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Hidden Ghettos: Jewish identity and the processes of its political, social and legal reconstructions in Poland from 1945 until today

By Rohee Dasgupta

Submitted in fulfillment of the requirements for the degree of Doctor of Philosophy (Ph.D.) in Law

Research Institute for Social Sciences

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June, 2014

Hidden Ghettos: Jewish identity and the processes of its political, social and legal reconstructions in Poland from 1945 until today

Abstract:

The thesis probes into the transitions of and within Jewish identity in the transitional state of Poland since 1945 until today amidst concentricity of anti-Semitism, discrimination of rights, forced emigration of Jews, religious dialogues, identity paradoxes, (re)conversion into Judaism, constitutional amendments and European aspirations. My research studies the increasing renewal of identitarian engagement of Polish-Jewishness and is an attempt to understand how a controversial minority identity is revived and renewed through a range of political, social and legal processes that enables people ‘to get in touch’ with their hidden pasts. I identify this change as an autonomous renewal of identity that is retributive, redistributive and cosmopolitical in nature opening new grounds for participatory citizenship; (inter) community practices and ethno-political dialogues. Based on interviews and observations in the field I narrate dimensions and shifts within the constructions of being Jewish and trace how Jewish identity affiliation are actively constructed through the state law, religious life-practices (as prescribed by *Halakhah* or Jewish Law), community awareness programmes, diasporic influences and cultural events. In the process, the thesis probes into the role of this ‘corrective measure’ for social change that allows such acts of self-renewal which surpass historical prejudices; reintegrates values, reinstates claims and re-objectifies transformation of cultural representation. This I argue lends itself to pluralist influences and outcomes than mere just appropriations. My research contextualises self-definitions of Jewishness obtained from the interviews within the legal templates of the 1997 Act in the Polish Constitution concerning relations with Jewish religious communes, the *Halakhah*, and the annual reports on Poland by the Committee for the Elimination of Racial Discrimination (CERD) and European Commission Against Racism and Tolerance (ECRI) to argue that such identity renewal incites important questions for the interpretation of Polish-Jewishness.

Table of Contents

Acknowledgements.....	8
Glossary of terms.....	11
Chapter 1 Introduction: Identities in Transition.....	15
1.1. Outline of Chapters.....	18
1.2. Why ‘Hidden Ghettos’? : Understanding ghettoization as social theory.....	21
1.3. Concepts of Identity used in the thesis.....	25
a. Identity and identification.....	28
b. Identification as a social agency	31
1.4. Jewishness and Justice.....	36
1.5. Research Methodology.....	40
i) Introductions and interactions.....	45
ii) How I chose my interviewees.....	46
iii) Nature of the interviews.....	48
Chapter 2 What is it to be a Jew?	
2.1. The Torah: Structure, Vision and Narrative.....	53
2.2. Jewish Rituals: Social and Communal Obligations.....	61
a. Key Life Rituals.....	62
b. Key Jewish festivals and their obligations	66
2.3. Ways of Being Jewish.....	69
2.4. Study of Jewish Identity in Post-Holocaust Europe.....	75
2.5. Concluding Remarks.....	78

Chapter 3 Poland's National History: A Jewish Lens

3.1. Jewish past in Polish National History.....	79
3.2. Polish-Jews since 1945: A history in three phases.....	86
3.3. Mitigating identities through history.....	95
3.4. Polish Jewish Relations through Texts post-1989.....	104
3.5. Concluding Remarks.....	115

Chapter 4 Visible or not so Visible Jews: Jewish communes in Poland

4.1. Key Organisations working on Polish-Jewish Relations.....	119
4.2. Jewish Religious organisations.....	135
4.3. External Links and Events	142
4.4. Concluding Remarks.....	147

Chapter 5 Jewish Recognition in Poland: The 1997 Act and the Promises of Corrective Justice

5.1. Brief background that led to the 1997 Act.....	148
5.2. 1997 Act on the Relation of the State to the Jewish Communities in Poland.....	152
5.3. Reclaiming Jewish Identity through the <i>Halakhah</i>	157
5.4. Corrective Justice and Polish-Jewish Identity Renewal.....	165
5.5. Corrective Justice and Polish-Jewish Heritage Renewal.....	172
5.6. Concluding Remarks.....	178

Chapter 6 Enduring Anti-Semitism: How Far does Poland Remain from Achieving Justice?	180
6.1. Why monitor racial intolerance?.....	181
6.2. CERD and ECRI reports and responses.....	188
6.3. Overcoming the Anti-Semitic Image of Poland.....	205
6.4 Concluding Remarks.....	212
Chapter 7 Way Forward: The Individual in the Collective.....	214
7.1.Many ways of being Jewish in Poland today	217
7.2. A Polish-Jewish Typology and the Collected Life Stories.....	219
7.3. Cosmopolitics of ‘returning Jews’	240
7.4. Concluding Remarks.....	250
Chapter 8 Conclusion: Cosmopolitics and Identities in Transition	
8.1. Introduction: Rekindled Identities in Transition	252
8.2. Processes of Renewal: The conscious reclaim of the unconscious past.....	254
8.3. Concluding Remarks.....	257
A1. Information sheet for interviewees.....	259
A2. Interviewee detail form.....	260
A3. Interviewee consent form.....	261
A4. Life history questionnaire for the interviewees.....	262
B. 1997 Act Concerning relations with Jewish religious communes in the Republic of Poland (a part of the Polish Constitution).....	263

C. Reports on Anti-Semitic activities in Poland.....272
Bibliography and audio-visual resources.....276

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June 2014

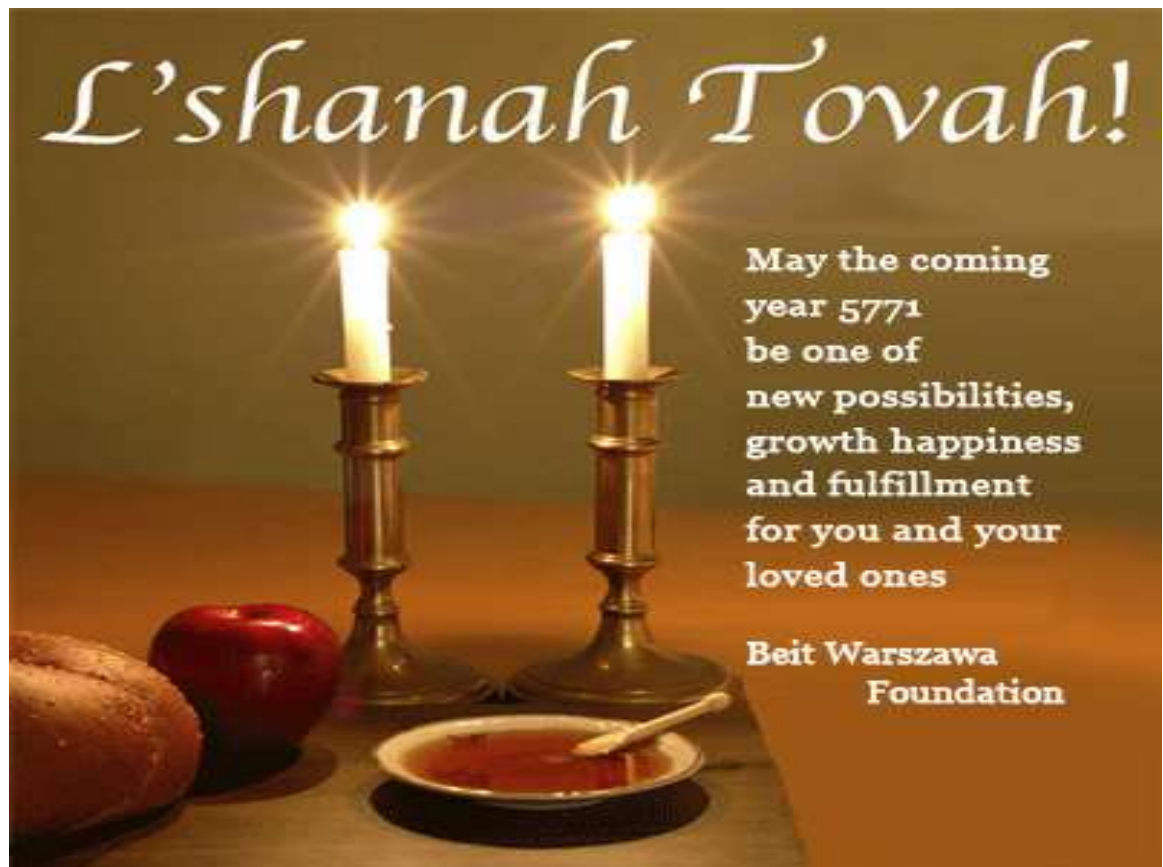
Glossary of terms

Aliyah	Literally means ascent or the act of going-up; refers to the immigration of Jews to Israel, see details in chapter 6 of the thesis.
Ashkenazi	Jews from eastern and northern Europe and their descendents
Brit milah	Hebrew: "covenant of circumcision". The ritual of circumcision performed on the eighth day of a boy's life. Bris: (Hebrew brit, "covenant"). Colloquial name for the ritual of circumcision, from the Ashkenazi pronunciation of brit. Brit: The special covenant between God and the Jewish people.
Beit Midrash	House of study. A place designated for the study of sacred texts, usually a part of the synagogue. Midrash: from Hebrew drash - sermon. Stories, sermons, parables, and other material explaining the Talmud.
Beth Din	A Jewish Rabbinical Court convened to resolve business disputes, grant divorces, determine whether a prospective convert is ready for conversion after examination.
Halakhah	Jewish oral and written law. Consists of the 613 mitzvot of the Torah in addition to rabbinic law and custom. Halakhic – belong to the standards prescribed by the Halakhah.
Kashrut	Jewish dietary laws
Kehilla (pl. Kehillot)	Distinctive Jewish form of local organization and government

Kippah (Hebrew) or Yarmulke (Yiddish)	Jewish skull cap worn during ritual practices and worship
Mezuzah	Small parchment of Torah verses placed on the doorpost of Jewish homes in obedience to Deuteronomy 6:9.
Mikvah	Jewish ritual bath
Minyan	A congregational quorum (of at least ten people) for Jewish religious studies, where members discuss and debate Talmudic issues. One of the obligations of the oral law.
Oral law or Mishnah	Alongside the written law Jews believe God also told Moses the spoken or oral law at Sinai. This is known as the Torah she b'al pei or literally Torah from the mouth. This law was to be passed down orally from generation to generation. It is the information Jews need to practise fully the commandments in the written law. It was codified in the 2nd Century C.E.
Mitzvot	Commandments; religious actions (singular mitzvah). Sometimes used more generally to refer to any good deed.
Rabbi	A Jewish spiritual leader and teacher
Solidarność	Solidarity movement
Sabbath (Hebrew word for rest)	Every week religious Jews observe the Sabbath, the Jewish holy day, and keep its laws and customs. The Sabbath begins at nightfall on Friday and lasts until nightfall on Saturday
Simcha	Rejoicing in any Jewish celebration

Tallit	Aramaic word meaning cover. Jewish prayer shawl
Talmud	Literally means Teaching. The Oral Torah, made up of the Mishnah and the Gemara
Tanakh	The Jewish Bible
<p>Torah</p> <p>The Torah scrolls are entirely handwritten in Hebrew by a sofer (scribe) on parchment from a kosher animal - usually cow. Great accuracy is needed when the sofer writes the scroll. The completed scroll is known as a Sefer Torah from sefer which is Hebrew for book.</p>	<p>The Torah is the first part of the Jewish bible. It is the central and most important document of Judaism. Torah refers to the five books of Moses which are known in Hebrew as Chameesha Choomshey Torah. These are: Bresheit (Genesis), Shemot (Exodus), Vayicra (Leviticus), Bamidbar (Numbers), and Devarim (Deuteronomy).</p> <p>Mishneh Torah: (Hebrew for repetition of Torah) The book of Deuteronomy or, more commonly, the code of Maimonides.</p>
Yeshiva	A school for higher religious studies
Yiddish	The language of East European Jews and their descendents; a combination of Middle High German, Hebrew and Polish.
Zionism	A modern political movement with the aim of creating a Jewish state.





Jewish New Year (*Rosh Hashana*) greetings card from Beit Warszawa (House of Warsaw), Poland's reform Jewish congregation, circa. 2010.

Hidden Ghettos: Jewish identity and the processes of its political, social and legal reconstructions in Poland from 1945 until today

Chapter 1: Introduction: Identities in Transition

“Scratch a Jew and you’ve got a story.”

- Linda Grant

(*When I lived in modern times*, London: Granta Books, 2000, p.1)

“Exile is life led outside habitual order. It is nomadic, decentred, contrapuntal; but no sooner does one gets accustomed to it than its unsettling force erupts anew.”

— E.W. Said, *Reflections on Exile*¹

Identity, is a complicated place to start and perhaps even more a muddled place to end however it is an indispensable assemblage through which we stake our claim to rights, political affiliation and psychological belonging in society. The research is about those people, who consciously or subconsciously have found truths about their belonging, non-belonging, un-belonging and subsequently faced their life transitions with courage. While the search for their controversial roots and/or socio-religious conversions got them closer to their ‘self’, their ‘being’; at the same time it raised many dilemmas as their choice intertwines a divisive legacy of political, legal, social and religious discrimination which this thesis examines. The renewed self-awareness amongst people born/adopted and raised as Polish-Catholics who are now ‘coming out’ as Jews has been a slow and gradual occurrence in Poland influenced through grim political and legal factors since 1947. Furthermore with the reorganisation of political power following *solidarność* (solidarity movement) in 1989, economic reforms and liberalization of media and public discourse from politically-determined constraints freedom of speech, writing and choice gained a new impetus. And, as such, identity transitions got a

¹ Said, Edward *Reflections on Exile and Other Essays*. Cambridge, Massachusetts: Harvard University Press, 2000.

more official ‘way-out’ after the 1997 Act on Jewish religious communes² got incorporated in the Polish constitution on 20th Feb. The thesis probes into the transitions of and within Jewish identity in the transitional state of Poland since 1945 until today amidst concentricity of anti-Semitism, discrimination of rights, forced emigration of Jews, religious dialogues, identity paradoxes, (re)conversion into Judaism, constitutional amendments and European aspirations. My research is a socio-legal account on the increasing renewal of identitarian engagement of Polish-Jewishness and is an attempt to understand how a controversial minority identity is revived and renewed through a range of social and legal processes that enables people ‘to get in touch’ with their hidden pasts, mitigate perceptions of history and cultural circumstances. Based on interviews and observations in the field, I narrate dimensions and shifts within the constructions of being Jewish and trace how Jewish identity affiliation are actively constructed through the state law, religious life-practices (as prescribed by Jewish law – *Halakhah*), community awareness programmes, diasporic influences and cultural events. While there are twelve life-histories regarding individual journeys towards reclaiming Jewishness or Jewish identity interpolated in the analysis, excerpts from additional interviews of journalists, NGO workers, anthropologists, rabbis and historians are also included to present a comprehensive view of this social change in Poland. In the process, the thesis probes into the role of this ‘corrective measure’ for social change that allows such acts of self-renewal which surpass historical prejudices; reintegrates values, reinstates claims and re-objectifies transformation of cultural representation. The ‘corrective measures’ to reconcile injustices of the past I argue lends itself to pluralist influences and outcomes than mere just appropriations. My research contextualises self-definitions of Jewishness obtained from the interviews within the legal

² The 1997 Act on Jewish Religious Communes specifies rights and privileges granted to nine recognised orthodox religious communes in Poland. For details see appendix B.

template of 1997 Act Polish Constitution concerning relations with Jewish religious communes, European Commission Against Racism and Tolerance (ECRI) and annual Committee for the Elimination of Racial Discrimination (CERD) reports of Poland to argue that such reconstruction of identity provokes important questions for the interpretation of Polish-Jewishness. Another key argument that is emphasized in the thesis is that continuous changes and shifts in identity results in an autonomous cosmopolitan renewal of identity that is vibrant and engages in the civic renewal of society.

The central focus of the thesis is to examine the transitions and transformative shifts of a controversial minority identity which I argue creates complex articulation of differences in a multi-layered social structure that combines elements of cosmopolitanism and nationality with a strong desire and courage to confront the truth, as Connolly (2002, p.64) affirms: “identity requires difference in order to be, it converts difference into otherness in order to secure its own self-certainty.” I argue that Jewish identity renewal in the transitional state of Poland is a dynamic political change despite the historicity of paradoxes with Polish ‘neighbours’³ (Zylinska and Glowacka: 2007). Through interviews and life-practices witnessed in the field, I assert the intersubjective reconciliation of identity which yields to a component of positive self-conception within a social, cultural and legal paradigm. Notwithstanding the constant probing for its authenticity from Jewish orthodox tenets, people’s renegotiation of their Jewish identity whether religious or cultural is an emotionally deep-seated one. I identify this change as an autonomous renewal of identity that is *retributive*, *redistributive* and *cosmopolitical* (Cheah and Robbins: 1998) in nature opening new grounds for participatory citizenship; (inter)community practices and ethno-political dialogues. Considering Jewish identity renewal

³ Allusion to the Jedwabne massacre of Jews by Poles as recorded by Jan Gross in his book *Neighbours* further discussed in the historical framework of the thesis: chapter 3.

amidst the transitional state changes in Poland, the following key questions are addressed across the chapters' three to seven of the thesis:

1. How does the nature of a political state transform social identity of minorities with a persecuted past?⁴
2. What kind of minor identities, rights and influences emerge as a result of the state's corrective quest of social liberalization?
3. Does a legal act provide a transformative⁵ measure towards minority rights in a transitional state?
4. How can contested divisions of identities within a minority seek legitimate representation in a transitional state? And does the 1997 Act as legal doctrine of the Polish state make any allowance for autonomy of these contested identities?
5. Can autonomous renewal of identity as a form of self-determination be legally defined?

1.1. Outline of Chapters

This section focuses on the arrangement of my thesis structure. This introductory chapter grounds key theoretical concepts of identity involved in my research, it also explains the implications of the term *Hidden Ghettos* in my thesis title. This is followed by understanding concepts relating to Jewishness and justice and an account of the method of data collection in my thesis.

⁴ In this context: Polish-Jewish.

⁵ Legal changes brought about in a state as reparation to mitigate past injustices from one regime whose norms/impressions are supposedly bad to the understanding of a community whose norms are good.

Chapter 2 addresses the narrative of being Jewish through life ritual and key festive customs. More importantly, it also gives a theological narrative of Judaic thought, alongside discusses the many ways of being Jewish as perceived in my field-research and concludes with a section on a review of literature on Jewish identity in Europe after the Holocaust.

