikh (Criminal case of Moisei Ts., Jonas Ia., Antanas Š. and others), 2/9/1961 – 11/6/1962; CADIOT L’affaire Hain; HEIZEN The art of the Bribe.

66 LYA, f. K-1, ap. 58, b. 47338 BB, t. 9, ff. 78–98.

67 LYA, f. K-1, ap. 58, b. 47338 BB, t.5, ff. 97–100, Naftali S. interrogation report, 17/1/1962.

In the years 1944–1946, it was individualised violence inside the ghetto that investigators and military court judges highlighted when prosecuting offences by one person against another. Using the testimonies of witnesses that described the violence of ghetto life provoked by confinement and the demands of the German authorities, the investigators initially reduced these accounts to violence perpetrated by a few individuals who abused their positions of authority while, more importantly, they served as evidence of active collaboration with the occupier. However, some years later, when police investigations target collaboration less than other charges, the social dimension came to the forefront, with the accused's career itself over time serving as an indication of a socially hostile individual. The same assumptions are applied when charging former policemen with being part of the anti-Zionist campaign or prosecuting them for economic crimes, namely that they were individuals of a specific social situation whose police activity in the ghetto was a “natural” part of their careers.<sup>68</sup>

### **From the Banal to the Exceptional – from Collaboration to Resistance**

The investigators consistently targeted the use of violence and engagement in collaboration with the enemy without taking into account the exceptional conditions experienced by the ghetto's inmates. In the early years, interrogations of the accused barely acknowledged this situation, although it remains unclear what exactly can be ascribed to transcription bias, pressure from interrogators, their own perceptions or defence strategies. In the case of Tankhum A. and his three fellow defendants, it was not until the court met on 13 December 1944 that the four men attempted to challenge the conclusions of the inquiry and introduce new arguments pointing out the exceptional circumstances of the Jewish ghettos in Lithuania, which were radically different from other places where Nazi violence occurred.

The idea of the exceptional nature of the ghetto as a place of confinement emerged in the applications for review of the 1944 verdicts, which were submitted by the convicted, their wives and the eminent Moscow lawyer, Ilia Braude, who had taken over their defence. The first application was dated 1 March 1945, less than three months after their conviction; four others followed between 1945 and 1948. These led to the reopening of the case and the release of Pavel M. in October 1948. Four further applications on behalf of the other three persons convicted were submitted from 1954 to 1957 and all were rejected, including the 1954 application from Tankhum A., who added further arguments referring in particular to his statements having been taken under duress, as did many other applications for rehabilitation after Stalin's death: “During the investigation they beat me and forced me to sign testimonies that did not correspond to the truth.”<sup>69</sup> It was not until 1990 that Tankhum A. and Moiša U. were rehabilitated.

68 Without considering that the investigation procedures were the same in both cases.

69 However, we have found no appeal submitted by Moiša U. or his family. He served his entire sentence and was released in 1959 after 15 years in a camp.

These carefully argued applications were written without any pressure from investigators and after considering both the experience of the war years and the inquiry procedures. Sometimes they referred to other testimonies in the form of declarations, letters or certificates, which were either enclosed or submitted separately. In her first application for review of her husband's conviction, submitted in March 1945, Moisei K.'s wife Evgeniia G. enclosed a letter of support, signed by more than 55 Jewish survivors.<sup>70</sup> The letter, which she appears to have composed herself, combines general considerations concerning the running of the ghetto with particular aspects of Moisei K.'s actions. It points out that the only way to save a few lives in the ghetto was to form a police force, and it concludes by emphasising the need to "take into consideration the particular, specific conditions of the 'Ghetto', which we can identify with particularly strongly, because we experienced them ourselves."<sup>71</sup> These arguments are to be found in a similar form in each of the applications for review, such as in that of Pavel M.'s wife, sent in December 1945, who also suggested that judicial error had occurred, since no account had been taken of the horror of the situation:

A Jewish woman who lived through all the horrors and nightmares of the German atrocities and by a miracle escaped from the Kaunas "Ghetto" is writing to you. [...] For me, not only as a wife but also as someone who spent the entire terrible time of the German occupation with the accused, as someone who was closely acquainted with his work and activities during the entire time, it is clear that a judicial error occurred here, which is certainly possible even in the most democratic of courts, the Soviet court.<sup>72</sup>

In March 1946, Ilia Braude used similar but even stronger wording in the introduction to his application for review:

To be more exact, this is not so much a misunderstanding as the military tribunal's lacking an accurate perception of what the ghettos were like in the territories occupied by the Germans and what kind of people were in charge of the ghetto.<sup>73</sup>

Describing "the rescue of his people's innocent victims" and the "terrible days for the Jewish people" in another application, Evgeniia G. introduces the idea of a community of destiny, thus excluding any division between good and bad among the ghetto's inmates.<sup>74</sup>

In her new application submitted in 1946, Pavel M.'s wife expands on the reasons why self-organisation and self-discipline were necessary in the ghetto.<sup>75</sup> She justifies the existence of a ghetto prison by the presence of criminals and even murderers; she also

70 Moisei K. died in April 1945 on his arrival at the Taishet transit camp near Irkutsk, which did not stop his widow from continuing the procedure to have him rehabilitated. Moreover, she only learnt of her husband's death in the second half of the 1950s (LYA, f. K-1, ap. 58, b.11236-3 BB, t.2, f. 4, [Collective petition in defence of Moisei K.], n. d.). See this petition in the appendix.

71 LYA, f. K-1, ap. 58, b.11236-3 BB, t.2, f. 4, [Collective petition in defence of Moisei K.], n. d.

72 LYA, f. K-1, ap. 58, b.11236-3 BB, t.2, f. 8, Application for review from Pavel M.'s wife to the military prosecutor of the NKVD troops, Lithuanian SSR, 14/12/1945.

73 LYA, f. K-1, ap. 58, b.11236-3 BB, t. 2, f. 55, Application for review, 26/3/1946.

74 LYA, f. K-1, ap. 58, b.11236-3 BB, t.2, f. 2, Cassation appeal. n. d.

75 See this letter in the appendix, n. d.

claims that those who had succumbed to the temptation of smuggling (such as food from outside) were able to escape the death that would have otherwise been certain if left in the hands of the Germans. She thus presents her husband's actions of shouting at captives and imprisoning them as trickery (*khitrost'*) to deceive the Germans. In describing these small actions as a collective and impersonal means to offer some people freedom, hide others and save the weakest, she justifies the constraints established by the ghetto authorities and plays down the violence – which, in her opinion, would have been worse under an entirely German administration. She also justifies the recruitment of labour as the only way to avoid total and immediate extermination, which leads her to address the delicate question of statements made against her husband. She describes them as fuelled by resentment on the part of those who had been sent to the harshest jobs or forced to work under her husband's coercion:

Because of his position, my husband had personal enemies – people whom my husband was not able to assign to the brigade they wanted. And now, after the liberation, these people, who did not have the responsibilities [that my husband did], people who put their personal good above the common good, found it necessary to settle their personal scores with him.

However, in attempting to highlight and explain a situation that had not been taken into account by the police and court, this detailed description of the context did not convince those police and judicial authorities charged with deciding whether to reopen the investigation. They rejected these pleas in June 1946, reiterating the guilt of the convicted men on the same basis as the initial judgment.

Testimonies and lists of witnesses to be questioned often accompanied these carefully detailed depictions of exceptional circumstances, which show some survivors' acute and early perceptions of a world of extreme violence. These witnesses, according to the applicants, would testify in favour of the defendants; sometimes they would be deliberately ignored by investigators who had wanted to secure a conviction. Irina Veisaitė, for example, states on 9 July 1945 that Moisei K. helped her slip illegally out of the ghetto to get food.<sup>76</sup>

Some of these witnesses enjoyed greater legitimacy from having been in the partisan movement. Although, earlier, the Soviet authorities had expressed concern with a form of loyalty,<sup>77</sup> this did not immediately appear in the investigations or court proceedings, and it was only cautiously alluded to in the first applications for review. Yet, these few mentions of help given to the partisans would later become determining factors in 1948 and subsequent years.

In his trial, which took place without a lawyer, Pavel M. defended himself in a long plea that began with an assertion that his work had been necessary to help ghetto residents survive, followed by a claim that he had largely helped the partisans. His account

76 She repeated this years later in the interview she gave to Yves Plasseraud (Moisei K.'s name is not given, but he is recognisable): Plasseraud Irina Veisaitė.

77 About the complexity of this recognition, see: CEROVIC *Fighters Like No Others*, pp. 203–216.

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at that time comprised a series of details without the coherent structure of a formal argument:

My activity in the mobilisation department is not interpreted correctly in the investigative material and the indictment. Speaking subjectively, I did not do it to further the interests of the Germans. [...] On the contrary, my position allowed me to give significant help to the Soviet partisan movement. [He describes how he saved a female Komsomol member.] [...] I often gave furloughs [from work] to some of the people confined in the camp, who maintained a direct connection with the partisans, and let them off work in order to give those inmates the opportunity to maintain and continue their ties with the partisans.<sup>78</sup>