Chapter 3 attempts to further clarify question one in terms of Polish-Jewish history, the struggle of nations within the transitional state of Poland, paradoxes of Polish-Jewishness since 1945 and identifies key movements which hold significance for the evolving Polish-Jewish communes. Besides giving a salient feature of Jews in Polish culture through the ages, I explore the mainstream accounts of Polish national history and reason which part belongs to the Polish-Jewish past. It talks about the three key generational divides that has shaped Polish-Jewish history – generations 1956, 1968 and 1989. I also engage with the key landmarks in history responsible for further political democratization of the Polish state and assess the critically ambiguous role of the Catholic Church. Accordingly the chapter also considers impacts of external influences like the Polish right wing media and the increasing involvement of the Jewish diaspora from the US and Israel that has had political and diplomatic mediation on material policies in the state of Poland to do with communal restitution of property, enabling rights to pervade from state to the citizens (Krishnadas, 2004:22).

Chapter 4 gives a detailed account of the various networks of activity in Polish-Jewish communes that bring people together and provoke a sense of cultural belonging. The chapter accordingly engages with excerpts from religious reflections of some of my interviewees

which validate the claim of religious autonomy and generational divides in the perceptions of Polishness and Polish-Jewishness.

In an attempt to answer question 3, chapter 5 engages with the 1997 Act of Jewish Religious Communes in Poland and tries to give an assessment of the subject-specific arrangements addressed in it in order to explore the boundaries and contestations of Polish-Jewish identity divides, their rights and privileges. I assess how renewed perceptions of the state re-mobilise legitimate recognition in order to reconstruct communities and inculcate inter-faith dialogues which in turn encourage participatory citizenship (Teitel: 2000).

Chapter 6 engages with European Commission Against Racism and Tolerance (ECRI) and annual Committee for the Elimination of Racial Discrimination (CERD) reports of Poland. It attempts to provide a reflection on the state of minority rights in Poland especially related to the renewal of Polish-Jewish identities. I argue that although legal and political factors clearly modify the cost/benefit analysis associated with a particular identity, they do not by themselves determine the individual's final decision. Both chapters 5 and 6 are legal responses to corrective justice in Poland, to clarify how far Jewishness is perceived in the Polish cultural and sociological discourse in terms of diversity and citizenship.

Chapter 7 provides a typology from the context of my primary field-data collection. Brief commentaries of rabbis and social anthropologists are used as interpolated reflections to understand how the nation's political and legal evolution yields to the cosmopolitical renewal of Polish Jews. It also addresses the legitimate processes of Jewish identity renewal in Poland.

I argue, regarding the need for cosmopolitical understanding of the minority religious identity is not dis-associative of past injustices but with re-association with the state, the communities are able to build a self-determined position of identity renewal. Basing on interviewee excerpts on questions relating to Polish and Jewish cultural imaginary and memory, conflicted representation and political implications of the renewed legal representation of Jewish identity, I assess privileges of these identities and assert the need for autonomous renewal of identity as corrective justice in society.

1.2. Why ‘Hidden Ghettos’? : Understanding ghettoization as social theory

The process of identity construction also comprises an emotional component, namely the hidden consciousness which in state politics takes the shape of legal reparation which works through political lapses and moral adjustment, as Teitel (2000:6) says, “transitions imply paradigm shifts in the conception of justice; thus, law’s function is deeply and inherently paradoxical.” Hence my aim is to probe deeper into the reconstruction of a minority identity in parallel to the changes within a state, where democracy has been prevalent for only two decades.

Before the addressing the themes and arguments of the thesis, I shall elucidate on the notion behind the name of my project as it holds communicative significance regarding perceptions of others and self-perception of Jewishness as I witnessed in the field. The word ‘ghetto’ has long been associated with European Jewish history as an urban spatial construct of an enclosed settlement – a pre-modern legal residential space forcibly assigned to Jews by non-Jewish authorities (Heyde and Steffen: 2005, p.424). The term implies exclusivity both in sense of

cultural and material lives, but its interpretation over the years by sociologists and historians alike has brought further socio-political connotation to the concept. Heyde (2005) while chronicling the use and legal application of the term in history since Congress of Vienna in 1812 notes that in German political journalism ‘ghetto’ embodied backwardness. The understanding of the ghetto in Polish-Jewish history records sociologist Alina Cała (2005) was only used in the 19th century as the Yiddish *shtetl*⁶ was the legal-topographic equivalent. The word *ghetto* as text is often seen in anti-Semitic journalism in Poland and Germany with common phrases like the *drunkenness of the ghetto* or *stench of the ghetto* ushering in anti-Semitic propaganda. In the anti-Semitic discourse Cała (2005) notes the word ghetto was frequently used as a synonym for Jewish backwardness as opposed to the purity of Polishness – which stressed that Jews should stay in their cultural ghettos. The ghetto overtones in anti-Semitic propaganda influenced the first anti-Semitic periodicals at the end of the nineteenth century in Poland isolation and exclusion being key perceived Judaic features prior to coming out of the ghetto⁷ towards emancipation. Steffen (2005) however relates the ghetto discourse with the spread of nationalism of Jews in East-Central Europe as Zionism at the beginning of the 20th century and discusses its interconnectedness with the diaspora. Steffen argues towards a *ghetto* not associated with victimised suffering but one that stands-out in terms of the multiplicity of cultures, representative of Jewish life-worlds in East Europe. Thus the term shifts in its historical construction from being merely a forced spatial construct of excluded space and rejection as initially used in Venice since 1516 to a symbol about of justly imbibing considerations of Jewishness in a non-Jewish milieu (Heyde: 2005). This increasingly

⁶ The word *shtetl* meant both a Jewish town and community including all its social customs set according to the Jewish law. Cała notes that in the middle ages its predecessor was the *kehila* –an autonomous, ethnic self-government.

⁷ Also a symbol of Jewish political constitution as noted in work of Jacob Katz – *Out of the ghetto: The social background of Jewish emancipation 1170-1870* (1986) cited in Heyde and Steffen, 2005:427.

ambivalent use of the term renders a shift from exile and isolation to an othered history of indigeneity. The concept of ghettoization (Cała: 2005) as used in the thesis is an allegory of ‘othered’ separateness – temporal, psychological and spiritual. The ‘coming out’ of Jewishness from the invisible walls of ignorance, guilt, repressed anxiety and prejudice to the visible walls of acceptance, community, dialogue and self-knowing in their perceptions and self-expressions is what I term as hidden ghettos. The wall still remains in the mind of some interviewees who don’t want them to be perceived openly as Polish Jews thus reinforcing the idea of external isolation. Having experienced field thinking and writing – I assert anything as old as Hebraic thought or for that matter the remnants of the Yiddish tradition takes on a much-altered cultural essence especially when renewing its life-rituals and identity. When in congregations reformed or orthodox I have seen members putting aside inhibitions and freely accepting their adopted/converted faiths but when stepping outside they still prefer to maintain their ‘traditional’ isolation. The same ease with which people embrace all symbols while inside, gets completely internalised and almost shrouded when they step out in the world outside. Their only concern ‘out-there’ is of civil equality yet lines of demarcation exist in their own private beliefs and Jewish life-practices.

The other commonality of separateness lies in the new generation’s acceptance of Jewish religion. At times I witnessed condescension towards religious reflection, from the new generation of Polish-Jews who prefer to remain merely culturally affiliated and active in community service such as getting involved in restoring communal libraries or synagogues or even participating in inter-faith workshops but ultimately there lies an anxiety to get trapped in religious dogmas of the Talmudic which because of its prescribed observant life-style prevents

many from openly identifying themselves as Jewish – of course for some converts it also works the other way round and is perceived as an inclusive means of integrating with the community. In my field-observations and studies as an outsider-inside however I think that there is a great deal of wealth in Jewish theology as in many other religious traditions that needs to be restored to its rightful awareness of people's responsiveness and intention. For example, the notion of civil society and collective obligation in the Torah can be deeply instructive of communal re-organising and assertion of identity (Walzer et al., 2006).

Such condescending attitudes towards a faith yet having affinity towards it, might again also be understandable because of its intense persecuted past and the fear of 'getting-trapped' in rigid life-practices prescribed by the Halakhah although a handful of my interviewees has certainly come out of that to embrace it. It seemed to me that the idea that people may have any interest in any historical traditions or intellectual traditions of their faiths at times lingers a daunting feeling sometimes even a pejorative attitude, which I believe is a real impoverishment in the society and it has made people feel that Judaic thought itself is much less profound and grounded thing than it in fact is. I believe that the centrality, the weight and the humaneness of theological thinking in life and the fact that what the new Polish-Jews are doing is restoring a common possession bears a huge consequence in a society that have long held such beliefs as marginal. The ghetto feeling in my research thus epitomizes the voluntary adjustments through identity in the lives of my interviewees who actively engage with the learning and nuances of their Jewishness but amalgamate their Jewishness with their Catholic pre-selves in the world outside. Their understanding much like Wirth's⁸ (1928 as cited in

⁸ Wirth, Louis *The Ghetto*, New Brunswick & London reprint 1998 (original Chicago:1928) cited in Heyde and Steffen, 2005, p. 427

Heyde and Steffen, 2005) explanation is a re-evocation of ‘a cultural community’ as a result of prolonged social isolation becomes impressionable to outside influences in shaping and reliving their elapsed heritage. What I extrapolate from their experiences are the demarcations and zeal to create transformed meaningful communities which comes from a prolonged hidden consciousness of affiliation and belonging, hence, the name *Hidden Ghettos* befits my project.

1.3. Concepts of Identity used in the thesis

This section attempts to look at identity as conceptually framed in the thesis. Through a theory informed analysis I examine how identity shifts in a transitional society occur while re/creating and re/structuring futures. Culturally hybrid identity (Bhabha, 1990) is often labelled as salient for post-colonial cultures. However, I intend to show that it can be productively applied to discussion of apparently settled cultures. Through a range of experiences, conditions and awareness of the local and the global, the renewed *Other* gets constructed into an autonomous cosmopolitical self, where cultural or racial continuities and discontinuities of the betwixt and between become mutually exclusive, through an inherent awareness of relations based on local socio-history and influence of global discourses. I argue that past repressions, nostalgia (sometimes conspicuous only in its absence) creates a redemptive reinvention or renewal of minority identity – which is multilayered and often entails a cosmopolitical assertion. This propels for contestation and legitimised action through active reconstruction of identity influenced by an interaction of global and local processes (Krishnadas, 2007). Cosmopolitics and autonomy are often encountered words in the thesis – which I shall also attempt to clarify here.

Mixed affiliation and equal dignity of all persons are related in different identities but for cosmopolitical change in an identity of a person s/he has to be 'different from local ways or categories of being' (Appiah in Cheah and Robbins, 1998:94), capable of making self-directed and self-determined decisions while bearing unique translatability of interaction with the foreign.

The discussion on identity that follows, however, may also be applicable to the broader universal concerns of identity and self-perception beyond any geo-cultural delimitation of Jewishness. As identity is a psycho-social aspiration; it contains a cognitive and emotional factor that bases our needs, feelings and anxieties and shapes opinion while establishing political and social affinities. It also has a propensity to legitimise action through political belonging and/or negotiation – it is a process of recognition (or not) by which we stake our claim in society. Jewishness and the processes of modernity such as colonisation and globalisation are inseparable (Herman, 2006) all of which underscores another process – that of discrimination, an overwhelming battle of alterity and difference, home and the strange, insider and outsider, race and the anti-race (Herman, 2006; Cheyette and Marcus, 1998). Jewishness has often been seen as a long drawn profoundly paradigmatic minority model, enunciating a rhetorical quality of persecution against racist desires of domination and xenophobic nationalism. That is to say the culture of Jewishness as a minority as Herman (2006:18) suggests requires 'judicial investigation and, perhaps, protection'. Jewish identities have always been connected to the ruptures of power and authority as when it comes to notions of identity hyphens are a crucial syntax. While, on the one hand, it could mean succinct linkages, it could also refer to a certain mixedness, a provocative otherness, an

assimilation – in some cases revolutionary, that poses a threat of “unmaking” the homogeneous majority as much as the divided self. The question of all kinds of contested Jewish identity, whether Ashkenazi, Sephardi, Mizrahi or any other, has often harboured a deterritorialized language and/or the ability of being multilingual, an inherent self-sufficient transformative force that demands a collective politico-legal immediacy from the majority (i.e. Weber’s *Legitimitätsglauben* of a society) . Whether placing the Jews in the English culture (Cheyette and Marcus: 1998) or Polish culture (Hertz: 1988) the image has always been dynamic, full of contradictions, radical and always fragmentary. The “kindredification” of *the Jew* (Hertz: 1988) within each culture remains an autonomous collective experience – a renewed assimilation that makes way once again for the “civic world”. The assimilation while on one hand is an internal liberal state process about enduring diversity (Cowan: 2001) and tolerance within the nation, externally, it underplays wider ideological, political and economic force which shapes processes of recognition. Minority identity negotiates and ‘act’ out their part within state battles, with the Jewish nation it has increasingly become appealing for the international diasporas to intervene. Like many countries with a transitional history, Poland is a land of different rhetorics – civil society, international cooperation, preserving sites of heritage and war atrocities as well as of ethnic tensions, religious animosities, ancient prejudices and national security. Over the last six and a half decades the nation has transformed from radicalised difference to re-inscribing counter changes of historical and religious identity; from normative assimilation where the assimilating identity accepts the norms and values of the dominant society to cultural assimilation where the nation is expressed through differentiated modes of everyday life (Stratton: 2000), which has dispersed multiplicitous discourse of pluralism and mixedness. Minority identities in a renegotiated

context thus work through transnational array of actors within a reconfigured geo-political context (Cowan, 2001). Jewish assimilation in Poland, in Said's (2000) words as quoted above the chapter disrupts the already *unsettling force* to bring about a renewed transformation in Polish society where the principle of exclusion works in equal stride with the principle of inclusion – an unresolved cosmopolitan existence. Before I delve into the varied context-specific perceptions of Polish-Jewish identity and Jewishness, I will attempt to analyse the dynamics of reemerging identity as a social process.

a. Identity and identification

Developmental psychologist Erik Erikson (1980 [1959]) defined identity as a sense of one's continuity over time as a being or entity and as Connolly (2002) asserts that the entity or being is established through an understanding of being different from others resulting in conflict especially during transition. The idea of conflict I argue is important during identity transition or transformation. The tensions between wishes or between events that make the flow of life less smooth results in a negotiation with acquired norms and the prior ones which paves an effective way for transition. The question of identity contains a reflexivity of the researcher and the researched which draws attention to the mutable nature of identity which can be re-evaluated at any time without being inauthentic. Reflexivity is crucial to understanding the difference between identity and their collective phenomena through religious, political, cultural or social structures in which they 'work' or exist. The same is argued in social identity theory as identity becomes the fundamental process of social comparison based on likes but most importantly on difference (Turner 1982, Tajfel, 1979). Bauman (2004) further points out, that the double edged meaning of identity and its practices maintain a paradox in the

freedom of choice which is both inclusive and divisive in nature, a fragile balance between rights of the individual and the group. Identity seen from a poststructuralist view is a process of construction, a process never completed, always ‘in process.’ Identity, Hall (2000) contends is “never unified, and, in late modern times, increasingly fragmented and fractured [. . .] produced in specific discursive formations and practices by specific enunciative strategies [. . .] constructed through difference [and] in relation to the Other.” (Hall 2000:19) The engagement with identity and its re/construction process that Hall describes, I argue may lend itself to promotion only if there is (i) a corresponding social category sufficiently rich in meaning to give a coherent perspective in many diverse situations and (ii) a change in personal or social circumstances which causes the preceding identity to cease providing satisfactory explanations of observed events. For example: ‘independent’ Polish identities, shaped by the belief that Communism had eradicated ethnic persecution, were shattered after the anti-Semitic purge. Consequently, their Polishness progressively gave way to a stronger sense of Jewishness since the 60s which subsequently gave birth to the Jewish Flying Universities in the 70s.

Giddens (2000) point out reflexivity as an important moulding of identity which persists and copes with the idea that somewhere there is a point of certainty, of knowledge and truth for welcoming any identitarian changes or response to the old order. Bhabha (1990) argues that to accommodate the *Other* and its representation one requires a degree of objectivity which is often ambivalent resulting in a lack and exchanges a conflict with authority, which in his terms is a *disciplinary double* (as cited in Stratton, 2000:60). Thus drawing from these two opinions I intend to show that differentiation through the subjects or in society’s objectification in law

is a growing dynamic and shifting process which works through autonomy as well as political strategy run by external forces.