When Evgeniia G. defended her husband, Moisei K., she confined herself to mentioning this same type of help in a short paragraph, placing little emphasis on it.<sup>79</sup> Her first application for review stated, “This gained time to organise the illegal exit from the ‘Ghetto’ of partisans and certain others”, adding “While he was in this position, all the main departures of partisans took place; he stayed all the time, risking his own head and his family’s life!”<sup>80</sup> This same argument also features in the application submitted by Pavel M.’s wife at the end of 1945, in which she presented his support for the partisans and the ghetto anti-fascist committee as a key point.<sup>81</sup> Arguments of this type evidently had no effect on either the court during the trial or on the military prosecutor of the Baltic Military Area in June 1946, when he rejected the first applications for review. In 1947 and 1948, the case was opened again, apparently after a petition from Pavel M. was submitted to the Supreme Court of the USSR in Moscow. It was now in the hands of the Military Collegium of this Supreme Court. He was questioned again, as were a number of partisans, some of whom were Communist Party members. The only voices that were considered credible at that point were those of these former members of the partisan movement and ghetto anti-fascist committee. Whereas the exceptional nature of the Jewish experience had not and would never be properly taken into account, from this point forward, proving the absence of guilt depended on having helped the partisans or actively participated in that movement.

In a new interrogation following his application for review, Pavel M. justified his actions by stressing the need to be credible in the eyes of the Germans in order to continue supporting the partisans. A number of partisans and former members of the clandestine ghetto committee testified on his behalf; without denying his violence, they used it as justification for a resistance strategy, although this rationale had not been articulated until that moment in 1947. One attestant was Mikhelis Š. who joined the partisans and thus enjoyed full legitimacy, albeit fragile just after the war, due to their status evidently not having been immediately recognised. In his testimony, he claimed:

78 LYA, f. K-1, ap. 58, b.11236–3 BB, t.1, f. 244, Protokol sudebnogo zasedaniia (Court report), 13/12/1944.

79 LYA, f. K-1, ap. 58, b.11236–3 BB, t. 2, f. 70, Application for review of Moisei K. case, n. d.

80 LYA, f. K-1, ap. 58, b.11236–3 BB, t. 2, f. 70, Application for review of Moisei K. case, n. d.

81 LYA, f. K-1, ap. 58, b.11236–3 BB, t. 2, f. 8, Statement of Pavel M.’s wife to the military prosecutor of the NKVD Lithuanian SSR troops, 14/12/1945.

I did not see Pavel M. and Moisei K. hitting people. If there were some isolated beatings, in my personal opinion, it was probably because Pavel M. had connections with the underground organisation and he might have tolerated this to allay the Germans' suspicions, so as not to lose their trust.<sup>82</sup>

A very similar argument was repeated by a number of witnesses during interrogations in 1947.<sup>83</sup> In view of this similarity, some collusion between witnesses cannot be ruled out. Another case involving a Vilnius ghetto policeman, Izrail F., included detailed descriptions of underground activities in the ghetto.<sup>84</sup> The testimony of Dmitri Galperin, one of the leaders of the committee, is of particular interest because this is the only time that the investigators' questions become more general, with the exception of Tankhum A.'s early interrogations about the ghetto police. Now, the investigators ask about the organisation of the anti-fascist committee, its activities, and in particular about the excavation of a tunnel for escaping the ghetto. They also ask about the members of the organisation who are still alive. One of the witnesses they questioned, Meieris Elinas (Meir Ielin), was one of its most active members.<sup>85</sup> In mentioning that he was a member of the Writers' Union and that he was writing a book about the committee,<sup>86</sup> he indicates the greater importance now given to the ghetto partisan movements in this region.

However, neither in the case of Pavel M. or Izrail F. were the defence arguments able to determine the verdict – at least not in the early stages of the judicial proceedings. Izrail F.'s case was dismissed, but the wording of the decision to close the case ascribes it to the weakness of the incriminating evidence and makes no mention of the defence evidence. Pavel M.'s arguments were not heard until the intervention of the Supreme Court of the USSR in Moscow, which led to his early release. We have already noted this point in another case of a ghetto survivor who was first tried for aiding escape from the Soviet Union and later investigated for Zionism after he had been found to be in the possession of documents in Yiddish that he had saved from the ghetto. After being sentenced in July 1946 to ten years in a camp, the Military Collegium of the Supreme Court of the USSR decided in February 1947 to reduce his sentence to five years, recognising that the initial conviction had not taken into account “the important help” he had given “the ghetto's underground patriotic organisation, which was led by Communists”.<sup>87</sup>

82 LYA, f. K-1, ap. 58, b.11236–3 BB, t. 2, f. 78, Mihelis Š. interrogation report, 3/4/1947. Cf. the statement of another former partisan, Moisei M.: LYA, f. K-1, ap. 58, b.11236–3 BB, t. 2, f. 87, Moisei M. interrogation report, 6/4/1947.

83 LYA, f. K-1, ap. 58, b.11236–3 BB, t. 2, f. 79, Mihelis Š. interrogation report, 3/4/1947.

84 LYA, f. K-1, ap. 58, b. P-4021, Izrail F., f. 53.

85 LYA, f. K-1, ap. 58, b. P-4021, Izrail F., f. 56.

86 The book “The Partisans of the Ghetto of Kaunas” was first published in Yiddish in 1948 (*Partisaner fun kaunaser geto*, publisher: Der Emes), then in Lithuanian in 1969 (ELINAS/GELPERNAS Kauno getas). On Jewish partisans in Lithuania, see: ARAD *The Partisan*; FAITELSON *The Truth and Nothing but the Truth*; LEVIN/BROWN *Story of an Underground*; LIEKIS *Jewish partisans*.

87 LYA, f. K1, ap. 5, b. 27112–3 BB, t. 2, f. 196, Opredeleñia Voennoi kolegii Verkhovnogo suda Soiuza SSR (Decision of the Military Collegium of the Supreme Court of the USSR). This affair is analysed in detail in BLUM/KOUSTOVA *L'effacement d'une expérience*.

This defence based on the accused's partisan activity appears to have disconcerted the investigators themselves, and during the Perets P. inquiry in 1952, they attempt to counter this argument in advance. Nevertheless, the accused tries to introduce this point during the interrogations.<sup>88</sup> Either through a lack of forcefulness or because the investigator prevents it, or both, the question of the partisans is soon passed over. In the conclusion to the inquiry, his support for the armed struggle is barely mentioned and anything that is said is outweighed by his involvement in the ghetto police.<sup>89</sup>

The whole inquiry was manipulated to undermine a potential defence of support for the partisans. Former partisans were interrogated as the months went by and, while not praising Perets P., they unhesitatingly mentioned his support for the armed struggle within and outside the ghetto.<sup>90</sup> Brief "characterisations" confirm his partisan activity, and earlier trial files used by the investigator had mentioned these same facts.<sup>91</sup> However, one witness, Mikhail R. destroys all Perets P.'s arguments. In an initial interrogation in December 1952, he does not openly deny Perets P.'s support;<sup>92</sup> but on 6 January 1953, his version radically shifts during a joint interrogation of both men.<sup>93</sup> Almost all the witness's replies begin with "No", completely and decisively invalidating Perets P.'s arguments. Mikhail R. was the head of the Komsomol and represented the Communist wing of the partisan movement in the Kaunas ghetto. One hypothesis might be that this was an attempt to downgrade the non-Communist partisans<sup>94</sup>. Although the Jewish partisans were powerful and iconic in the ghettos of Lithuania, they posed no threat at all to the hegemony of the Soviet partisans, especially since a large proportion of the former joined the latter. Without the hypothesis that it was to score political points in some way, this major about-turn by the witness is hard to understand unless it resulted from police pressure. This is especially feasible considering that in December 1949, before the inquiry had opened, Mikhail R. signed a brief characterisation that described Perets P. helping the anti-fascist resistance in the ghetto, particularly the Komsomol, and this was added to his file.<sup>95</sup> The fact is that, while police manipulation was no longer used to demonstrate acts of violence in the ghetto, it was now being used to deny the accused's involvement in the partisan movement. The aim was no longer to pass judgment on a

88 In light of the testimony and historiography produced by former Jewish partisans in the Kaunas ghetto, there is no doubt that the accused was a member of the "Death to the occupier!" group. His military experience was valued and enabled him to train the youngest fighters in the ghetto how to use guns before they escaped: LEVIN/BROWN *Story of an Underground*, pp.57–58, 239; FAITELSON *The Truth and Nothing but the Truth*.

89 LYA, f. K-1, ap. 58, b. P-10992, t. BB4, f. 48, Zakliuchenie po arkhivno-sledstvennomu delu n° 26494/3 [Conclusion concerning case n° 26494/3], 6/8/1954.

90 LYA, f. K-1, ap. 58, b. P-10992, t. BB2, *passim*.

91 In particular Moisei K.'s interrogation in December 1944: LYA, f. K-1, ap. 58, b. P-10992 BB t. 1.

92 LYA, f. K-1, ap. 58, b. P-10992 BB, t. 2, f. 85, Mikhail R. interrogation report, 12/12/1952.

93 LYA, f. K-1, ap. 58, b. P-10992, t. BB2, *passim*.

94 The collaboration trials in postwar Poland had already seen confrontations between the various factions in the resistance. The strength of the non-Communist partisan movements was much greater there. See: FINDER/PRUSIN, *Jewish Collaborators*; ENGEL, *Why Punish Collaborators?*

95 LYA, f. K-1, ap. 58, b. P-10992–3 BB, t. 3, f. 260, 12/11/1949.

given action in the ghetto, but rather to pursue the anti-Semitic campaign and thereby ignore the value or relevance of any statement suggesting loyalty to the Soviet Union.