Identity and any transitional political process are inextricably linked to historical circumstances (Teitel, 2000). And these historical circumstances get enmeshed in the conscious culture of the state when distributive justice is sought in matters of reviving minority identity and culture. While it is difficult for society to change the pre-existing social accounts and prejudices or victimizations, it resorts to reparations which in turn may often subverts the process of new ascriptions as people fear being categorised in the shadow of the wronged identity, but again it can also imply a discontinuity of the narrative and mediate potential individual choice of identity and liberal action. Moreover, as the role of the state becomes exhaustive beyond history, plural narratives of identity and renewed political identity becomes inevitable through the liberalised mediation of citizens' choice, democratic knowledge and agency (Teitel, 2000:116). Law, power and authority works as a redemptive strategy and holds a performative representation during transitional dilemmas thus the term 'Wandering Jew' (in German: *der ewige Jude*) implies to be both wandering and dependent on historical circumstances is an ambivalent identitarian construct (Cheyette and Marcus, 1998:5). This invokes the argument that minority identity is always an assemblage of transformative force that seeks to undo and disband laws that enunciate the need of the minority culture (Gilman et al., 1994; Deleuze and Guattari: 1987). In the context of my research the identity transitions are a strong transformation not just for the subjects or community who have chosen it but it is a huge transition for the nation trying to rebuild itself beyond the baggage of past injustices and oppression. Thus I think it is important to consider

the process in which identity works its political and social strategies, also termed by Lacan (2000 [1986]) as its mirror stage – its identification.

b. Identification as a social agency

In this section I argue that the way of thinking about changes or movement of identity is brought about through the act of identification – which involves imagining oneself in another person’s place, with its determinate conditions of existence. The social conditions of identification motivate action which transforms the meaning of identity. Here of course power does play an important role in understanding the political dimensions of identity and its ascription, thus the series of differences and paradoxes needs to be socially recognized (Connolly, 2002). Stuart Hall (in Du Gay et al. 2000) discusses the ‘deconstructive’ turn in cultural studies. Hall claims that, although it has been “put under erasure,” we need to continue to discuss ‘identity’ preferably as ‘identification.’ Hall (2000) writes “identification is in the end conditional, lodged in contingency. Once secured, it does not obliterate difference. [. . .] Identification is, then, a process of articulation, a suturing, an over-determination not a subsumption.”(p.17) In the context of my research the cosmopolitical identification is a voluntary position that privileges choice over chance, where the cultural gets carried over to be the political through multiple global-local constituents, it is about coming to terms with the history of the present through consciously overcoming the brutal memory of history, scattered all over Poland. It is about aspiring to fill the impossible void⁹ with a

⁹It is difficult to bring back the Yiddish heartland of 3.5 million by only 35-40 thousand people constructing or renewing their Polish-Jewish identity.

complacent alterity – a willing and progressive way of accepting things Jewish, resituating a pleasure in the difference for the other, through the other.¹⁰

While engaging with the polemics of Jewishness, and to explore how this mixedness in identification is an essential Judaic construct time and again re-affirming the need of the other in the construction of the cosmopolitical, as a non-European I took much interest in the book *Freud and the Non-European* (2004) where Said explores this exilic otherness, Said (2004) proposes the existence of the othering in Jewish roots itself. Judaism comes to being through proximity of the foreign, Moses — an Egyptian, a non-Jew and it is in this closeness with a non-Jew that Judaism posits of what it means to be Jewish. So as opposed to the centrifugal and inclusive understanding of identity, which cannot be thought or worked through without the recognition of the limits inherent in it, we witness a centripetal force in the creation of besieged identities, establishing norms of community that negates exile while in exile. The dialectics lie when this found identity meant for a positive change ultimately becomes a risk and is persecuted in future as the ‘threatening others’. These polycentric-shifts in the meaning of the real, symbolic and imaginary create yet another vacillation of Jewish identity – whereby a notion of ‘being Jewish’ becomes very different from the ‘Jewish notion’. Thus, the self, in this case the Jewish self, almost exhibits a Levinasian dependence to the arrival of the other, reshaping identitarian engagement as ‘an alterity constitutive of the very content of the other’.¹¹ This idea however according to anthropologist Ulf Hannerz (2004, p. 69) can also be

¹⁰ Jewish identity in contemporary Poland is deeply influenced by the Israeli diaspora and the American Joint Distribution Committee as well as the World Jewish Congress so there is an overhaul of foreign (non-Polish) philanthropy that instigates collective action. Further evidenced in chapters 4 and 5.

¹¹ I study Levinas through a Derridian perspective for a deconstructive notion of alterity, self and other. Here I refer to Derrida’s ‘Violence and Metaphysics: An Essay on the Thought of Emmanuel Levinas’ in *Writing and Difference* London and Henley: Routledge and Kegan Paul, 1978.

argued ripe for ‘genuine’ travelling cosmopolitans who willingly engage with the other as *aficionados* through an appreciation of traditions and customs other than their own.¹²

In *Freud and the Non-European* what Said likes most is Freud’s embrace of Moses as the non-European, the Egyptian as the founder of the Jews and the consequent challenge that the figure of Moses poses to a strictly identitarian politics. If Moses is to stand for contemporary political aspiration, it would be one that refuses to be organised exclusively on principles of national, religious or ethnic identity. It would be one that accepts a certain impurity and hyphenation as the negotiated conditions of contemporary social and political life. Said (2004, p. 54) writes “Moses was an Egyptian and therefore always outside the identity inside which so many have stood, suffered and later, perhaps even triumphed.” It is striking that although Said reflects on the origins of Judaism he finds there at the start of that origin a plural history, a mixing with otherness; what continental philosophers might call an indelible othering or alterity, an alterity which turns out to be constitutive of what it is to be a Jew. Despite this analysis, it is important to underscore that in reality Moses was born of a Hebrew mother adopted by the pharaoh’s daughter. While Moses had “the wisdom of the Egyptians”¹³ his consciousness never left him. He did not forget his origins and stood up for his own people. Thus while introducing Judaic faith to his people he was in effect rediscovering Jewishness in his own life. Moses’ realization could be argued as a cosmopolitanism that was rooted but nonetheless contested and whose identity challenged by circumstances developed into “a troubling disabling, destabilizing secular wound – the essence of the cosmopolitan” (Said, 2004, p. 54)

¹² Hannerz Ulf “Cosmopolitanism”, in David Nugent and Joan Vincent (eds), *A Companion to the Anthropology of Politics*, Oxford: Blackwell, 2004 p. 69.

¹³ Exodus Chapter 7

When these paradoxes of ‘Jewish’ identification are combined with post-holocaust secularist modes of Jewish assimilation in Poland today, the Polish-Jewishness becomes a controversial minor culture of an already existing minority, which brings about a renewed transformation in Polish society where the principle of exclusion works in equal stride with the principle of inclusion – an unresolved cosmopolitan existence. History indeed repeats itself in yet another novel way where the “re-ethnification” of Polish-Jewish identity after a series of de-judiazations is now getting reclaimed through volition, i.e. choice, over chance by the returning others yet again through a diaspora which confirms the nature of cosmopolitan power and persistence; a liminal journey in search of a dubious middle ground where the matter on either side of the hyphen isn’t just about heterogeneity but a recurrence of yet another energized autonomous de-centering from/within the diaspora.

Hall (in Du Gay et al., 2000) in his study of identification foregrounds the major fault line in the ‘subject-of-language’ approach to identity; i.e. between the social control and the personal investment. He observes these essentialist concepts have been ‘put under erasure’ “operating under erasure in the interval between reversal and emergence” (p.16) “in its new, displaced or decentred position”. This identification of Jewishness is once again evidenced in Jewish theology in the story of Ruth, a Moab and non-Jew who chooses to stay in Judah with her mother-in-law Naomi becomes known as a faithful and righteous woman. She eventually marries Boaz who is of a noble family and becomes the great-grandmother of King David. So once again the decentred identification of the alien is found at the very foundation of Judaic identity construct. Ruth comes into the Israelite fold as a stranger and ends-up being in the lineage of their greatest king which also has another bearing on the New Testament, as she

also belongs to the house of Jesus which emerges from the house of David. Thus in Christian teaching the story of Ruth is about the foreshadowing of the gentile inclusion of the Jewish redemption. The Jewish messiah is the world's redeemer and the presence of the gentile, the stranger in his bloodline suggests that expansion of the promise. Ruth is both a stranger as well as holds absolute centrality as a strong identity of either as an Israelite or as a Christian. So the relationship between subject and discursive practice as Hall (2000) rearticulates pins down to the question of identity or rather the question of identification (involving the process of subjectification and the politics of exclusion) recurs.

I structure this analysis of identification and exclusion in my field research where this subjective vision of identity is recognizable through many of my interviewees who rearticulate their new found Jewishness as a decentred belonging but having an emerging essence with affiliations to intersected cultural practices. This decentred transition of Polish-Jewish identities I argue needs to be explored empirically through its micro and macro situated complexities.

Before addressing the contexts specifically I also want to explain 'the wider gap' in Europe. The whole Eastern Europe has built its identity and self-perception by relating itself to the West while also developing an inferiority complex to Western Europe. Accepting that by the virtue of tradition and spirituality they belong to the East is inconceivable to Eastern Europeans who recognize that they are part of Eastern Europe only geographically and even this they consider as a handicap. In the circumstances of the recent international evolutions of the past two decades, the relation between Eastern and Western Europe is in a transition. The

invisible border between East and West; with the European enlargement created on one hand a denial or a wish for non-existence of an Eastern European identity especially among the young generation whose perceptions and mindsets are much like the capitalist West. But on the other hand the struggle between the existence and inexistence of East Europe creates a new narrative construct reviving transitional deliberations in the politics of the state welcoming a liberal transitional identity (Teitel:2000) that mediates and sometimes is even quite of place within the plurality that it embraces. The transformation of performances through processes of interaction and mediation through political institutions and the legal representation of cultural practices, all affirm a *posthistoire* complex but cannot always obliterate difference. Thus a political ambivalence works in parallel to the identitarian process between autonomy and affiliation. Although the scope of identity and reconstruction of Europe is beyond the scope of the thesis, nonetheless this salient feature of coping with exclusion while reconstructing citizenship within Europe is an unavoidable aspect when studying delineation and revival of a minority identity also within its dominion, counterbalancing the European consolidation of fundamental freedoms (J. Bhabha: 1998; Dembour: 2006).

1.4. Jewishness and Justice

In this section I shall introduce a key made in the thesis between Jewishness, ethical Jewish diversity and corrective justice which eventually also brings about communal justice and social justice. Jewish identity in the post-holocaust era consists in the perception of international standards being incorporated as a measure for corrective justice and security for locally-generated regimes for political internal arrangements.

Ethical diversity and communal autonomy are the two very important sides of Jewishness (Dasgupta, 2008) that a state needs to accommodate if redemptive future is to be achieved. Like many religions of the world Judaism and indeed Jewishness does not speak in one voice. It has divides and sub-divides pertaining to their attitude to the Halakhah or Jewish Law (Walzer et al. 2006). While the Orthodox Jews accept the Halakhah as the first point of reference and sole authority, Conservative Judaism sees it merely as value holding in determining personal obligations and behaviour to the community and by contrast Reform Judaism insists on grounding individual norms and conscience based on the importance of personal autonomy (Fisch in Walzer, 2006, p. 96).

While in the larger societal context, ethical diversity is based on protest, civil action and implementing the law, in Jewish cultural and religious choice, it is viewed through the salient features of the community and its approach to the Halakhic order. Halakhah grants freedom and justice to Jewishness in terms of ethical plurality of thought, community rituals as well as social and cultural participation and at the same time prohibits conduct which certainly challenges the concept of toleration. Parallel to this concept of Jewishness and justice is the idea of inclusion and exclusion of identities (Wettstein, 2002) which questions the fundamental question of claiming an identity – in terms of before whom can it be claimed and indeed what kinds of claims of Jewishness can be made in this world which will engage Jewish identities to the social contract of the Torah yielding to mutual consent of community membership and indeed crucial in citizenship a political reality (Novak in Walzer, 2006). While secular Jews demand a far liberal value in community choice, orthodox Jews need that religious sanction which may well be context-dependant and time-bounded but both clarify

justified frameworks of living in the context of Jewish diversity. While Halakhah indeed blurs the divide between the ethical and the law (Seligman in Walzer, 2006), it nonetheless engages with the possibility of a common human morality and social order of plural Jewish collectiveness.

The passage of time opens up the possibility for corrective justice which may well be redistributive in nature. Jewish law or the Halakhah was developed in conditions of exile, where Jews had neither a state nor citizenship of any sort. What is interesting to note that this exilic legal process has been incorporated in democratic states such as US, Canada, Poland, Britain to name but a few as a legal pluralistic feature of accommodating citizens or Jewish minorities (as applicable in the contexts of the states) to layer the conditions of belonging and instrumental in finding ways of being home politically. The acknowledgement of the ‘interiority of law’ in the 1997 Act on the Jewish Religious Communities is especially an important example in the context of my research. When the minority it has its own law that legislates life-practices, customs, security and identity, the state has to accommodate it for democratic and political transformations to occur (Minow, 1996). In the context of my research, such recognition gives the state an opportunity to integrate with Jewish communes and mobilise narratives of reconciliation with political and social change. To understand and practice religion, theological thinking is important for the members of the congregation. And when modes of thought and theology integrates all the elements of human experience more exhaustively than any of them to get a legal functionality in a state then its purpose is to integrate at every level of democratic citizenship (Walzer et al., 2006) a meaning becomes pervasive through all aspects of life, rather than being isolated in narrow interests and narrow

purposes. The *Halakhah* with its nomadic mutuality between the citizen and the state is a messianic doctrine promising Jewish entrance and perhaps acceptance from the wandering past to each mitigated territorial present, from the medieval ghetto into the larger political worlds (Zohar in Walzer et al., 2006:138-140). There's indeed a marked universal function in this view, but nonetheless the progressive vision of Jewish messianism and legal obligations as based on the covenant with God, paves the primacy of the human will to autonomously build local civil societies, while integrating the international.

In relation to the state and the interior law of Jewish minorities, more often than not there are two major underlying ramifications, one that equality as a means of 'deepening' protection in a way that it can reach out to, for example, through communication and religious education and maintaining an open dialogue with public authorities; and secondly equality as a means of 'widening' protection so as to not permanently exclude minorities from societal processes in other words, the rights of the *other* must be recognized.

As Zohar (2006:35) interprets: "In the exilic situation the affairs of state and society were addressed predominantly from the perspective of a Jewish group living within an alien state. When we consider the idea of a civil society distinct from the state, an analogy may be drawn to the exilic paradigm of an autonomous community within the gentile state." The factional visions separates the way one is initiated into the congregation, Rabbi Burt Schuman¹⁴ of Beit Warszawa comments: "We very much acknowledge the work that Rabbi Schudrich is doing at Nożyk, but we prefer to work separately in closer alliance with the World organisation of reformed Judaism. We have initiated conversion through the London Beth Din mainly because

¹⁴ Interview taken by me at Beit Warszawa in August 2008.

they are more structured and perhaps more conservative than we are but it is important we work along under the aegis of the progressive movement.” While the autonomous body of religio-cultural standards precisely serve the specific and sole objective of governing the complexities within the minority as an ethno-cultural sub-group, it always work through a nexus of rights under diasporic influences and remains somewhat silent or indifferent about the specifics of any sub-minority regimes. When it comes to corrective and redistributive justice for the state it has to thereby keep these constitutive identities in mind and provides some foundational criteria, regarding customs and rituals if rehabilitation and compensation are to be achieved this is seen in the 1997 Act where Jewish dietary laws (*Kashrut*), ritual bath (*Mikvah*) and religious action (*Mitzvot*) are incorporated in Articles 9 and 10. I shall further engage with the notion of corrective justice from state to communities in chapter five while discussing the 1997 Act.

1.5. Research Methodology

I use qualitative research and primary field data to reflect in the thesis and assess it in parallel to legal contexts. My interviewees narrate their respective journeys of conscious renewal to being Jewish which I analyse to understand how far renewed identities can facilitate social, political and legal considerations within a state. In the field I realized I was travelling into the notions of Jewishness, faster than I expected, and was able to know and interact with colloquialisms of my subjects, able to build rapport and extract their life-stories. I realised that as I was observing, the culture was slowly integrating with my self and I was able to read into the paradoxes of local life-experience that I encountered. Indeed the possibility of celebrating Jewish culture and tradition is a novel circumstance for many of my interviewees as discussed

in chapter 7. But that by no means is an easy deliberation, as evidenced in chapters 5 and 6, Jewish rights building processed has often worked through anti-Semitic prejudices and paradoxes as witnessed through the ECRI and CERD reports.

In this section, I shall explain the methodological scheme of my research. I record the narratives from my interviewees about their cultural and/or religious journeys of reconversion or renewal of Polish-Jewish identity and rearticulate them as empirical approaches to the modern processes of local, global and transnational contestation that impacts this revival. Field experience is always an intercultural one (even if the researcher comes from the same culture, interpersonal differences puts the relation in an inter mode as ethnicity with or without hyphens is always a subjective position and can never leave a person no matter how assimilated due to other cultural influences or experiences in life) while the written word is a transposed concept of the text written and revisited away from the lived experience. What I found most remarkable here is that the interaction between the verbatim, semiotics and the written word with thematic narratives always remained a consistent dynamic process right from its recorded formation (through interviews, field notes etc.) till the whole lived experience or experience of the subject and the self, researcher and the research is put to text.

Field reflections have numerous possibilities no one position can talk prefigure the shadow of the other or for that matter begin from within a common parlance as native understanding, self-representation in participation and observation are three very different components. This juxtaposition of engagement and liaising in the field and the observant aloofness of reflection however has an innate pivot of understanding 'every single one of us who are a native of a particular world, of which we have an intimate and largely intuitive knowledge' (Dembour

2001:197). Indeed this intuitive knowledge gives the field researcher a momentum to encompass native understanding and transcend local knowledge as Kirsten Hastrup in her work *'A passage to Anthropology: Between Experience and Theory'* (1995) contends that anthropology will always— she writes “the point of anthropology is to ‘transcend self-description’ and incorporate to a language of a ‘higher generality’.” In my field research I witness on various processes of exclusion, recognition of cultural similarity and constructions of transitional otherness through which individual subjects are formed. In doing so it is add another deeper dimension by critically interrogating a more subtle understanding about constructing ‘the world that is not already produced by the world itself’ (Hastrup 1996:78).

My visits to Poland to conduct field research on the revival of Jewish culture in the three consecutive summers (2006, 2007 and 2008) for about three and a half months altogether provided many insights into the varied negotiations in the reconstructions of Polish and Polish-Jewish identities. So while time to gather data was limited I had to hone up networking while in England, almost serendipitously making the right connections and bridging contacts in the field. As time in the field was limited while I could gather basic information about the restoration of synagogues from the Foundation for the preservation of Jewish Heritage in Poland, my itinerant schedule for gathering life histories and engaging with rituals and discussions with people prevented the opportunity of getting any legal document for restitution of Jewish property which I also realised was an uncomfortable and tedious process about which people resisted to talk in detail. But I hope to keep my persistent approach alive with gathering data of one or two restitution projects and analysing the contexts with ethical approval of my subjects before I rest the thesis for publication.

Having read the importance of multi-sited primary data research and data reflexivity, I realised that both had to be achieved in a concentrated time so the data hungriness and field tension was constantly lurking in my mind. I conducted fieldwork through semi-structured interviews, was a participant observer in cultural seminars, religious ceremonies and commemorations alongside members of orthodox and reformed Jewish communities like Lauder Foundation, Nożyk Synagogue (*Synagoga Nożyków*) and Beit Warszawa, as well as liaised with journalists, academics and my interviewees through organizations like the Borderland Foundation in Sejny, Jewish Historical Institute and Forum for Dialogue Amongst Nations (FDMN) in Warsaw, Czulent in Krakow and various Jewish cultural committees working towards the revival and preservation of minority rights, members of Jewish youth clubs or forums as well as Jewish property restitution in Poland. Additionally, I gathered data from census reports and relevant articles from newspapers from *Gazeta Wyborcza*¹⁵ archives in Warsaw, much of which is the source material for the sections that discuss the historical background in the chapter three.