Perets P's conviction in February 1953 and the rejection of the cassation appeal presented by his lawyer<sup>96</sup> did not stop his son from contesting the decision of Soviet justice. In a long application sent on 1 September 1954, the son of Perets P. asks for his father's trial to be reviewed on the basis of new directives mentioned by the Central Committee of the Communist Party of Lithuania. The application begins very much like the others: it spells out the article of the Penal Procedure Code invoked against the accused and the sentence given. As in the Pavel M. case, evidence of context is put forward to explain not only his behaviour in the ghetto but also during the 1919–1920 war. However, almost half the application is taken up with describing his activity as a partisan, which is thus the main argument put forward. Not only do the partisans appear once again to be the only defence that may influence Soviet justice, but the application contains testimony and documents to support the facts: orders signed by Perets P. or his superiors in the partisan movement “Death to the occupier!” operating around Kaunas; and “characterisations” by recognised partisans, including Party members. Every point was intended to present the convicted man's involvement as undeniable. From 1956 on, these arguments played an essential role in achieving his early release. Then, in 1964–1965, after the rejection of his application for rehabilitation by the Supreme Court of Lithuania, the Supreme Court of the USSR finally overturned the sentence, mainly on the basis of the same arguments. Perets P. then requested the return of the medals he had been awarded at the end of the war, “For Victory over Germany in the Great Patriotic War of 1941–45” and “For Valiant Labour in the Great Patriotic War of 1941–45”. They had been confiscated from him following his conviction.

## Conclusion

In her research on various elements emerging from investigations into collaboration by survivors of the Transnistrian ghettos, Diana Dumitru has convincingly shown that they may be analysed as providing solid and unbiased information irrespective of their interpretation as acts of collaboration, despite their initial use by the police or courts. She considers these archives to be valid sources for research into daily life in the ghettos.

Our research leads to the same conclusions and extends the potential use of these criminal investigations. First, like Diana Dumitru, we have shown that the sentences passed on the Jewish policemen from the Lithuanian ghettos reflect variations over time in a justice system that highlighted some aspects and ignored others, depending on the period. A close critical reading of the documents produced during the investigations reveals the police's distortions or fabrication of evidence. This is particularly true when set against the general atmosphere of repression that reigned at the time of these cases.

96 LYA, f. K-1, ap. 58, b. P-10992–3 BB, t. 4, f. 33, Cassation appeal, 28/2/1949.

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Furthermore, these statements were elicited and rehashed by investigators who would use only a few passages or focus on a single point.

The need for a critical approach does not prevent these sources from providing a revised vision of daily life in the ghettos, especially in regard to the tensions inherent in the extreme experience of imprisonment during and after the war. A number of details collected during the investigations confirm other testimonies written in the Soviet Union, Poland, Israel and the United States: certain salient, visibly traumatic events recur in that literature as well as in the witness statements and interrogations. The archives are also valuable sources for studying how and when the Soviet justice system took up cases of collaboration. They contribute to the lively current debate on legal mechanisms during the immediate postwar years, the post-Stalin era<sup>97</sup> and the purges in Eastern Europe, a debate inspired by considerable earlier research into purges (*de-Nazification, épuration*) in the West.<sup>98</sup>

Our work therefore shifts the focus to identifying the recurring patterns in these investigative documents. There were many and varied pressures on the investigations and these partly shaped the lines of argument not only of the prosecution's case, but also the defence's case made by the accused during their interrogations and transcribed in a clearly partial or distorted manner that still obviously reflects the accused's actual words. These same arguments were made during the trials and in the many applications for review submitted by the convicted persons, their family members and lawyers. Nevertheless, the interpretations of investigators and judges in sentencing and during judicial review are marked by the passage of time; and these investigations, sentences and testimonies during the immediate postwar period do not at that time emphasise the exceptional nature of conditions in the ghettos.

We agree with Wolfgang Schneider when he concludes that the Soviet judiciary did not show "any consideration for the special circumstances in which the defendant had acted [i. e. the ghetto]"<sup>99</sup>. However, he bases his remarks on defendants in Ukraine in 1944, and his conclusion clearly cannot be generalised over a longer period. Our research shows that, in reality, the argument of "exceptional circumstances" did in fact quickly come to favour the accused, who, together with their families and lawyers, explicitly made that case as early as 1945, after the first convictions. Even the investigators considered this defence, as can be seen in the examples from the 1950s. Although this exceptional nature is mentioned, it is still never fully taken into account in the courts' final judgments. On the other hand, the question of loyalty and participation in the major narrative of the "Great Patriotic War" became stronger from the late 1940s on. In the cases examined in this article, Moscow differs from Vilnius in the sense that appeal decisions in the Soviet capital accepted the narrative more quickly and vigorously, while Vilnius appeared more reluctant to take any exceptional circumstances into account.