In my research, I focus on cultural meaning and approaches to Jewish life-practices that constitute rights as a result of new and broader political and legal configurations in Poland. While articulating the poetics of meaning construction and this politics of consent formation, my field account provokes a deeper assessment of this hybridity and its consequential assertion of differences through a ‘reflective’ enactment. Through my interviewee verbatims I examine the revival or renewal of Polish-Jewish identity as a process that is simultaneously

¹⁵ Founded by Adam Michnik, *Gazeta Wyborcza* is one of the largest left wing national news dailies in Poland. www.wyborcza.pl - I am grateful to Anna Solarska from the Department of History, Royal Holloway, University of London for introducing me to the archivists at the *Gazeta Wyborcza* office in Warsaw.

assimilationist and subversive, restrictive and liberating. For example, despite being progressive many ‘new’ Jews fear or avoid wearing the Kippa in public clarifying Derrida’s notion of the ‘constitutive outside’ which refers to predominance of the long drawn perceptions and hence sees identities as relational and ‘irredeemably destabilized from its exterior.’¹⁶

My initial approach as a field-researcher was to locate sites and organizations (both religious and non-religious) in Poland where global, national and transnational processes revealed about the revival of Polish-Jewish identity and culture. I carried out ‘multi-site method’ in this research – in the cities of Warsaw, Lodz, Krakow, Sejny and Wroclaw in Poland (De Neeve et al., 2006). While on one hand by multi-site method I mean research carried out in several sites where I studied approaches to Jewish cultural revival projects and Jewish identity, on the other, I deliberately sought these diverse perceptions on Polish-Jewish identity to avoid generalizations of the place and people which as pointed out in the previous chapter Poland suffers in more ways than one. The aim of the project is to bring the gathered dimensions of multilocality (different voices in different places) with its, political, legal, cultural and historical contexts to narrate the making of the *Other*. As Marcus (1995, 1998, 1999), the main promulgator of multi-site research has observed, the underlying objectives of the method are to avoid over-determination, to elicit and pursue unexpected juxtapositions and connections and to generate innovative problematisations. Thus I took up this method to fully realize as propounded by Marcus that investigations should begin from a starting point that poses questions without supplying answers, which leads simultaneously in many directions.

¹⁶ Derrida, Jacques “Interpretations at War: Kant, the Jew and the German,” in *The Act of Religion* Ed. Gil Anidjar, New York: Routledge 2002

i. Introductions and interactions

Going into the unknown terrain my first anxiety was one of adequate research data gathering. I had to be almost religiously disciplined with my networking and follow-up with my contacts. While in the end I managed to have sufficient time observing, participant-observing and interviewing, my key concern at the outset was about getting interviews from different towns and cities in Poland and not just be restricted to responses from Warsaw. Another concern was of language while I had the working-knowledge of Polish in cities like Warsaw and Krakow – some of my informants from smaller towns in the North-East of Poland and in Lower Silesian areas had as expected distinctly different accents, fortunately I had help from translators who mitigated this complexity. Being a practicing linguist I am not too keen on getting translated field data but I had to avail such resource due to time constraints. While I was introduced into most religious congregations as a participant-researcher interested in Polish-Jewish studies for easy comprehension of people – all my interviewees whether religious or non-religious were handed an information sheet, signed consent forms and gave their contact details (Please see appendices 1, 2 and 3). These forms and questionnaire were earlier sanctioned by the research ethics committee of the faculty of humanities and social sciences at Keele.

Indeed there is a difference of perception to and acceptance of subjects when one ventures to the field for primary data research as opposed to when one is a ‘live-in researcher’ (Krishnadas, 2004; 2007). While I did background research of contexts – the factual experience of knowing the land and people was remarkable. I was deeply

touched with the attention and welcome I received from some communities. At the same time my training as a journalist early on in life gave me the zeal to keep on persisting information from those who gave me a distant and cold shoulder. I dare say, but I succeeded in most of my endeavours except from few who did not want to discuss property restitution cases. I received a tough response Foundation for the preservation of Jewish Heritage in Poland (FODZ) when I enquired about the legal processes with restoration of derelict synagogues and Jewish cemeteries though I managed to talk with the FODZ director who insisted these were confidential information and that they had their ‘own ways of working’. I realised, if I had more time to spend in the field I could have perhaps liaised and persevered more to get details but I was constrained with time and funding so each day was crucial in fostering networking towards primary data-gathering.

ii. How I chose my interviewees

Drawing upon what I mentioned earlier, my primary field-data has a special emphasis on the rhetoric of the interlocutor. Since the study is about the renewal of the already marked controversial ‘Other’, I consider the other as the renegotiated interlocutor more than just the other-as theme.¹⁷ The research is based on several dialogic encounters that illustrate how people negotiate their Jewish identity and the related cultural or political affiliations in contemporary Poland, an empirical investigation into the quotidian tactics of reliving a revived

¹⁷ Theunissen, M. *The Other: Studies in the Social thought of Husserl, Heidegger, Sartre and Buber*, Cambridge, MA, MIT press, 1984

Drawing from the above mentioned literature on the philosophical intersubjectivity surrounding the relationship of "I" and "Other" – I engaged with Jewishness as the premised other while gathering interviews from either cultural or religious Polish-Jews rather than approaching them as a constructed *other* in the community.

controversial identity with strained past and continuous shifting boundaries of inclusion-exclusion through historical, social, political and legal standpoints. Most of my interviewees talk about their journeys into Judaism or renewing their Jewish identity after learning from confession of a parent, or deathbed confession of a grandparent or through repressed family memory. They have all lived their lives as Polish Catholics now coming out Jewish or renewing their Jewish roots through multi-formed perspectives about re/instating life-practices and identity.

After completing nights of transcription to make sure the verbatims appear just as they sound as narrated to me. I mediate between the contexts that I address in my interviews and the broader thematic templates of this research. Field encounters are always a place of power struggle as subjects often feel subordinated and “getting judged”. While I have been fortunate to have debt in the field where people have shared their life stories, but field worries and anxieties of being accepted in the religious communities were always there. It was difficult to wade waters in some the orthodox communities especially in Wroclaw. However I accepted these failed encounters as potential ways to keep the multi-sited ‘data hunt’ going.

I got to know my interviewees while participating in religious events, cultural seminars, theatre projects and festivals. Though I received a bit of initial reluctance from the orthodox communities in Warsaw and Wroclaw, however later found people who were kind and willing to share their life-changing stories.¹⁸ I also selected my interviewees with the help of NGO workers, cultural anthropologists at the University of Warsaw and staff at Jewish academic,

¹⁸ I sincerely thank Ms. Helise Lieberman, Principal of the *Lauder Morasha* in Warsaw for helping me bridge contacts with my interviewees from the orthodox community.

cultural and political centres as well as from participants in the Jewish festivals in Krakow who had affiliation to any Jewish organization or community centre with either cultural and/or religious curiosity. The criteria that I used for each respondent was that they were aged between 19 and 55 years, knew they had a Jewish lineage, i.e. at least one of their parents were Jewish, were trying to renew Jewish roots and engaged with some kind of Jewish life-practice or commemoration and were aware of Polish-Jewish communal politics, were Polish citizens who have lived in Poland all through their lives or major part of their lives – two to three of my interviewees just studied abroad for a while but returned back to Poland.

I interviewed twenty-five people who shared their life's transitions with me, for the purposes and limitations of the thesis however excerpts from only twelve interviews will be used as examples. While I realize categorizing my interviewees in groups is certainly not the best thing to do and I tend to avoid that in the thesis for the most part as I examine their verbatim more in the context rather than classifying them into groups. But only for the logicity of the primary research method and to give a broad idea of different community and identitarian ascriptions, I divide my interviewees into Orthodox Jews, Progressive Jews and Jews who are just 'culturally curious' with little or no religious affiliation. An interesting sub-category of the Progressive Jews is the Polish-Polish-Jews, i.e. the Poles who are non-Jews now converted to Judaism through the Beth Din.

iii. Nature of interviews

Negotiating a religious identity is difficult because adopting an observant lifestyle entails living life radically different from that of a secular Jew. For the observant virtually every

aspect of one's life is structured through the Halakhah: including methods of praying follow a form of diet and communal obligations. Again most observant people don't observe everything by the book – they add *mitzvahs* with time. Perhaps the striking difference between secular and religious life is learning to give over the control of one's life to the commandment of God – a concept antithetical to the individualist ideal of secular progressive culture. Thus when asked the same questions on life practices I got very different responses from my interviewees who were secular or reformed or unaffiliated and from interviewees who were orthodox.

I designed a basic interview protocol or information sheet (see appendices) that discussed the nature of interview questions in both Polish and English and handed it to all interviewees before each session. While most of my interviews were in English, I took three interviews in Polish. I used conversational style of interviewing as in my experience both as a journalist and field-researcher; it encourages people to participate more. Open ended conversational interviewing generated in a more candid personal narrative and diminished the power or control of the interview process, which de Certeau relates as 'formalities of practices' and 'modalities of action' respectively.¹⁹ I interviewed most people in a non-formal manner exchanging social conversation, transcribed the interviews and what I quote is their verbatim. While qualitative research is about recreating life's episodes, the dialogue ideally fuses the researcher and the interlocutor in an intersubjective conversation where each is altered by the interactions with the other, for instance, at the end of some of the interviews, my interviewees did ask me why I had chosen Polish-Jewish identity as the subject of my research. While I had no problem in disclosing my cultural interests which I briefly mentioned in most

¹⁹ de Certeau, M. *L'Invention du quotidien: l'arts de faire*, nouvelle édition, Paris: Gallimard, 1990

occasions, at times, I felt awkward not for the reason that I always had to justify myself but more because besides law and culture this project has a cathartic and transcending value in my life. As a researcher, I find the precepts and cultural practices of a philosophical or spiritual tradition, very different from where I grew up as a literary and spiritual restorative in life. I am neither an atheist nor deeply religious but as a researcher like to observe rituals from a distance. Mostly I am fascinated by linguistic impressions and life experiences from within different cultural traditions and through this research retain an obsession towards East-Central European worlds.

The dialectic of identity feeds on the recuperation of shared past experiences between the researcher and the narrator whereas the dialectic of otherness is maintained by the differences emerging in the dialogue between the two. The field intersubjectivity is thus established. Additionally, researching the particular (Abu-Lughod, 1991:149) is concerned with the explication of the ways in which extralocal events and processes are articulated in society which in this context highlights the place of the renewed Jew/Jewishness in Polish culture indeed quite a drift from the absence or imagination of Polish-Jewry in Poland after 1945 thus besides life-history interviews I also add comments from academics and cultural activists, who reflected on this cultural re-emergence and the political implications that it holds for Poland.

A deeper understanding of this cultural hybridity is not just a mere summation of differences whereby eclectic symbolic elements like the Catholic cross, Star of David in religious sense, or organ recitals and Klezmer cafes socially cohabit rather hybridity is a dialogical re-inscription of various codes and discourses in a spatio-temporal zone of signification brought about by history. (Kraidy, 2002:205) Accordingly in the following chapters I include some of

my field notes that record various Polish-Jewish communal settings and observations from watching my interviewees interact in their community.

To seek a balanced reciprocity with my interviewees I tried my best to keep the conversation floating enough so that there can be enough spontaneity and talking ‘without reservations.’ Obviously I had to gather prior cultural knowledge while probing into their lives. I was investigating persons, scrutinizing their motivations and actions but tried to sustain a balance between professional motivations of the discipline or where I was intellectually coming from and just being a listener – for the most part I let my interviewees speak and I deliberately went along with what they were saying. Most of my interviews lasted between forty-five minutes to an hour with the exception of three interviews that lasted for couple of hours. Most interviews are life histories. I keep my claims specific to those I interview; they are all self-reflective views about their individual journeys to their Jewish roots and ‘coming out’ Jewish, the interviews investigate further into the recesses of reasons/choice of their cultural or religious reconversion or reclaim. The conversations have an ethical claim to confidentiality, so while representing the subjects in my dissertation, some name(s) may be altered and I guarantee anonymity as requested by the interviewee on the interviewee detail sheet.²⁰

The linguistic aspect of the interviews whether in silence or in speaking the truth bring about Katz’s revealing phenomenon²¹ and readily improve the structure of intent of the hidden data

²⁰ Only three of my interviewees wanted their names changed while sharing their stories, which I have adhered to and noted as: (name changed) beside **their preferred pseudo names**. The information sheet, interviewee detail form and questionnaire were approved by the Ethics committee, Faculty of Humanities and Social Sciences Keele University on Tuesday, 24 July, 2007

²¹ Katz, Jacob On luminous description and causal inference in ethnography, *Ethnography*, Sage December 2001 vol. 2 no. 4 443-473 [doi: 10.1177/146613801002004001]

that explain how, the ‘how’ related ‘why’ and ‘in whose interest’ relations of social forms are involved. Silences especially are a symbolic interpretation of life which often makes researchers think twice while drawing inferences and observations as it is often a negotiation or assumption or compromise via semiotic detours.²² The life history questionnaire and inquired about life-practices and experiences and perceptions about their newly found cultural, religious and identitarian ascription. Here are a few examples: How did you respond to knowing that you are Jewish? What made you choose this Jewish way of life? Do you still practice any aspect of previous faith? If yes, what do you practice/observe? Does your previous faith have a lasting significance in your life despite your renewed ‘new’ practice? If no, why did you choose to disengage –how was it difficult or easy? Do you want your siblings or your next generation to practice Judaism as well and engage with the Jewish community? (For the entire list of questions see appendix A4.)

My field-research strategy is to conjure up an assessment not of identitarian repression, but rather an awareness of identity and culture — that people can define themselves by who they are, by who they are not. In my findings, it often results in multiple ascriptions of their renewed Polish-Jewish identity, an overlap of their social and individual negotiations or curiosities to suggest alternative ways of conceptualizing community.

²² Garcia-Canclini, *Culturas Híbridas: Estrategias para entrar y salir de la modernidad*, 1989, Translated as *Hybrid Cultures: Strategies for Entering and Leaving Modernity*, C.Chiappari and S.Lopez, University of Minnesota Press, 1995

Chapter 2: What is it to be a Jew?

This book of the law shall not depart out of your mouth; you shall meditate on it day and night, so that you may be careful to act in accordance with all that is written in it. For then you shall make your way prosperous, and then you shall be successful. (Joshua 1:8)

Keep these words that I am commanding you today in your heart. Recite them to your children and talk about them when you are at home and when you are away, when you lie down and when you rise. Bind them as a sign on your hand, fix them as an emblem on your forehead and write them on the doorposts of your house and on your gates. (Deuteronomy 6:6-9)

There shall be one Torah and one law for you. (Numbers 15:16)

As increasing number of Jews in Europe are returning to their roots in search for meaning and eager to explore their heritage that is embedded in history and with the changing times – it is meaningful to understand what it means to be ritually, spiritually and culturally Jewish and indeed what being Jewish in the twenty-first century entails. The chapter intends to offer deeper insights of Judaism’s heritage and its multiform character as well as attempts to record the cultural understanding of what it is to be a Jew.

2.1. The Torah: Structure, Vision and Narrative

Central to Judaic thought is the Torah meaning instruction or teaching - it refers to the collection of rules and regulations that occupies the first five books of the Hebrew Bible. Since God dictated the Torah to Moses on Mount Sinai fifty days after their exodus from Egyptian slavery it is also known as the five books of Moses in Hebrew and *Torat Moshe* meaning the Law of Moses (Stanley, 2010). The books are: *Bresheit* (Genesis), *Shemot* (Exodus), *Vayicra* (Leviticus), *Bamidbar* (Numbers), and *Devarim* (Deuteronomy). It is the divine covenant through which God establishes his authority and shows how he wants Jews to live by 613 commandments of which the Ten Commandments are paramount. While the Torah is the first

section or the first five books of the Jewish bible, Tanakh is more commonly used to describe the whole of Jewish scriptures. As a term Torah is sometimes used in a more general sense to incorporate Judaism's written and oral law. This definition encompasses Jewish scripture in its entirety including all authoritative Jewish religious teachings throughout history. Alongside the written law, God also told Moses about the spoken or oral law, which only got codified in the 2nd Century C.E. This is known as the *Torah she b'al pei* or literally Torah from the mouth. The Hebrew letter Pei [פ] is the seventeenth letter of the Hebrew alphabet and has a numerical value of eighty. Amongst many connotation of this numerical value, Jews believe that it was also Moses' age when he led them out from slavery in Egypt. The oral law was passed down orally from generation to generation. It is the information that Jews need to practise fully alongside the commandments in the written law (Gilman, 1991; Walzer, 2006; Stanley, 2010).

At the centre of Jewish ethnocentrism lies the understanding of being the chosen people to whom god spoke as his covenant partners and gave them the endearing concepts of community. The ethnocentric stories and language recreates and reinforces a special sense of group identity, support and cohesion. It harbours a long tradition of interpretation of 'aggadah' or ethical story telling (Stone, 1993). They exploit the idea of the self-imposed social boundary of the Jews in lieu of the spatial boundary to retain their identity as a distinct people. Another part often reiterated in the narratives of the heavily plot driven stories of the exodus and the Yaweh's or God's speaking is that of loyalty. There are numerous characterisations that offer both positive and negative role models in the stories of the Hebrew Bible but the foremost portrayal is the need to maintain loyalty to the clan and familial values that almost needs to be taught from one generation to the next for the group to survive

(Stanley, 2010). Whether through Abraham or Jacob, Sarah or Hagar, the chief value of these stories lies in their insistence that Yaweh (God) is always at work in the circumstances of his people despite the vagaries of human behaviour. Yaweh's power is indeed transforming and he controls circumstances including the threats posed by uninhibited events. The covenant is prescriptive for the community, it is special as it helps distinguishing them from their neighbours and helps defining the ethno-religious to exercise control over the entire land of Canaan (Cover, 2006; Stanley, 2010, p. 227-8).