97 CADIOT *L'affaire Hain*; HEINZEN *The Art of Bribe*.

98 VOISIN *L'URSS et ses traîtres*; PENTER *Local Collaborators on Trial*; BERGÈRE *Pour une histoire connectée*, for an approach that integrates them all.

99 SCHNEIDER, *From the Ghetto to the Gulag*, p. 97.

Yet another stage in this story, the anti-cosmopolitan campaign, can be detected from the early 1950s in the severity of the sentences and accusations of “Jewish chauvinism”, which were based on a defendant’s past life as he was forced to describe it.

Our emphasis on these shifts in police and judicial interpretation brings us closer to the history of the purges in Eastern Europe. However, the richness of these sources and our dynamic approach to integrating the wartime and postwar periods open up a number of avenues for research. We have already shown how the material contributes to a history of the Holocaust, especially at the local level, by revealing themes that are underrepresented in personal testimonies and historiography. It also contributes to enriching the history of how the memory of the Second World War was formed not only in the Soviet Union as a whole, but also via the discrepancies and distortions that emerged as soon as the war had ended. The collective memories that formed in Moscow were distinct from those that were formed in Vilnius, and these led to distortions regarding the contributions of partisans in general and the Jewish partisans in particular.

Notably, when looking at the breadth of these sources – the statements exacted and recorded by investigators during interrogations together with the wording of the many applications for review sent by the convicted and their families – we cannot overlook their crucial contribution in providing details on the history of Jewish survivors reestablishing their community bonds following the Holocaust. These testimonies reveal, on the one hand, the diversity of their prewar lives and, on the other, how this affected their wartime experience and their fate afterwards. Even though the Holocaust of course formed a central point in their lives, here we can integrate the war with the rest of their histories. Traces of this diversity can be found in all the cases brought against the ghetto policemen, as well as in the many criminal cases, from 1945 onward, against those accused of attempting to escape abroad, of spreading Zionist propaganda or of being involved in economic offences.<sup>100</sup> Restoring control over Soviet territory produced a broad spectrum of Jews being accused of various charges. File after file uncovers a whole range of Jewish trajectories before, during and immediately after the war.

Although many files do not mention or emphasise the Jewish identity of the accused, the recorded statements all reveal in their own way a war experience marked by ghettos, camps, loss and extermination. Many case files on illegal border crossings and attempted escapes only make sense against that background. They conjure up an inside view of the world of the survivors, which can be traced through their statements and letters, even if this view changes over time. The remnants of these sketches have naturally grown faint, as they exist only in selective transcriptions of answers to questions or have been adapted in documents shaped by the hopes of a convicted person appealing to a higher authority for a sentence review. These documents nevertheless remain testimonies to immediate events. Yet, unlike other documents unearthed from under ashes or ruins, or the works of historical commissions in Poland, in the DP camps or by various Polish and Soviet State commissions, these testimonies do not emerge from clandestine writ-

100 See, for example, BLUM/KOUSTOVA *L'effacement d'une expérience*.

ings or desires to document Nazi violence immediately after the war. These documents still undoubtedly bear witness to lived experiences. As sources, they must naturally be examined with the critical eye that is essential when dealing with police documents, especially those produced by the repressive Stalinist agencies that emerged as a victorious power. Bearing all this in mind, it is nevertheless clear that these records have preserved a wealth of information about many aspects of Jewish life in Lithuania during the war and after their liberation.

## Appendix<sup>101</sup>

1. Table 1. Prosecution of Former Policemen in the Ghettos of Vilnius, Kaunas and Šiauliai<sup>102</sup>

Name	Ghetto	Date of arrest	Sentence	Name	Ghetto	Date of arrest	Sentence
Berko M.	Vilnius	20/07/1944	Executed	Šolomas F.	Kaunas	10/10/1946	Dismissed, no case to answer**
Solomon A.	Vilnius	11/08/1944	10 years	Izrail F.	Kaunas	21/04/1947	Dismissed, no case to answer**
Tankhum A.	Kaunas	15/08/1944	20 years	Volf S.	Vilnius	26/12/1947	10 years
Moisei K.	Kaunas	15/08/1944	15 years	Efroim G.	Šiauliai	28/06/1949	25 years
Pavel M.	Kaunas	15/08/1944	15 years	Isaak Š.	Šiauliai	19/8/1950	25 years
Moiša U.	Kaunas	15/08/1944	15 years	Leib L.	Šiauliai	6/6/1950	25 years
Leonid F.	Vilnius	23/10/1944	Death, commuted to 20 years' labour camp	Perets P.	Kaunas	20/11/1952	25 years
Genrikh Š.**	Vilnius	13/10/1944	10 years; death; then 25 years*	Naftali S.	Kaunas	10/9/1961	
<p>* 10 years, then condemned to death after appeal by prosecution, commuted to 25 years imprisonment.  ** Case closed by investigation section.</p>							