I shall now attempt to summarize some key narratives that will elucidate the larger vision of the Torah. The narratives of Exodus to Numbers (12:39 – 14:45) records the epic test of Israelites leaving Egypt and heading for Canaan. All they took with them was the unleavened bread (flat bread without yeast, the Jewish Passover ceremony records this story in detail) so it comes as no surprise when the initial joyousness of escape passed they were left with no food and water in the desert. The second act of the Exodus narrative (19:1-33:6) is of great importance as the Torah is given at Mount Sinai. As Moses returns to the people with the long list of laws (Exodus 20:22-23:33), the people agree to implement Yahweh's laws and engage in a covenant making ceremony to formalise their ethical, spiritual and religious commitment. Moses returns to the mountain the second time for forty days and returns with another long list of additional regulation that records in detail how Yaweh desires to be worshipped (Exodus 25:1-31:18). In the meanwhile when people think that Moses is not coming back and make Aaron his brother their leader. Aaron fashions a golden statue of a bull calf to represent Yahweh (Exodus 32:4) God then orders Moses to return back to them to stop them from violating this honour or he will destroy them. Upon arrival to the valley, Moses sees what is going on and in anger smashes the stone tablets containing the ten commandments and orders

his associates the Levites, to go on a killing spree that kills almost three thousand people, Yahweh confers to Moses a second copy of the ten commandments, along with instructions for building an elaborate tent or tabernacle with special furnishing where Yahweh will meet them and order the people to leave the holy mountain to the land of Canaan. The plot line resurfaces in the book of Numbers which discusses the logistics of moving six hundred thousand men across the desert (Numbers 1:46; 2:42). Upon hearing complaints on comfort and food, God turns his wrath on them with bouts of sickness (Numbers 11:33; 12-10; 14:37; 16-46) and sets their camp on fire results in thousands of deaths. Throughout the Exodus story Moses' loyalty to Yahweh is underscored. No matter how many tests God put Moses through, Moses' conviction remained intact and reasonable. But herein as well Moses does fail God once in not following his instructions to bring his people water instead claiming he and his brother Aaron are responsible for gushing it forth from the rock. God's swiftly acts to judgement and the ending of the Exodus is rather anticlimactic where Aaron dies, and God forbids Moses to enter the land of Canaan. Thus Moses has to pass on the baton of leadership to Joshua, clarifying the rules of inheritance. Moses proceeds to give his people a book length speech which occupies the entire book of Deuteronomy – Moses issues warnings about the conquest of Canaan, the dangers of following the social and religious customs of the residents of Canaan and reminds them of Yahweh's laws. The Exodus story indicates the narrative played a crucial role in defining and maintaining a worldview and practices of ancient Palestine. Beyond people's relationship with God, celebrating his greatness, the story sets defining the identity of the people of Israel. Beyond projecting the leadership qualities of Moses and Joshua, the Torah clearly insists that Yahweh's people are united by more than a common set of societal and governmental institutions. Yahweh is their ruler and his laws are

their sole constitution. Whether expressed by Moses or Yahweh, the laws of the Torah serve as conduits of justifying societal and institutional practice of ancient Israel and of the Jewish people. There are rewards for actions recorded in Leviticus (26:1-45) and in various parts of Deuteronomy (11:13-28; 28:1-68; 29:18-30:10). The central purpose of the Deuteronomistic narrative was to help the defeated exiles of Judah make sense of suffering and humiliation. In Deuteronomy's covenantal theology there's an interpretative pattern in place which outlines the need to discern the meaningful traditions of both the oral and written laws. Its audience is intended for multiple generations to come. From the books of Joshua, Judges, Samuel, Kings to post-exilic narratives of Chronicles, Ezra-Nehemiah, Ruth, Esther, Daniel, Tobit, Jubilees, Judith and Maccabees all *Deuteronomistic theology* reflect values and conduct rooted in the traditional Judaic faith including loyalty to Yahweh and his Covenant, community practices, devotion to the temple at Jerusalem, self-defence against anti-Jewish violence and obedience to the laws of the Torah.

The Laws of the Torah contains total of 613 divine commandments out of which 248 positive and 365 negatives. During Rosh Hashanah (the Jewish New Year) it is symbolised by a whole pomegranate containing 613 seeds which serves as a reminder to all the mitzvot's or obligations that are to be maintained. From all of the quotes above the chapter, it implies that the idea of laws of the Torah harbours an element of right, duty and most importantly obligation. An obligation that imposes itself, affronts, penetrates and grasps the process. In other words, it does not emerge from mere conversation. Judaism is a legal religion and the basic word of Judaism is obligation or *mitzvah*, intrinsically bound up with the myth of Sinai during the Exodus. Just as the myth of social contract essentially is a myth of autonomy, so is

the myth of Sinai, essentially a myth of heteronomy.²³ Even when the child gains maturity and becomes the bat or bar mitzvah (literally meaning obligation) according to the Jewish definition, she/he does not become free or emancipated, but becomes one “who is of the obligations.”

It is interesting to note that Judaism has evolved through centuries, without a state, and has been largely exercised upon the adherents of faith imposed by the myth of divine powers and commandments from the unseen divine author. The scriptural ideals of the Torah, addresses and commands the way to become a nation of holy/chosen people, and to follow a law whose paths are described as the ways of peace. Halakhah's²⁴ approach to truth, language, or legal interpretation speaks a lot about jurisprudence to duty. Rights in the Halakhic dictum always co-relates to duties and vice versa. The oral religious law aims to impart the logic that once the obligation is understood, then clarity of “the right” and social responsibility is well understood (Stone, 1993).

Beyond community obligation the Torah also embodies the celebration and gratitude from studying and obeying God's laws. It has social, ritual and ethical dimensions. The social dimension is recognised by different Jewish communities to regulate power and hierarchy of institutions consistently over time (Cover, 2006; Stanley 2010). The ritual dimension structures the ritual life of communes as well as their ways of public worship and the ethical dimension govern the propriety of conduct including – sexual morality, personal honesty, relationship with family members and the wider community, integrity and use of material

²³ Cover, Robert M. *Obligation: A Jewish jurisprudence of social order*. In *Judaism: Law, Politics & Morality*, Princeton University Press 2006.

²⁴ Torah law known as Halakhah (literally, “the way”).

possessions. The laws of the Torah are heavily invested in righteous conduct and clarifies what kinds of religious activity (like idolatry, blasphemy etc.) are to be prohibited.

From the viewpoint of Torah rituals, it is important to note that Torah scrolls are taken out from the Ark (*Aron ha kodesh*) and portions read in the synagogue usually three times each week. Small sections are read on Monday and Thursday while the main reading is done on the morning of Sabbath. In one year the whole scroll is read in sequence which begins from the end of Sukkot - an autumnal festival. The special portions for the readings or *parshioth* are usually three to five chapters in length. There's a special skill through which the reading has to be conducted using an ancient tune rather just speech. The scrolls are not directly touched when unfurled on the *Bimah* (raised platform in middle of the synagogue). A pointer or *Yad* (hand) is used instead – which is in the shape of a hand with an outstretched finger. The reading or chanting is performed by a person who has been trained in this task or carried out by the rabbi. Sometimes it is an honour for a congregant to be asked to attend at a reading during a synagogue service which is also referred to as an Aliyah which is Hebrew for going up. The completed scroll is known as a Sefer Torah from sefer which is the Hebrew for book. When Jewish communities have suffered persecution at any given time in history, great efforts were made to preserve these scrolls.

On a social dimension, the laws of the Torah seek to uphold traditional family values and contain standard forms of prohibition in civic life (like sins, rape, adultery, assault, killing, civil disputes etc.) Like in many religions of the world, Ritual purification is given importance as is dietary practices in life and ritual matters. Most of the ethical dimensions is to train individuals to become responsible and thoughtful towards the moral principles of the

community and the laws as observed during *minyan* studies in my field research have a classic “if-then” case-law approach to them. While the laws of the Torah may strike as too idealistic for the 21st century, it is important to note that these are prescriptive visions given to the exilic people and have arisen out of inter-group conflicts.

Beyond the five books of Moses, the Torah also harbours other parts of the Hebrew bible – the *Mishnah*, established written laws around 200 CE and the *Tosefta* a text that is largely a compilation of rules from the time the Mishnah was written, which produced two Talmuds – both serving as commentaries on the Mishnah first one compiled in the land of Israel (450 CE) and the second one around 600 CE in Babylon, both Talmuds are written in Aramaic (Frank et al., 2000). Following on the social dimension discussed in the above paragraph, the Mishnah has six sections relating to agricultural laws, civil laws, laws relating to women, laws of ritual purity and festivals. The fascinating part of the larger vision of Judaic thought is interpretation where the epistemic communities guided by religious leadership argues and debates through the oral concepts of the Torah and open-ended structure of the written Torah (Frank et al., 2000). The emphasis of engaging with Jewish Law or the Halakhah is indeed replete with intriguing theoretical narratives – often attempted to relate to minor procedural and legal issues and interpretations. The Laws of the Torah are more than just laws – they are enriched and fertile commentaries of faith, reality, dangers, freedoms, rationality, prayer, community, institutions and action. The Mishnah declares that ‘everything is foreseen, yet freedom of choice is given’ while volumes (Walzer, 2006; Frank et al. 2000) have been written towards this end it is important to note that the responsibility for the other is also emphasized on through justice, self-knowledge and generosity of spirit. And perhaps this concept is paramount towards understanding the dissertation which is triggered by self-reflection of my

interviewees who beyond re-establishing and/or claiming their Jewish faiths draw purposeful duties and obligations with their communes.

2.2. Jewish Rituals: Social and Communal Obligations

As it has been established in the chapter that communal obligation is a core part of Jewish ritual life. This section will attempt to expand on key obligations of Jewish ritual life. The factor that bind all Jews – whether culturally or religiously or both ways Jewish, is their common history and beginnings. Right from birth to death, rituals govern every aspect of Jewish life. Ritual acts are important and powerful connections (Gilman, 2000) *mitzvot* – or acts of obligation singular *mitzvah* to be counted in the 613 *mitzvot* that involve human relations with the divine. Blessings in Jewish liturgy have a common based of recitation: “Blessed art thou, Lord our God, King of the Universe who has been sanctified us with Thy commandments, and commanded us...”²⁵ The end of this phrase depends on the ceremony within which it is being addressed, i.e.: “to circumcise”, “to marry”, “to study Torah” etc. What makes Jewish rituals special like in any other religion is about the involvement of participants from the community surrounding the occasion. While discussing all forms of Jewish rituals in beyond the scope of the thesis, I will attempt to briefly narrate the life-rituals and key festivities that are important for understanding Jewish cultural and ritual life today. From the viewpoint of life-rituals I shall mention: Circumcision for male child or *Brit Milah*, Joy of the daughter or *Simchat Bat*, coming of age rituals, wedding and mourning. From the viewpoint of key festivals relevant to the thesis, I shall narrate: Sabbath, Rosh Hashanah, Yom Kippur and Pesach.

²⁵ As learnt from Rabbi Burt Schuman at Beit Warszawa, July 2007.

Life Rituals:

Brit Milah or the covenant of circumcision for the male child is the removal of the foreskin from the penis, which is done on the eighth day as done by Abraham to his son in history. While it is a required amongst Orthodox and Conservative Jews, for Reformed or Reconstructionist Jews many have reservations against it. From a Rabbinical point of view, the Brit is seen to link the child to the Jewish community. As the story goes back to Isaac's circumcision by his father Abraham, the *brit* is a community celebration that links the child to the everlasting Covenant of Abraham (Gilman 2000). It is the father's responsibility to perform the rite, for most cases an experienced surrogate *mohel* is brought to the task as prescribed by the Jewish law. The cultural symbolism of this being someday this child will be a man to pass his Judaism on to another generation thereby linking Jewish past and the Jewish future. For girls, the father is called to the synagogue on the first Sabbath after birth and a blessing of health is bestowed on the new-born, songs of welcome sung and gifts are brought to the mother and child in form of fertility symbols, water, incense and candles to ensure the continued fertility of the month and the eventual fertility of the new-born (Gilman 2000).

The coming of age *bar* (for boys) or *bat* (for girls) mitzvah represents a new stage of religious and personal development of the child around the age of twelve or thirteen, hence s/he is given intellectual tools to sustain his/her own development as well as engage with the tradition of the community. The child has to master a portion of the Torah and recite the portion in front of the community under the supervision of the rabbi. While all other life-rituals are special events, both *bar* and *bat mitzvah* can be done within the regular synagogue service. The reading is like an ascent or going up to the community hence as mentioned in the above section about Torah

scroll reading it is termed as *Aliyah*. As the child matures s/he is expected to understand the Jewish ways of the covenant by declaring “I am a Jew – I am a Jew who reads the Torah” (Gilman 2000). The boy or girl can now participate in *minyan* studies of the community.

Weddings are a crucial part of Jewish life; the bride and bridegroom meets with the Rabbi shortly after they become engaged to select a date. While Reformed Jews are more flexible with dates, for Conservative and Orthodox communities weddings cannot be conducted on the Sabbath (sundown Friday to sundown Saturday) and other holidays (Rosh Hashanah, Yom Kippur, Pesach, Shavuot, and Sukkoth); the three weeks between the seventeenth of the Hebrew month of the Tamuz and the ninth of the Hebrew month of Av, which generally falls in July and/or August and commemorate the destruction of the Temple; the Omer period (between Passover and Shavuot), seven weeks that usually fall in April and May (Gilman 2000; Silberstein, 1994). Also weddings are forbidden during a period of mourning of a member of the immediate family (parent, child, sibling or spouse), for at least thirty days following the burial (Mayer and Gelb 2002).

The Jewish wedding is considered a personal *Yom Kippur*, a day of repentance and forgiveness of the couple. The practice of wearing white is for spiritual pureness as it the ritual bath for the bride called *mikvah*, to cleanse herself and be prepared for her new life. The marriage document, called a *Ketubah* (the marriage deed), is written in Hebrew or Aramaic, which outlines the bridegroom's responsibility for and to the bride. It is signed by the bridegroom and two witnesses. Since the mid-twentieth century, the *Ketubah* has included a parallel declaration of commitment made by the bride and groom, followed by a joint

affirmation of the couples connection to God, Torah, mitzvoth, and to the Jewish people (Gilman 2000).

After the Ketubah is signed, the Rabbi and the two fathers lead a procession of the bridegroom and male guests into the bride's chamber for the *badekan* (veiling) ceremony. This ritual is inspired from the biblical story of Jacob, who worked for seven years to marry Rachel, only to discover her father had substituted the older, blind Leah, under heavy veiling. Bridegrooms come to look at their bride before the ceremony and actually place the face veil over her. Once the bride is veiled, the ceremony is ready to begin.

The wedding takes place in a *chuppah* or an open tent (a white canopy cloth with four poles) symbolically facing Jerusalem establishes a house in public to represent that their lives will be spent together. The *chuppah* is considered a man's domain, and the woman enters and in Talmudic principle acquired by the man. The bride comes down the aisle next, escorted by her parents. When her parents are in their places, the bride takes three steps on her own, symbolising her decision to enter the marriage, and the bridegroom comes to escort her under the *chuppah*. The bridegroom turns as he joins her, so she is on his right. During the ceremony, in Hebrew and English, the Rabbi reads the Ketubah and the couple drinks wine. Only one ring, given to the bride by the groom, is required by Jewish law but today most Jewish wedding have two rings. This ring represents the wholeness achieved through marriage and a hope for an unbroken union, it is often engraved inside. In most ceremonies, the bridegroom repeats a Hebrew vow after the Rabbi, with the giving of the ring. The bridegroom would declare, "Behold, thou art consecrated to me with this ring, according to the Law of Moses and Israel" (Gilman, 2000).

At the conclusion of the ceremony, the Rabbi asks the best man to place a wine glass, wrapped in a white cloth or in a special bag the couple provides, under the bridegroom's right foot. The bridegroom will break it, symbolizing: the destruction of the temple in Jerusalem, and that even in the midst of the happy occasion we should not forget how fragile life is. After the glass is broken, the guests shout congratulations or "Mazel Tov", clap their hands, embrace and sing as the couple departs. The bride and bridegroom will kiss immediately after being declared "man and wife" and then spend sometime in the *Yichud* – a brief seclusion where the couple can spend a few moments together before joining their guests. The wedding ends with traditional dance of the Hora followed by cup of blessing. In the Jewish tradition, a wedding meal is to be prepared Kosher style, in accordance to the laws of the Torah, means no mixing of meat and dairy, no pork or shellfish (Gilman, 2000).

When bereavement comes upon a family, the body is prepared for burial by washing it head to foot by members of a burial society. The corpse is dressed in cotton and the shroud or *tachrichim* is put. In addition for a man a tallit or a prayer shawl is also wrapped. While in Europe a pine casket is usually used, in Israel shrouded bodies are put directly in the ground. Burial happens on the day of the death, however if a person dies on a Friday burial has to wait until Sunday. Besides the official mourners seven relations of the deceased engage in ceremonial prayer or *Kaddish* is said followed by Psalm 144 (Lord is my shepherd). Funerals are normally held by the graveside or the synagogue. Immediate relatives shovel the earth onto the casket, as the finality of death (Mayer and Gelb, 2002). The weeklong mourning is called Shiva (Gilman 2000). The mourners wash their hands to symbolise completion of the burial, the mourners are reminded life must go on and given eggs symbolising circle of life as a part of *seudat hava'rah* (Greenspahn, 2008; Gilman 2000).

Key Jewish festivals and their obligations

Following on the key life rituals, I shall briefly sketch the key Jewish festivities as stated earlier in the section.

The best known of Jewish holiday observance is Sabbath – it is both a vacation as well as a celebration of regular part of religious life. It starts on a Friday night with candles, blessing on the challah or the bread, members of the family gather around for a warm family meal. It is a celebration of cleansing and renewal, it also symbolises creation and is the only Holy day in the Ten Commandments – “Six days you shall labour and do all your work. But the seventh day is Sabbath to the Lord our God” (Exodus 20:9) . The community gathers together in Sabbath evening where the Rabbi and additional readers lead the service. Amongst many others, songs like *Lecha Dodi*, *Shema Yisrael*, *Shabbat Shalom* are sung. After prayers are offered and passages from the Torah are shared, Sabbath ends with by lighting candles, saying blessing on wine and bread or the *challah*. Following the service those wishing to go home leave, those wishing to stay back have Sabbath dinner together with the rest of the congregation. The next day morning a quorum of ten to twelve congregants gather for discussing an aspect of the Talmud and they debate and discuss the clauses with the Rabbis moderation followed sometimes by a lunch. No religious Jew works on Sabbath. There are thirty-nine activities forbidden on Sabbath by the Talmud including planting, cooking and baking so most kosher food arrangements has to be done earlier on (Greenspahn, 2008).

Celebrated during the month of Tishrei, Head of the year or Rosh Hashanah, is the Jewish New Year which bring opportunities of personal renewal in Judaism. It is a time when God reviews the good and bad deed in lives of men and women so it is also a time for

contemplating obligations or mitzvot, it is ritually celebrated with apples and honey for a sweet year ahead but is also a time when people review what they need to improve in life and in ritual observance. Rosh Hashanah is celebrated ten days before Yom Kippur, together they are known as the *Yamim Nora'im* meaning Day of Awe in Hebrew. As Gilman (2000, p.109) notes: “On Rosh Hashanah God inscribes,” according to the prayers. “And on the fast of Yom Kippur, God seals”. So it is largely a time for renewal and reconciliation goes on till the day of atonement of Yom Kippur. During the ten day fast the and repentance or *teshuvah*. Jews are encouraged to make amends with anyone they have wronged and to make plans for improving during the coming year. In this way, Rosh HaShanah is all about making peace in the community and striving to be a better person. Rosh HaShanah service usually runs from early morning until the afternoon and is so unique that it has its own prayer book called the Makhzor. The customary greeting for the New Year is *L'Shanah Tovah* or “May you have a good year”. The *Shofar* or the horn is blown one hundred times during each of the two days of Rosh Hashanah. *Tashlich* literally meaning casting off is an and involves symbolically casting off the sins of the previous year by tossing pieces of bread or another food into a body of flowing water. On the second night of Rosh HaShanah it is customary to eat a fruit and pomegranates symbolizing 613 seeds – one for each of the 613 mitzvot is eaten.

Yom Kippur falls ten days after Rosh Hashanah on the 10th of Tishrei, which is a Hebrew month that correlates with September-October on the secular calendar. The purpose of Yom Kippur is to bring about reconciliation between people and between individuals and God. According to Jewish tradition, it is also the day when God decides the fate of each human being. It is serious and intense day – there are three essential obligations on Yom Kippur: Teshuvah (Repentance), prayers and marked by twenty five hours of fasting (Gilman 2000).

Synagogues hold longest synagogue service from morning to nightfall with *Kol Nidre* (All Vows) sung. The words of this melody ask God to forgive any vows people have made to God and not kept. The prayer *Al Khet* is repeated throughout the service asking for forgiveness for a variety of sins that may have been committed during the year. The last part of the service *Ne'ilah* (Shutting) when Jews pray intensely, hoping to be admitted to God's presence before the gates have been shut. Torah specifically commands Jews to observe these rituals as Leviticus 23:27 describes it as "afflicting your souls".

Pesach or Passover, is one of the best known Jewish holidays, as much for its connection to Jewish redemption and the figure of Moses as for its ties with Christian history. Passover begins on the 15th day of the Jewish month of Nissan and agriculturally, it represents the beginning of the harvest season in Israel. The primary observances of Passover are related to the Exodus from Egypt after 400 years of slavery as told in the biblical Book of Exodus (1-15). Passover lasts for seven days (eight days outside of Israel). The name "Passover" is derived from the Hebrew word *Pesach* which is based on the root "passover" and refers to the fact that God "passed over" the houses of the Jews when he was slaying the firstborn of Egypt during the last of the ten plagues. Passover is also widely referred to as *Chag he-Aviv* or the Spring Festival, *Chag ha-Matzoth* or the Festival of Matzahs, and *Zeman Herutenu* or Time of Our Freedom. On the first night of Passover, Jews have a special family meal filled with rituals called the *Seder*, Hebrew word meaning order. The *Seder* has specific set of tasks that must be completed and information that must be covered in a specific order. To correctly follow the process, the text of the Passover Seder is written in a book called the *Haggadah* in which all ritualistic fourteen processes have to be followed (Greenspahn, 2008; Gilman 2000).

2.3. Ways of Being Jewish

Whether it is the language of identity or the social standing of being Jewish, religious contestation related to Jewish communities and political relevance of autonomy are inevitable questions that pervade Jewish life. As Silberstein (1994, p. 1) notes in his introduction to the volume on *The Others in Jewish thought and History* that a Jew loves his people, his literatures and writings, his cultural heritage and yearns for its renewal but at the same time remains a free thinker in the fullest sense of the term. While this is certainly true for secular Jews more than religious Jews, even the latter have interesting ways of being Jewish. Jewishness, whether religious or secular is always performative and there are many ways of contestation that affects the Jewish identity discourse (Silberstein, 1994). A person may self-identify as a Jew ethnically but have little Jewish cultural identification. In this section, I shall further elaborate on the fundamental ways of being Jewish, but perhaps not always religiously.

Cultural identification refers to sharing the values, traditions, and attitudes of a particular group (Friedlander et al., 2005). Phinney's (1990, p. 499) review of research on ethnic identity notes that "identity is central to the psychological functioning of members of ethnic and racial minority groups, but research on the topic is fragmentary and inconclusive." Most studies of ethnic identity draw on "social identity theory, as presented by social psychologists; acculturation and culture conflict, as studied by social psychologists, sociologists, or anthropologists; and identity formation, drawn from psychoanalytic views and from developmental and counselling psychology" (p. 501). Phinney found that the main components of ethnic identity addressed in the literature included self-identification, sense of belonging, attitudes (positive and negative) towards one's group, and ethnic involvement

(which may include language, friends, religious practice, area of residence, and political activity). The basic analysis of a Jewish identity as Herman (1989, p. 39) points out is determined by the nature of the individual's relationship to the Jewish group as a member as well as the individual's perception of the attributes of the Jewish group, in terms of how he feels for the group, whether their norms are adopted by the individual as a source of cultural reference. While it is easier to align ethnic identity in terms of belonging to a specific group, culturally the alignment with the Jewish group needs a sense of shared mental, spiritual agreement, also given obligations play a huge part in the Jewish ritual life, it is important that the individual shares a sense of mutual responsibility with the larger congregation or cultural group. Bauman (2008) suggests that the tension between Jewish identity and assimilation pressures gives rise to an "unprecedented cultural creativity and spiritual discovery" (Bauman, 2008, p. 4) which helped pioneer postmodern thought on national, individual, and ethnic identity.

In addition to the sense of discovery is the sense of responsibility, unity, interdependence and conformity (Herman, 1989, p.43). With societies becoming increasingly emancipated particularly in Europe and US and to some extent in Israel, the consequent socialisation of Jews is differently accelerated politically, socially, religiously and culturally. Gitelman, Kosmin, and Kovács (2003, p. 342) distinguish between Jewish *consciousness* (strength of affiliation) and Jewish *meaning* (how Jews understand Jewishness). Conscious identification as a Jew and the meanings associated with Jewish identity simultaneously encompass issues of religion, nationality, culture, history, economics, demographics, psychology, theology, and sociology.

Herman (1989) conducted a pivotal study of Jewish identity as a dynamic, multi-faceted phenomenon to be studied comparatively and in the context of the majority cultures in which Jews live. Herman delineates the elements of Jewish identity and expressions of contemporary Jewish identity, particularly in reference to the Shoah, Zionism, and Israel. He considers differences in identification and identity between Israeli and Diaspora (particularly American) Jews, as well as between Diaspora Jews who have and have not visited Israel. He looks at stability and changes in expressions of Jewish identity over the course of several decades. The cognitive element is addressed through a list of components of identity, by which the survey population may define themselves as Jewish according to various aspects [birth, culture, education, religion, reaction to anti-Semitism, etc.]. “Culture” forms the center of this typology of cognitive components of identity. It is surrounded by historical, psychological, institutional, and biological regions. This typology also represents the dichotomy of situational versus primordial aspects of Jewish identity (Cohen, 2010). The affective realm is addressed through an evolving list of symbols of Jewish identity, designed to invoke a wide range of feelings about Judaism (for example, Jerusalem, Auschwitz, Shabbat candles). Symbols representing the struggle and triumph of the weak over the strong, particularly the Biblical story of David and Goliath, form the core of such an affective typology of Jewish identity. Surrounding this core are an array of symbols related to religion, family, Israel, the Shoah, justice, and Jewish contribution to world culture (Cohen, 2010).

Beyond looking at Orthodox, Conservative, Reformed, Reconstructionist Jewish identities which classify different movements and approaches towards practicing Judaism and being Jewish; or indeed the authenticity question – whether either parents are Jewish or just only the mother or the father (as the former makes it proper Jewish to orthodox eyes than the latter), in

the context of my research I intend to map components to being Jewish differently since it is more relevant to the identities I experienced in the field. In this section, I intend to discuss ways of being Jewish which depends on: Religious and National Movements, Salience and Centrality of group membership, Interaction with sub-identities and Mutual Responsibility to geographical locations.

Religious and National Movements: There is a strong interplay of religion and culture when it comes to observant Jews as their cultural affiliations, rituals and customs are often enmeshed to feeling close to both political and ethnic groupings. But in addition to this there is strong blend of religious and national elements that impact of identity ascription as witnessed in Poland. While heterogeneity, cultural blending, and continuous change make it difficult to know the extent to which people actually identify with the groups with which they associate, the essential aspect of the enduring self, as well as the individual's experience as a member of the minority group in question can well be based upon the political changes in a country and the emancipation that comes with being a part of the community as opposed to feeling marginalised or fearing the experience of discrimination (Herman 1989). A secular Jewishness may well have limitations to the religiously observant but their identification and differences remain autonomous and environment sensitive. Also as the historical experiences with Jews and their neighbours minimise people become more willing to associate with Jewish values regardless of whether it is an orthodox or reformed sense of being Jewish. In my field research I have found Jewish identification stronger than in the family of origin where an individual (my interviewee - Piotr 2007 represents this position) reported feeling isolated in the family yet was delighted to nurture the Jewish identification with the community. Sooner society becomes democratic, and the religious entity is able to identify local community with

co-religionists the ways of being Jewish becomes participatory. Religious movements since 1989 in Poland has brought a chance of dialogue and self-reflective which is crucial to opening up repressed notions of identity with a greater concern for “fellow Jews” (Wettstein, 2002).

Salience and centrality of group membership whether orthodox, chabad or reformed or secular (non-religious) plays an important part since the personal and intimate dialogues are interplayed, giving the individual a greater opportunity for political self-determination and autonomous cosmopolitan choice of being who they want to be. Certain behaviour settings like the synagogue or a Jewish communal library or Jewish schools (like the Lauder Morasha in Warsaw) or pastoral talks with congregational leaders will bring to the fore an immediacy of interest which may serve in furnishing a durable interest of Jewish identity – whether orthodox or reformed or just culturally inclined. The centrality of group dynamics and group activities can also affect the way Jewishness is sought (Herman 1989), as it offers a protective self-definition including obligations to ritual actions. One of my interviewee (Kasa interviewed in 2007) spoke of a significant mentor, who inspired her to explore Judaism through Jewish texts where the sense of alignment came from the centrality of the narrative irrespective of ideology.

Interaction with sub-identities: Sometimes the spouse’s identity as Jewish (irrespective of observant or merely cultural) plays an interesting role in being, thinking and feeling Jewish. As established in the earlier sections of the chapter living Jewish values has an interesting impact on the traditional values of family and its customs therefore being distinctive in maintaining family life while maintaining good obligations towards the community by

following *mitzvots* or obligations trigger the need for being Jewish. While religious Jews would opine that conforming to customs and rituals make them Jewish, the newly Jewish converts beyond yearning for the Torah engages much more with the daily ways of cultural identification. When interacting with sub-identities there forms an overlap with regions and with a person's life-space thus the individual's consciousness moves towards a balance of overlap and compatibility. This perceived overlap is greatest between Israeli and other Jewish identities (Wettstein et. al., 2002). Also, another overlap in my field study has been the rather personal ways of knowing life accounts -- ironically Polish-Catholic confessional character of "coming out" as Jewish, where many of my interviewees got to understand their roots through death-bed confessions of parents and grandparents as well as confessions through letters. As Rabbi Tanya Segal comments in her interview (Dasgupta, 2008), "*acknowledging identity as Jewish is really a complicated matter. In real life many Polish-Jewish stories blur the boundary between truth and deception, and some stories have no ending. Dialogues and reflections help identities come out in an increasingly secular, sometimes reformed and but mostly in a non-essentialist way.*"

Last but not the least, is **the sense of mutual responsibility to geographical locations** to the state that their Jewish identity is based and their feeling towards Israel. The sense of being in the diaspora gives an aspiring feeling of peoplehood (Gosia interview, 2007; Wettstein et al., 2002). There is marked valued distinctiveness with the land of Israel so whether Polish or American or German, the capacity to preserve and able to understand multiple locational Jewishness alongside the contribution of transnational community networks make the idea of assimilation appealing. Also, the Hebrew language plays a very important role in the daily grasp of identitarian expression; it reflects on people's mind, the increased amount of birth-

right programmes between Europe and Israel as well as America and Israel facilitates the acceptance. It may well be a secular ascription but on return from the birth right programme many young Jews of Europe are learning Hebrew and increasing engaging with “the wholeness” (Boyarin 1993) of being Jewish. This is not to say that cultural differences do not form impediments, certainly Israeli culture is different from Polish or American culture but nonetheless the ability to reinforce compatibility makes the Jewish identification perhaps an interesting variation that the younger generation of Jews in Europe are being increasingly open about (Gebert, 2008). Jews in today's Europe are ‘voluntary’ Jews: they are no longer anywhere defined by the state or officially constrained in any way. Jews are free to stop being Jews, to emigrate and, most importantly, to define their Jewishness in whatever terms they like. Jewishness has ceased to be something shaped by the state and has become an integral component of European civil society. Today’s Jews must have the courage to identify themselves with civil society, to loosen their anachronistic ties to the state and to encourage greater flexibility in the definition of who is or is not a Jew. They are coming to terms with looking beyond the Holocaust and beginning to regard themselves as a vibrant force engaged in the on-going creation of their country’s cultural identity.

2.4. Study of Jewish Identity in Post-Holocaust Europe

Historically, there has always been of two categories when it addressed Jews and Judaism. Sociologists, historians and anthropologists have often shown a keen interest in the Jewishness of their intellectual ancestors even as they have remained cautiously ambivalent towards the study of Judaism (Boyarin 1993, Bellamy: 1997, Bergman: 2000). Synagogues became starting points for studying the social dimension of Jewish identity construction and post-

Holocaust discourse, rather than static containers of textually predetermined ritual practice. The late 1980s also brought about a new critical engagement with questions of Jewishness and power (Biale, 1986; Bauman, 1989). Social scientists began to deconstruct Ashkenazi, Zionist and Jewish hegemonies consisting of the dominant patterns of Jewish life-practice, to question how these specific perspectives frame broader theoretical concerns (Dominguez, 1989; Webber, 1992). Even more importantly, claims to the historicity and authenticity of Jewish practice began to be theorized as situated arguments made meaningful implications in social context-cultural discourses (Boyarin, 1996). By the early 1990s, even the boundary between the Jewishness entered the discourse of sociological contestation (Orloye 1997). Within the framework of general themes, several texts have emerged more recently as key reference points for a new sub-discipline. Boyarin's reflexive essay on anthropology, modernity and Jewish contingency "Waiting for A Jew" (1986), reissued in his collection *Thinking in Jewish* (1996), has come to stand above all other works as the iconic starting point for general theoretical considerations of Jewish community. In his book he explores the ways in which a Jewish - or, more particularly, Yiddish - idiom complicates the question of identity ranging from explorations of a Lower East Side synagogue to Fichte's and Derrida's contrasting notions of the relation between the Jews and the idea of Europe.

Bauman's *Modernity and Holocaust* (1989) presents an important sociological analysis where ideas from anti-Semitism to violence, racisms to dislocations, extermination to civilizing processes are discussed in great detail through the singular event. Authors like Gilman (1991; 1994) relate the revival of Jewish literature and identity in Germany, in particular assesses the identity of Jewish and Yiddish writers in Germany – how their writers produce an imagined difference and Geller (2005) vividly records German Jewish life under Soviet Occupation as

well as look into the questions of political differences and Holocaust reparations to Israel. He also vividly records organised Jewish life in Germany and their ties to political leaders. As does Kolinsky (2004) sharing stories of survivors who chose to stay on in Germany depending on military and Jewish aid agencies, trying to rebuild German-Jewish lives filled with unexpected challenges, ambiguous regulations and conflicts.

More recent works on Jewish identity by Stratton, 2000; Benbassa and Attias, 2004; Lambert, 2008; Gudonis, 2001; Gruber, 2002 open further dialogues of the transformation of Jewish identity from beyond religious enclaves and Holocaust memory from exile to the celebration of life. I was particularly struck the Benbassa's (2004:48-9) historical engagement with Marranos and their complex crypto Jewishness which bear strong semblance with some of my interviewees. Marranos were descendants of converts to Christianity, who led good Christian lives outwardly while in secret continued Judaic practices and held an important place in Spanish society. Drawing upon Benbassa's account Marranos were converted *en masse* in 1497 and founded a new religion – Marranism, which constituted practices from Judaism and elements from the Christian tradition. My field-study with Poland's Marranos (Gebert, 2008) – the renewed Polish Jews, holds Jewish identity in a similar heteropraxis. I saw two features of the politics of identity in my travels and field-work in the Polish-nation, one that is historically multicultural and another multi-confessional in character. I deduce that both serve as conscious links between the transitional history of Poland and Poland as part of Europe; both of the 'feelings' are essentially rights based and underscore the idea of recognition through dispersed geographical locations and multiple institutional sites. Through field strategies I present an account of a shifting politics of identity – on how individuals position themselves to mutable ethnic and religious discourses, as well as the contestations within their self in history

enabling them to construct identifications. Jewishness corroborates an understanding of adversity and socio-cultural reformation which reinforces the essence of my research as I bear witness to culturally self-affirming lives and autonomous understanding of the Polish-Jewish existence. As Jonathan Webber (as cited in Gruber, 2002:239) comments: “Representation is a moving target. Jewish culture is undergoing such changes that to pin it down to one representation is an illusion.”

2.5. Concluding Remarks

The chapter engaged with the religious and cultural essence of Judaism as well as of being Jewish. I narrated the key narratives of the Torah and its religious implications. While explaining community obligations, I engaged with the social, political and cultural dimensions of Jewish cultural practices, within which I analysed the routes of membership in Orthodox and Reformed communities. I narrated the ways of being Jewish as experienced in the field and finally I provided an account of studying Jewishness in Europe post-1945, all of which has relevant links to my dissertation in terms of an assorted narrative of accommodating Europe’s internal others.

Chapter 3: Poland's National History: A Jewish Lens

“The ambivalent identifications of love and hate occupy the same psychic space; and paranoid projections ‘outwards’ return to haunt and split the place from which they are made.”

- Homi Bhabha, “DissemiNation: Time, Narrative, and the Margins of the Modern Nation.” *Nation and Narration*

“In the Polish tradition, the historical image has proved far more convincing than the historical fact.” – Norman Davies, *God's Playground: A History of Poland*

While recording the historical narrative of the project, I got acquainted with two core dilemmas of Polish-Jewish cultural experience: kindredization and alienation (Hertz, 1988). Of course it can be argued that these two are intrinsic truths of any migratory experience. Kindred is someone who belongs within a cultural value system or within one of the elements of the system and alien is one who does not belong, both understandings are subjective reception of relations and an outcome of observation, socio-historically conditioned. I wish to emphasise on this concept while narrating the historical framework. In this chapter I provide an account of Jewish history in Poland, to establish a chronology of the major events relevant for my thesis.