101 Translated from Russian to English by Kim Friedlander.

102 This table does not include the handful of arrests and trials of Jewish survivors, both male and female, of Lithuanian ghettos who, as the Red Army advanced, were evacuated by the retreating Germans to the camps at Stutthof (women) and Dachau (men). The former camp was liberated by the Soviets, the latter by the Americans. Some of the Soviet survivors from Dachau returned to the USSR, either voluntarily or by force, after years in DP camps.

Note that some personal files are in Moscow and it has not been possible to identify their content.

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2. Collective Letter Enclosed with Application for Review from Evgeniia G.,  
Moisei K.'s Wife<sup>103</sup>

We the undersigned, Soviet citizens of Kaunas, the Lithuanian SSR, Jews by nationality, who were saved by the Red Army from the German fiends five months ago, address the following request to you: The Kaunas Military Tribunal recently sentenced Moisei K. to 15 years of hard labour because, for a certain period of time, he was the head of the Jewish police in the concentration camp "Ghetto" in Kaunas. In conjunction with this sentence, we would like to address your attention to the following circumstances:

1. If the Jews had not created a Jewish administration, the population of the "Ghetto" would have perished without a trace in 1941. In the best case, the Germans would have taken control of the internal administration and things would have been significantly worse for the Jews.
2. The Jewish administration was forced to organise a Jewish workforce for the Germans. If the Jews had not done this, they would have been annihilated immediately.
3. With the intention of prolonging the existence of the "Ghetto", the Jews were forced to carry out work that was difficult and unbearable for them. This gave them the opportunity to gain time and organise ways to leave the "Ghetto" illegally: [to join] the partisans [or to leave] individually.
4. As the head of the Jewish police the Germans treated K. just like all the other Jews, he did not have any privileges, they abused him, and his life was constantly threatened. For example, during an "action" (a mass extermination), his mother was taken out and shot and he was powerless to help her, just like every other Jew.
5. While K. held that post, he did not harm any Jews, he did not betray anyone, he did not provoke anyone, [and] he assisted in the illegal evacuation of the "Ghetto". While he held this post, all the main partisan parties departed [but] he remained for the entire time, risking his own life and that of his family!

Taking into consideration the unique conditions of the "Ghetto", which we can identify with particularly strongly, because we experienced them ourselves, we ask on K.'s behalf that you give "K.'s case" particular attention and show leniency and exonerate him in reviewing his case. We ask that he be pardoned.

3. Letter from Pavel M.'s Wife<sup>104</sup>

In 1941, all the Jews in Kaunas were confined to the "Ghetto", [in] Viliampolė.

The Germans seized Jews indiscriminately and sent them to work, not sparing the sick and those who could not work, and this led to complete chaos in the "Ghetto" and many victims.

103 LYA, f. K-1, ap. 58, b. 11236-3 BB, t. 2, ff. 4-5.

104 LYA, f. K-1, ap. 58, b. 11236-3 BB, t. 2, ff. 68-71.

Then, from among the Jews, the Jewish community chose a “Council of Elders”, which was charged with speaking to the Germans and petitioning for permission to supply as many Jewish workers as they demanded.

After receiving permission to do this, the Jewish “Council of Elders” created a Jewish committee which was divided into the following departments:

1. Registration (the department where all Jews who were able to work were registered)
2. The Labour Bureau (which received information from the registration department and had to distribute the workforce into brigades in the workplaces designated by the Germans)
  - a) The Mobilization Department (responsible for dispatching these brigades)
3. The Jewish Police, who were responsible for maintaining order inside the “Ghetto”
  - a) The Criminal Police

The Jewish committee made my husband, Pavel Al’bertovich M., responsible for sending the brigades of Jewish workers through the gates of the “Ghetto”.

This was thankless and very difficult work because

1. there were workplaces that were easier and more profitable, where, for a bribe, the Germans allowed [people] to go out into the city and this way Jews had the opportunity to exchange xxx things which they had brought with them from the “Ghetto” for bread and other provisions to support themselves and their families  
and
2. there were places where the work was hard and the Germans did not let [anyone] go into the city and trade things.

Work brigades were rotated, alternating between difficult and easy jobs. But just the same, in spite of this, every day, when people came to work, no one wanted to end up in the place he was assigned to but instead [wanted to go] where it was easier and more advantageous to work.

When there was even the slightest disorder at the gates, the Germans would shoot into the crowd and [my husband] protecting Jews from the shots and the beatings [given by] the German soldiers, who were standing [there], just waiting for this, took a terrible toll on [his] health and nerves.

Because of his position, my husband had personal enemies – people who my husband was not able to assign to the brigade they wanted. And now, after the liberation, these people, who did not have the responsibilities [that my husband did], people who put their personal good above the common good, found it necessary to settle their personal scores with him.

My husband had completely different goals. Not protecting himself and sometimes even putting his family’s life in danger, he thought only about the common good of the Jewish community, how to save it from destruction and how to prolong the life of the Ghetto so it could hold out until the moment of liberation.

Besides making him responsible for the passes for the work brigades to go through the gates of the “Ghetto”, the “Council of Elders” also entrusted my husband with other tasks, specifically, when the Jewish brigades were going out [to work], distracting the Germans’ attention (this was accomplished with vodka and bribes) so that they would not notice that fewer workers were going out [to work] than the number the Germans had demanded; this was because in the Registration Department a larger number of people had been registered as capable of working than was actually the case. To save their lives, the Jews registered children, old people, and the sick as capable of working because Jews who could not work were exterminated. In this way, my husband succeeded in sabotaging the work the Germans ordered.

The verdict charges my husband with putting people who were not subject to hard labour in prison for various periods of time.

There was a prison for Jews in the “Ghetto”.

The Jewish Council of Elders created this prison to maintain discipline in the camp. There were 30,000 people in the “Ghetto”, including criminals and even murderers who killed people in the Jewish community in order to rob them. It was impossible to turn these criminals over to the Germans since this would have had negative consequences, but it was necessary to isolate them.

Second, this prison for Jews was used for the following [reason]: When Jews returned from work, the Germans searched them and when they found contraband (bread and various provisions brought from the city into the “Ghetto”), the Germans sent these criminals to the Gestapo, which was somewhere Jews did not return from. To save Jews, my husband used a ruse: he started to scream at the unfortunate Jew who had been caught and he would plaintively ask the German why he should dirty himself with such a trifle; just hand this criminal over to him and he would put him in jail himself and really punish him. In this way he very often managed to deceive the Germans and save people from death at the hands of the German Gestapo.

Needless to say, such Jews, who found themselves in the Jewish prison as a result of my husband’s cunning, were happy and grateful to him because this saved their lives from the Gestapo, who never returned Jews alive.

3. There were those people who evaded work at the expense of other Jews. They thought that if they did not go to work for a day, the necessary number of people would be assembled without them. But since there were many clever people like this, it created a situation in which very few Jews went out to work, and there were incidents when the Germans nearly killed the people standing at the gates of the “Ghetto” for not delivering the required number of workers.

The people who evaded work were not thinking about the fact that if they did not go to work, the entire burden would fall on the group of Jews who had come to work. This jeopardised the very existence of the “Ghetto”, as, if Jews could not work, the entire population of the “Ghetto” would be annihilated by the Germans.

To avoid such incidents, the Jewish Labour Bureau carried out daily monitoring, and people who did not go to work without a good reason were put in that prison for

24 hours, and on the following day they were sent to the workplace assigned to them. Without these measures, it would have been impossible to regulate the work.

In fulfilling the obligations the Jews entrusted to him, my husband had only one goal: to help his people and save them from destruction.

He illegally helped the Jewish partisans arm themselves and go into the forest.

He saved hundreds of children, who were all doomed to death, and illegally passed them through the gates of the “Ghetto” so that they could make their way into the city and save their lives.

He helped patients in hospitals and impoverished children who were left without their parents to fend for themselves.

In general, there was not one aspect of life in the “Ghetto” in which my husband did not take an active part.

It should also be taken into consideration that when the Germans evacuated the “Ghetto”, my husband thought it was better to die than to go with them. He miraculously escaped from the ruins of a burning building.

My husband lost his entire family – his brothers, sisters and all his relatives – they were all killed by the Germans.

Can such a person, someone who was confined to the “Ghetto” and condemned to death, be considered an accomplice of his enemies?

## Abbreviations

AŻIH	Archiwum Żydowski Instytut Historyczny [Archives of the Jewish Historical Institute]
CKŻP	Centralny Komitet Żydów w Polsce [Central Committee of Polish Jews]
GARF	Gosudarstvennyi Arkhiv Rossiiskoi Federatsii [State Archives of the Russian Federation]
GKO	Gosudarstvennyi Komitet Oborony [State Defence Committee]
LYA	Lietuvos Ypatingasis Archyvas [Lithuanian Special Archives]
NKGB	Narodnyi Komissariat Gosudarstvennoi Bezopasnosti [People’s Commissariat for State Security]
NKVD	Narodnyi Komissariat Vnutrennikh Del [People’s Commissariat for Internal Affairs]

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