3.1. Jewish past in Polish National History

Jewish history of Poland is generally not discussed in mainstream accounts of Polish national history. This is triggered through historical prejudices against the ‘others’. Though the scope of the thesis is after 1945, I wish to draw upon some salient facts from the past centuries that will further clarify the non-mainstream accounts of history. From Salo Baron to Rafael Scharf, from Norman Davies to Antony Polonsky, - all historians of Polish and Polish-Jewish history have tackled discussions on understanding the numbers or at least giving a demographic account of Jewish presence irrespective of the historical

period they addressed. This is an interesting commonality which highlights difference and makes minority-majority relationships obvious. A key idea that Davies (2005, p.8-9) puts forth is that Polish nationalism and national consciousness in the Polish republic in history has always been one in which ‘Poles’ have had full importance to cultural, political and civil rights, there could have masses speaking Polish but these rights were reserved for only a few privileged bourgeoisie. “In extreme cases instances, as in the case of a seventeenth century cleric, a man might describe himself as *canonicus cracoviensis, natione Polonus, gente Ruthenus, origins Judaeus* – ‘a Canon of Cracow, a member of the Polish nation, of the Ruthenian people, of Jewish origin’” Davies (2005, p.9). After the destruction of the republic the word ‘Pole’ began to be used differently - it became more cautious and conscious of itself than to peoples from the former republic who also now began developing their own national identities as Jews, Ukrainians, Germans, and Lithuanians. While Polish literature of Piłsudski and Mickiewicz refers to a Pole who is Lithuanian at the same time, eventually Polishness became a reserved quality exclusive for Polish speakers and even more specifically for Polish Catholics. Thus the position of being a Pole was an impact of nationalism. Whereas a Jew in Polish literature is depicted differently for example Janikel the Jew in Mickiewicz’s *Pan Tadeusz* plays a moral, political and even military role. The character reconciles those who are at odds and is the link to the various elements of the world depicted in the verses. He is respected by both the followers of Solipca and those of the count. He is Robak’s confidential agent; a political and military emissary who at the same time never ceases to be a Jew. He is a *podrabinek* (an assistant to a rabbi), follows Jewish faith and customs and performs the traditional economic activity of Jews in Poland – he is an innkeeper. Janikel is a Jew but he has the

“reputation of a good Pole”; he is a patriot, devoted to the Polish cause. Mickiewicz creates in Janikel a culture generating functions especially musical ones that are dispersed throughout Lithuania and again it is because of him *mazurkas* and the *kolomyjkas* have common property. What comes out of the whole fusion of Janikel is the culture creating roles of Polish-Jews whose difference is contained kindredness that encompasses a variety of attitudes and relationships – a theme that follows among many Polish writers when reflecting about Polish-Jews and Yiddish culture in general. Janikel in Polish literature is represents a hybrid character knowledge who has containment in being a Pole as much as a Jew. Jews are agents of cultural change in society who have crossed frontiers and borders both willingly and/or by force with immense optimism to renew their lives while inspiring awe – both positively, negatively and otherwise as well as enriching the life of places they come to live or pass-by.

Since 1864 Polish nationalism tightened whereas the others within remain unchanged. While Jewish residence in Poland was permanent and they had rights and privileges and were protected by the crown, they were largely seen by the Poles as exiled sons of Israel who think their exile has ended. (Polonsky et al, 1993). Tazbir (in Polonsky et al, 1993) writes about Jewish images in the Polish commonwealth which were that of a heretic who had lost contact with God, who maintained relations with Tartars, Gypsies in Polish-Lithuania, whose side-locks were akin to the Devil and who was a blasphemer denying Christ. While Jews being privileged by the crown acted as intermediaries in the feudal exploitation of the Polish peasant in the 17th through to the 18th centuries, pogroms happened which killed almost a hundred thousand people, the two landmark events

Chmielnicki's Revolt (1648) and the Massacre of Human (1768) haunt most of Polish-Jewish pre-partition history. The idea of Jewish deaths by Cossak knife came to be a celebration and their expulsion from Poland important for the keeping the country cleansed from the hands of the murderers of Christ. These anti-Semitic sentiments also led to another solution, although Jews were perceived to be very different, if they stayed on in Poland the Polish-Catholics hoped that they would be absorbed into society by conversion (Polonsky et al., 1990). During the latter half of the 17th century Jewish position in Poland was torn between two extremes. Polish society supported Jews' communal institutions, tolerated their cultural difference and offered opportunities for economic success and in return Jews resigned to domination by the Poles and became by and large defined within the roles that the majority conferred them. Davies (2005) as well as Polonsky et al., (1993) interestingly observe till 1795 when the third and the last of three partitions of Poland ended the existence of the Polish-Lithuanian Commonwealth, that Jewish accommodation of political status in Poland combined a moderation of practical experience but also an imaginative interpretation of reality in the hope that they would again enjoy the same privileges since they had faith in their superiority whereas Poles threatened by this position maintained a very distant relation and clearly wanted a change of power. Towards the eighteenth century Polish attitudes to Jews evolved as fiscal burdens grew and peasant attitudes to Jews had to be moderated by various figures in the Polish society (Goldberg in Polonsky et al., 1993). Jews were projected as corrupters of money and clergy started portraying the Jews in an adverse light. As Goldberg (1993:58-9) notes: "Jacek Jezierski, the Castellan of Łuków and other Polish reformers of the Age of Enlightenment headed by Kołłątaj, were still incapable of preventing the growing conflict of interests between

peasants and Jews....at the same time Kollątaj in his *Political Right of the Polish Nation* wrote that “the human rights of Jews are to be respected no less than the rights of any other human beings.” After the establishment of the Second Republic of Poland in 1918, it is important to note that Jews of Poland were ostensibly protected by minority clauses in the Treaty of Versailles, which guaranteed equal political, legal and civil rights as well as control over educational systems but in practice these provisions were not enforced (Wolak, 2004:54).

Steinlauf (in Polonsky et al, 1993, pp. 332-348) narrates a crucial account of the history of the Polish-Jewish press in the pre-war twentieth century and how it impacted on Polish-Jewish relations as well as on the Zionist movement. Poland’s oldest but short-lived Jewish press, *Dostrzegacz Nadwislanski* (1823-24), and the much longer continued daily *Izraelita* (1866-1913) bore an assimilationist ideology on one hand and on the other hand contained strong Yiddishism which yielded into separatism of national consciousness and a yearning for Zion. Another short-lived bilingual newspaper *Przegląd Codzienny* (1913-14) published in Polish and Yiddish also helped elect a Jewish candidate by the Polish Coalition (Steinlauf in Polonsky et al, 1993, pp. 332-348). While most newspapers in Poland wanted a Polish Poland which was ‘*judenrein*’ [free of Jews] bilingualism in the Polish-Jewish press was perceived as an act of national self-defense – the objective was to justify the Jewish experience rather than put Polish-Jewishness in exclusion. Steinlauf (1993:336) gives details of Kraków daily, *Nowy Dziennik* founded as a protest of a murder of a Jew by Polish hooligans. Steinlauf (1993:347) comments that the Polish-Jewish pre-war press represented a cultural ‘polysystem’ that acted as a response to multiple political

ideologies (Bundist, Zionist, Folkist and Communist). Commenting on the ethnic diversity of Poland in the twentieth century, Davies (1993) writes how pre-war Poland had no sympathy for ethno-nationalism and while the Bund was actively nationalist in the cultural sphere, with Polish socialists its vision was to create a multinational Poland where each ethnic community would be able to preserve its identity but live with its neighbours in harmony. However this was not to be as events after the Holocaust, Polish society was completely transformed followed by another anti-Semitic violence in July 1946 in Kielce which furthered Polish-Jewish disengagement. Poland did eventually achieve being Polish with the expulsion or forcible deportation of Germans (to Germany or US) and Ukrainians (to USSR) from 1945 till 1947.

Poland had has a troubled post-war history, and in the context there has been a generational divide in being Polish in the first place then of course to being Polish-Jewish. The communist power since 1945-53 was more a façade of Stalin's power, followed by de-Stalinisation between 1953-64 under Nikita Sergeevich Khrushchev and 1964-85 referred to the age of stagnation, under Leonid Il'ich Brezhnev.²⁶ While Poland belonged to Soviet side of the Iron Curtain, it was also a part of the satellites of the Soviet Union in East Europe, however it internally struggled to be distinct from the Soviet Union following Khrushchev's the policy of "Different Roads to Socialism" which led to great tensions amongst public intellectuals and political dissidents in Poland as well as in other states in East-Europe. The Stalinist period brought an end to Jewish life in Poland as forced emigration of Jews was a part of the Stalinist drive to create an ethnically homogenous nation (Gudonis, 2001). So those Polish-Jews who remained in Poland had to make a

²⁶ Fowkes, Ben *The Rise and Fall of Communism in Eastern Europe*, Macmillan, 1995

conscious choice of embracing a Polish identity (Gebert, 2008:3) to eventually become targets of the Party-led anti-Semitic Campaign of 1968 termed as “anti-Zionism” which led to about expulsion of a further 20,000 Polish-Jews. The ’68 campaign severely delegitimised anything Jewish as Gebert (2008: 3-4) notes, “A Jewish sounding name was enough to get one into trouble... [T]he intelligentsia was horrified, both by the moral implication of the campaign and the fact that many of its own prominent members of both Jewish and Polish were affected.” The 2002 census records²⁷ the existence of only 1100 Jews while about 5,000 self-identified Jews have registered with official Jewish organizations like, the Union of Jewish Religious Communities in Poland and the Social and Cultural Association of Polish Jews (TSKZ). However Jewish community leaders believe the real number is 35,000 or even higher²⁸, the reason being many people are still discovering they have Jewish roots, with the typical scenario being a deathbed confession of a parent or grandparent. Another issue in creating an accurate count is that many people are reluctant to admit they are Jewish as many of their elder generations became atheists this partisan had significant effect on Jewish identity in Poland.

Through history and sociological inquiry Melchior (1995; 2001) labelled three generations of Polish-Jews collectively as ‘Generation’56, Generation’68 and Generation’89’. According to many of her respondents, all born between 1944 and 1955, their initial sense of Jewishness was largely the product of social stigmatisation during the 1967-8 purge. On the other hand, Generation’89 was an outcome of the democratic demonstrations that hit

²⁷ I collected demographic reports from *Główny Urząd Statystyczny*, Warsaw - the National population census bureau of Poland, 28th August 2007.

²⁸ European Union for Progressive Judaism and Friends of Jewish Renewal in Poland estimate 200,000 potential Jews in the country today.

East-Europe, it was different than stigmatised position of being a Jew in '56 or '68 but their being Jewish was considered voluntary as it was the result of one's own search and effort, Melchior thus termed Generation '89 as the 'Jews of choice.'

By mapping Poland's transitional history, I argue that the transitions of Polish politics have affected Polish-Jewish relations as well as Polish consciousness. While 'independent' Polish identities have got influenced and shaped by the belief that Communism had eradicated ethnic persecution, Polish-Jews engaged with the excesses of being Polish to rebuild democracy in Poland by concealing their identities and by coming to 'terms' with their hidden pasts. Consequently, Polishness progressively gave way to a stronger sense of reclamation of Jewishness.

3.2. Polish-Jews since 1945: A history in three phases

This section will outline the historical background behind the three generational divides mentioned above; I shall begin by discussing the Kielce pogrom of 1946 followed by an account of anti-Semitism in Poland under communism during the Cold War years and post-communist transitions of 1989.

Gomułka's leadership in supervising settlement was a welcome source of patronage to his part while the state became the largest employer it had full control of welfare, media, health services and real estate property (Gross:2006:22). The communists monopolised the state and the western democracies following Yalta did not want to get involved in Eastern Europe. It was in this heightened times of political tension that Poland saw its first anti-

Jewish violence since the war. On 4th July 1946 several dozens of people were killed in the town of Kielce (Gross, 2006). It is important to mention here that after the war that Jewish property was looted and plundered by Polish Neighbours and the State administration alike. There are numerous testimonies as Jews were surrounded for deportation the Polish population waited with carts to loot their belongings (Gross, 2006; Zubrzycki, 2006). The category of “abandoned property” was applied to communal buildings, synagogues, prayer rooms, shops, rituals baths and these were primarily taken over for use by the communist for their party offices. In Katowice, for example, the Jewish community building was taken up as a local newspaper office, *Trybuna Robotnicza* (The Worker’s Daily) and in Włodawa, the only synagogue building was taken up by the Włodawa Committee of Polish Worker’s Party (Gross, 2006:49). After the war the Jewish populations were in a constant flux, returning from German camps or from exile in the USSR, moving from place to place in search of shelter and in search of relatives, many Jewish children had to be put into Polish state schools where they regularly met with hostility (Gross, 2006; Zubrzycki, 2006). Amidst local anti-Semitic bias, there was widespread employment discrimination against the Jewish survivors. Gross (2006) mentions the program in Rzeszów even before Kielce which had little or no historical literature. The only reason it goes unmentioned in Polish history is because no one was killed but multiple physical harm was caused to as many people as in Kielce and property was taken away. Kielce (1946) as Gross records (2006) was a stark reminder of precarious life of Jewish communes in post-war Poland.

To narrate the tragedy briefly, it begins with the disappearance of an eight year old boy Henryk Błaszcyk from his home on 1 July 1946. When his parents got worried and

reported it to the police, his father was told that the boy was kidnapped by Jews. The boy was eventually found on 4th July and the parents got to know that the boy was allegedly kept at the basement of the Jewish Committee. The Committee building on 7 Planty Street sheltered up to 180 Jews, and housed various Jewish institutions operating in Kielce at the time. The boy narrated that a man gave him a package to carry into the building and he was thus seized. The commander of police ordered the man in for questioning and detained him. On the way back from the police station the boy's father and his neighbour told the local people how the boy had been kidnapped by Jews. They exaggerated the story that other Polish children were also in the building and they needed to liberate them. A large crowd of angry Poles, including one thousand workers from the Ludwikow steel mill, gathered outside the building. Polish soldiers and policemen entered the building and called upon the Jewish residents to surrender any weapons. After an unidentified individual fired a shot, officials and civilians fired upon the Jews inside the building, killing some of them. Outside, the angry crowd savagely beat Jews fleeing the shooting. Three days after the pogrom, surviving Jews and local residents buried the victims in a mass grave in the Jewish cemetery. Government authorities ordered military units and local residents to attend the funeral as a sign of respect for the victims. Kielce represented passionless killings and aggression against Jews (Gross, 2006). Although the government executed nine of the attackers on July 14, following a hasty judicial investigation, the Kielce Pogrom sparked intense fear in the already traumatized postwar Polish Jewish community. As Gross (2006: 258) notes:

“What happened to Jews in Poland after the war may not be intrinsically much of a story. That a quarter million people were no longer welcome by the

majority population in a country where their ancestors had lived for centuries was not very unusual by the standards of the epoch. As ethnic cleansing goes, the murder of some 500 or 1,500 people should not have raised eyebrows, either. As to flight into exile those Jews who ran away from Poland for the most part successfully resumed lives in Israel, Canada, US, Australia and various countries in Western Europe and South America – certainly a lucky denouement by twentieth century criteria. And yet, half a century later we ask ourselves with dismay. How could there be anti-Semitism in Poland, of all places, after Auschwitz?”

Moving on to political transitions, Gomułka advocated “the national road to socialism” emulating the Soviets and by December 1948 Communists were successful in absorbing all political parties. Communism brought the grimmest years of Poland’s post-war history. The communist Eastern Europe had a stormy and eventful history as Gökay (2001) notes: “After a short-lived flirtation with “national roads to socialism” from 1944 to 1948, a Stalinist assault took place from 1948 onwards. Stalin’s system of control over Eastern Europe encompassed the creation of command economies and centralized bureaucratic state apparatuses controlled by the ruling communist party. From that point on Soviet influence and the firm control of Moscow over the whole region remained the crucial fact of life until 1989, the historic year of geopolitical transition.”

The home grown communists assumed power in Poland while they initially tolerated pluralism as well as political opposition, but soon the Polish United Worker’s Party (PZPR) established dictatorship, putting thousands in prison. Communism did influence

the middle class and many Jews became communists. Interestingly *Żydokomuna* a word coined in 1817 by the Polish enlightenment writer and political activist Julian Ursyn Niemcewicz re-emerged and came to be used as an anti-Semitic stereotype, blaming Jews for the bringing Communism to Poland. Communist ideology did make the society classless, so assimilation was a direct consequence but this also paved way for the regime to exploit popular anti-Semitism to achieve its own agenda. Communism brought years of stagnation to the old social structure and economy, it took repressive measures against its political opponents and all appeals and promises of reform were soon gone. The fear started to dominate in the 1950s and people especially the youth were followed on the streets and arrested for being dissidents.

The communist regime took much advantage of Polish ignorance of Jewish life, especially religious life and reinforced anti-Jewish stereotypes (Wolak, 2004). Overt political anti-Semitism was therefore not too difficult to popularise. Gomułka asserted that Poland should be a client state and not puppet state of the Soviet Union thus the “Polish October” of 1956 contributed to his popularity which took a downturn over the next ten years as people became dissatisfied of failed promises and cultural repression contributed to protest amongst the people (Wolak, 2004). People disliked the Soviet sponsored communist government and their cultural, economic and political policies. And this led to a national crisis in 30th January 1968 when Mickiewicz’s *Dziady* (Father’s eve, an anti-Tsarist drama) was performed at the Warsaw National Theatre with anti-Soviet overtones. Polish authorities carried on mass arrests of the alleged agitators, students, numerous prominent figures among the intelligentsia, the government’s despotic response intensified to an overt

government-initiated policy of anti-Semitism. As Gomułka's position was threatened by Mieczysław Moczar, the Interior Minister General, political anti-Semitism became an important tool for manipulation. Additionally, Poland's adverse middle-east policy to Israel's Six Day War in 1967 (as USSR was supporting Arab nations, so hatred towards Jews under the pre-text of Zionism was instigated) helped to bring out this even more effectively as Gomułka singled out Poles of Jewish origin as instigators of an anti-Soviet campaign, aggressive Zionists and agents of Western capitalism (Wolak, 2004). Gomułka referred to *Dziady* and the student demonstrations were all because of the existence of Zionist "evil" forces.

Polish Youth became openly critical to the communist regimes oppressive policies, famous dissidents then Warsaw University students Karol Modzelewski , Jacek Kuroń, Adam Michnik, Henryk Szlajfer following student-led protest marches, "open letter" to the party were expelled from the University as well as imprisoned. The student-led demonstrations in March 1968 went on for three weeks; thousands of students were beaten by the militia and arrested. As a result of this Jewish intelligentsia became scape-goats and with them many Polish dissidents were forced out of the country.

Another parallel factor worth discussing in the context of the sixties was the Church's popular opposition of communism which went against the government's atheist tendencies (Zubrzycki, 2006). Poland had long been a Catholic country, the protest of the people with its support from the Church strained Church-State relations in the 1960s. The Church indirectly benefitted from Gomułka and Moczar's partisan position and preoccupation with

the “Zionist threat”. Besides demanding release of the students, the Church also declared support of Israel’s independence when the domestic anti-Zionist campaign erupted. Several Polish-Jewish opposition intellectuals including Michnik wrote in pseudonyms in the publications close to the Church *Tygodnik Powszechny* and *Więź* (Wolak, 2004; Zubrzycki, 2006). Despite getting to control the PUWP once again Gomułka’s international position was tarnished as Moczar was effective in expelling Polish Jews (Wolak, 2004). Within less than a year of the Six Day War Poland’s covert anti-Semitism, following March 1968 became a pervasive policy of “institutionalised racial discrimination” as Polish journalist Konrad Syrop (quoted in Wolak, 2004 pp.127-8) remarks: “Gomułka’s ‘Polish road to socialism’ turned out not to be a broad highway to a better future but a narrow meandering lane with Russian signposts. In Czechoslovakia it was the Red Army and its allies who strangled ‘socialism with a human face’, in Poland it was the party itself.”

Michnik concluded that the use of anti-communist rhetoric in political life debased the political process. It created conditions in which the debate on communism became a way of fighting for power through the stigmatization of one’s political opponents. This is a parody of what was envisaged in the ‘reckoning with the past’...Communism presented as absolute evil in this, ceases to be a dangerous ideological narcotic, whose effects are fanaticism, force, and enslavement, and instead becomes a way of falsifying reality. As historian Antony Polonsky affirms: “The old lie—the lie of the communists settling accounts with fascism—becomes replaced by the new lie: the lie of anti-communists settling accounts with communism.” (Polonsky, 2004)

During the late 1980s, Poland was one of the pioneering countries overturning communism (Goddeeris, 2010). Solidarność brought ideological change with democracy and multi-party elections it boosted a connectedness between East and West Europe. The principle of unity became of tremendous important which also impacted on Polishness and the idea of Catholicism. From being an anti-communist architect, the church once again became a guardian of national-Christian traditions and established itself as the heart of Polish national identity (Mach in Faltin and Wright, 2007). Though people wanted the church not to be much involved in politics, for its influential members, the Church remains influential both in state politics and transformation of the legal system.

With the collapse of communism, Poland's Jewish past too appeared, Warsaw saw the arrival of Raabi Pinchas Menachem Joskowicz, a Holocaust survivor who went to Israel following liberation of Auschwitz and he became the Chief Rabbi of Poland. After his retirement, Rabbi Michael Schudrich from New York took over. Today there are number of Jews in Poland on the route of "rediscovering" themselves who live in smaller cities like Wrocław, Łódź, Cracow, Szczecin, Gdańsk, Katowice, Poznan to name a few. The communities and organisations will be discussed further in chapter 4.

Since early 1990s, a number of films like Shoah, Fiddler on the Roof, Schindler's List as well as literature on the subject began to be discussed in Universities and Poland started 'de-communization of memory' to construct episodes of Polish-Jewish relations (Kapralski: 2007; 1999) As Holocaust education became a part of civic programmes and teacher

training curriculum mass-media evolved and Museum exhibitions in concentration camps and civic participation became organised. The end 1990s saw numerous commemorative ceremonies which changed public opinion, also dialogues between Polish and Israeli high school students helped a number of people to 'come out' in search of their Jewish roots. Kazimierz, the Kraków Jewish quarter got refurbished where Poland holds the annual festival of Jewish culture (Murzyn, 2006). Self-examination heightened and the entire nation was shaken with the publication of Jan Gross's book *Neighbours* (*Sąsiedzi*) in 2000 which gave vivid accounts on the Jedwabne massacre of 1941 (Polonsky, 2004, Gebert, 2008).

On the other hand, the Catholic church's influential broadcasting company Radio Maryja led by Father Tadeusz since the 1990s continues to play an important role in mobilising social energy. It is a voice of nationalists whose opinions are sometimes conservative even for the church. It is a right-wing media which voices discontent of multiculturalism, opposes market reforms, European integration and wishes to see Poland as ethnically pure (free of Jews and other immigrants) traditional Catholic country. After 2005s parliamentary and presidential elections, when conservative Law and Justice party won, Radio Maryja became the semi-official medium of the new government (Mach in Falin and Wright, 2007). Since the accession of Poland to the EU in May 2004, some prominent members of the Church and Radio Maryja continued anti-European propaganda emphasizing the conflict between EU and Polish national values. The accession led to new ideas concerning the place of Poland in Europe, Radio Maryja still proposes that Poland should realise the mission of Europe and Christianity. In proposing these changes the

Church today faces a dilemma of whether collective Polish identity can be built around a Catholic doctrine or will it adapt to postmodern challenges and offer religion to those willing to embrace such ideological polarisation (Mach in Faltin and Wright, 2007 pp. 130-33).

Despite opposing forces of right wing nationalism and civic dialogues with memory and identity co-habiting in Poland, Polish-Jews of generation '89 unlike generation '56 and '68 at least got the time and opportunity to be careful observers of these transitions and paradoxes, they could engage with memory, civic education and society in a way that was never available to the previous two generations. Melchior's 'Jews of choice' therefore are indeed paving the way for a new multicultural Poland in today's Europe.

3.3. Mitigating identities through history

The March'68 campaign saw solidarity between persecuted intellectuals and Jews, in addition to the Church's support on moral causes created ground for new social action. While most of the intelligentsia were forced out, inadvertently this created ground for Jewish revival in Poland in the 1970s and 80s. Solidarność brought residual anti-Semitism out which made the leaders condemn it adding fuel to pre-existing conflicts in the trade unions but the moral factor being particularly involved prevented anti-Semitism in being the only key issue (Gebert, 2008). In the context, Jacek Kurón's famously quoted lines are unavoidable "Had there been no March'68, Solidarność would have ended up being anti-Semitic." (Kuron quoted in Gebert, 2008:43) After 1989, the condemnation of the '68 campaign was made official and it was by and large accepted by most Poles. Unresolved

issues however remained with many émigrés of 1968 though materially wanted nothing, they tried to re-establish their connections with the country. Most of them believed that their cancellation of citizenship had been illegal and Poland now needed to correctly address it. Many of them visited Poland after 1989 without having their citizenship restored for occasional work as well as to permanently re-settle (Gebert, 2008). This obviously heightened even more after Poland joined the EU in 2004 as the Polish passport meant legal work and residence anywhere within the EU. It was only during the 40th anniversary of the March events in 2008 that the issue got a political acknowledgement with President Lech Kaczyński promising of restoring Polish citizenship to the 1968 émigrés.

As the legacy of March'68 anti-Semitism kept resurfacing in Polish politics, it led to new conflicts after 1989. It started when a group of Catholic nuns were given a right to establish a convent in an abandoned building within the perimeter of an abandoned building with the perimeter of the Nazi concentration camp Auschwitz (Zubrzycki, 2006). They were to pray for the lives lost – obviously most lives were Jewish. While in agreement the Church promised to relocate the convent to new premises outside the perimeter, by the summer of 1989 the convent has relocated itself and renovated the building. Avi Weiss a New York Rabbi demonstrated a protest in front of the building which got a critical response on August 15 in a sermon at the Jasna Góra shrine by Cardinal Jozef Glemp, head of the Catholic Church accusing the rabbi of attacking the nuns. He mentioned many of the evils suffered through the Jews and that it was important to defend Jewish anti-Polonism. The crisis persisted till 1993 when under direct

intervention of Pope John Paul II the nuns eventually relocated to a new building hundred meters away from the camp (Zubrzycki, 2006). The media played on with the opinions generated from the story and allegations of Polish anti-Semitism and Jewish anti-Polonism was greatly emphasised. With the non-communist takeover in the summer of 1989 the old barriers were indeed crumbling but for a while the Weiss affair became an important story in Poland. The second crisis that followed on this was due to the towering cross visible from inside the camp which remained in place even after the nuns moved out. By the spring of 1998 a group of Catholic fundamentalists fearful that “Papal cross” would be removed started planting smaller crosses in order to “protect it” as scores of crosses were set up it led to a new Auschwitz controversy impacting not only Polish-Jewish but also Christian-Jewish relations (Zubrzycki, 2006). Before the visit of the Pope to Poland the crosses were removed with the permission of the church while the “Papal cross” remained towering signifying the victory of the defenders of the cross. This however sparked lot of standard fare arguments from the defenders that the cross belongs to Poland, Polak-Katolik (the Pole is a Catholic) also that the Jews were Christ-killers so they had to suffer the Holocaust, they also brought communism to Poland but the country resisted and survived in the name of God (Zubrzycki, 2006). After much public discourse on graffiti including anti-Semitic graffiti the crisis dumbed down as Poland’s accession process to the EU had begun so the authorities had to keep perceptions in check for corrective measures to take place.

For the first decade and a half after the collapse of the communist political system, Poland appeared to have achieved a degree of political stability, in spite of the bewildering

rapidity with which parties emerged, split and disappeared. This rested on the emergence of two groups, one deriving from the Solidarity movement, sometimes called the post-Solidarity camp, and the other deriving from the former Polish United Workers' Party, which dissolved itself in 1990 and was transformed, more or less convincingly, into a Social Democratic Party of the Western European type, the Democratic Left Union (*Sojusz Lewicy Demokratycznej--SLD*). Commentators stressed the ideological differences between these two groupings. According to the political sociologist Janusz Reykowski (1998), two concepts of democracy have developed in post-communist Poland. One sees the democratic system as primarily concerned to ensure its citizens the greatest amount of freedom; the other sees democracy as primarily concerned to provide the maximum security for them. Those who favour the first concept see the present social-economic situation above all in terms of the opportunities it affords; those who favour the second are above all preoccupied with the dangers inherent in it.²⁹ The first he identifies with the post-Solidarity camp which held power from 1989 to 1993 and again between 1997 and 2001 and the second with the post-communist camp, which was in power between 1993 and 1997 and from September 2001 to 2005 and whose most formidable politician, Alexander Kwaśniewski twice won the presidency, in 1995 and in 2005.

This polarization became evident immediately after the fall of communism when in 1990 Jaruzelski resigned as President. The ensuing contest for the presidency led to a 'war at the top' and to an acrimonious split in Solidarity, pitting Mazowiecki against Lech Wałęsa, the ultimate victor who took a more radical anti-communist stance. It returned in a new form in the parliamentary elections of September 2001, when two 'populist' parties, the League

²⁹ Reykowski, Janusz 'Belief System and Collective Action: Changes in Poland from a Psychological Perspective', *Applied Psychology* 47/1 (January 1998),p. 89-108.

of Polish Families (*Liga Polskich Rodzin*--LPR) and Self-Defence Alliance (*Przymierze Samoobrona*) together gained nearly twenty five per cent of the seats in the lower house. The division between these two groups and the elites, both those derived from PZPR and those derived from the Solidarity opposition, also extends to their view of the recent past. The latter groups see the rulers of People's Poland, particularly after 1956, as, for the most part, well-meaning, trying to do the best for the country in difficult geo-political conditions. In their eyes, the Round Table agreements and the negotiated end of communism, which it made possible, was a sensible compromise between people of good will. Thus, one of the key figures of the Solidarity opposition, the editor-in-chief of the main liberal daily, *Gazeta Wyborcza*, Adam Michnik believes that Polish collective memory has two skeletons in the cupboard, one which is authoritarian and nationalistic and the other communist. Writing in *Gazeta Wyborcza* on 4 January 2000, he claimed that the former had not come to terms with anti-Semitism and the repressive policies pursued towards the national minorities during the twenty years between the First and the Second World War, while the latter had not come to terms with nearly five decades of communist dictatorship. Under the communists, he asserted, it was impossible for meaningful historical debates to take place.

One of the key political controversies that overwhelmed Polish-Jewish relations was Lech Wałęsa's campaign, when in 1990 Tadeusz Mazowiecki, a leading *Solidarność* figure ran against him for the presidency. Since Wałęsa was cast as the Polish-Catholic stereotype Mazowiecki who was no less Polish-Catholic was type casted as a Jew. Mazowiecki's putative Jewishness paved way for both anti-Semitic as well as anti-anti-Semitic attitudes in the society in the public opinion polls (Gebert, 2008). While the former represented a

cross-section of Polish society, the latter represented a forward looking, educated and dominantly young mindsets. In June 89, Solidarity chairman Wałęsa issued a statement that anti-semitism was to be condemned from all parts of Polish society but another story of political difference accused Wałęsa of his position. Wałęsa had political difference with *Gazeta Wyborcza* editor Adam Michnik who is Jewish. Although Wałęsa tried to clarify in his election rally in Białystok and Gdansk that the difference had nothing to do with Michnik being Jewish and wasn't based on anti-Semitism. Also, Wałęsa had commemorative plaque put on the building in Kielce, but his office did not issue any declarations and this led to the deterioration of the political climate. While still indignant at the rumours Wałęsa's response to the world media remained ambiguous. When a BBC journalist asked him if a person's biological origins had political significance Wałęsa replied: "In a normal country they shouldn't, but we are barely out of communism so we must be very careful" (in Gebert 2008:61).

Wałęsa clarified his position in a standard statement: "Someone wants to make an anti-Semite of me. I repeat: I am not an anti-semite. I want a Poland free of anti-Semitism, of chauvinism, in which Catholic, Orthodox and Muslim can live in side by side. The suspicion of a "Jewish plot" results from the fact that the structures of power are illegible, that no one knows who is really in power. Once it becomes clear, it will be possible to see who is to blame for what." (*Tygodnik Solidarność*, Nov. 9, 1990, p.5). It is important to note that in January 1991 Wałęsa addressed the Knesset in Israel with an emotional speech asking for forgiveness for the past. Wałęsa while accused of being an anti-Semite certainly wasn't one. This is further confirmed with Michnik's address at the Civic Parliament Club

set up by solidarity MPs and senators who supported Wałęsa. “We are entering these elections, no matter how dramatic they may be, with Solidarity split, in a society in which all the old demons have been reawakened. I have never accused you of anti-Semitism, but I do want to say that what you have said – that people of Jewish origin should reveal themselves – and I am a Pole of Jewish origin – was for me as if I had been spat on the face. I will not forget this.” (Gazeta Wyborcza, Nov. 30, 1990 in Gebert 2008:83).

The issue of anti-Semitism in Poland has been a long drawn one and certainly vandalism of Jewish cemeteries and property are not uncommon but Wałęsa’s persistent quietness stung by charges that he did too little to discourage anti-Semitic voices on the fringes of his own campaign for the presidency. Wałęsa added to the problem significantly, by commenting to one obviously anti-Semitic question at a political rally that he is a “100% pure Pole.” He however made amends, Wałęsa has appointed a presidential council on Polish-Jewish relations, made up of widely respected intellectuals from the Jewish community, the Roman Catholic Church and educational and political circles. Formally, the council was established to set “guidelines for the president's work in the sphere of Polish-Jewish relations,” but at least some of its members see the body as the state's first genuine commitment to combat anti-Semitism in Poland. Shortly after his election, Wałęsa vowed to “put an end to anti-Semitism” in Poland during his presidency. During the Gulf War, Wałęsa pointedly announced that Poland was a “friend and ally” of Israel” (Gebert, 2008).

As Poland’s preparation for accession to the EU began from mid 1990s a key development featured in the form of the 1997 constitution where it presented the democratic state with

separation of powers on the principal of balance, while conferred on the nation the rights and freedoms, it also had a special place for Jewish communes in Poland following the presidential apology of 2001 and promise of restoring Polish citizenship to the '68 émigrés, the 1997 act played and continues to play a major part in sustaining Polish-Jewish relations today. I discuss the act elaborate in chapter 5 of the thesis. Alongside this, the post-communists upheld the pro-capitalist reforms initiated in 1989 by Finance Minister Balcerowicz, which rapidly and successfully restructured the economy of the country, are committed to maintaining a pluralistic and democratic political system and supported Polish entry into NATO, which took place in March 1999, and into the European Union, which occurred in May 2004.

The real division in post-communist Poland, as has been pointed out by another sociologist, Jerzy Szacki, has been between 'liberals' and 'populists'.³⁰ The liberals have taken the capitalist West as a model, support 'Europeanization' and favour the free market and free competition. The 'Populists' highlight the negative consequences of unfettered free markets and Europeanization. They tend to be oversimplified and demagogic solutions, using the concepts such as 'the people', 'the majority', 'ordinary people', 'working people' whose interests are clearly at odds with those of the elite. They mistrust career politicians and existing political institutions and are inclined to believe in conspiracy theories of history. They also represent for the most part those who have suffered in the successful transition of Poland, rather than those who had gained.

³⁰ Polityka, 14 December 1996

Ranked against those like Michnik and Alexander Kwaśniewski, whose successful slogan in the presidential election of 1995 was ‘Let us choose the future’, are those who believe that the Round Table agreements were the result of a shoddy bargain between that section of the opposition made up of people who had started their political careers as revisionists communists with the declining regime. This group sees this regime as essentially totalitarian throughout its existence and controlled from Moscow, those who had served in it were collaborators and should be treated as such. The conviction that in post-1989 Poland the ex-communists had used their newly gained legitimacy to obfuscate the horrors of the communist past led the editors of the Kraków based conservative journal *Arcana*, to pose the questions: ‘How should one write about communism?’ and ‘How should one write about People’s Poland?’ The editors were concerned whether a ‘complete and trustworthy image’ of the communist past was being communicated. Is what is being passed on ‘sufficient’ to convey the lessons of communism--‘surely the most important [historical lesson] of the twentieth century?’

In response, a conservative historian, the late Tomasz Strzembosz, responded that the historian’s obligation (like that of ‘publicists, intellectuals—and politicians’) is ‘to warn, to steel ourselves, [and] to guard against this plague’. Communism ‘lives on, although it has changed the colour of its flags and although leather jackets have replaced suits and ties’.(Polonsky, 2004) A similar point of view has been articulated by the philosopher Zdzisław Krasnodębski, a sociologist and philosopher based in Germany and a leading Polish conservative. In his judgment the political philosophy which underlay the transformation had been misguided. It was based on the liberal principles of moral

pluralism and the neutrality of the state and led to Poland slavishly following the Western pattern in its restructuring, disregarding national traditions. As a consequence, the main goal of the transformation had become the speedy modernization of the country rather than its de-communisation. Principally responsible for this wrong course were Tadeusz Mazowiecki and Adam Michnik, who prevented an unequivocal condemnation, buttressed by law of the communist system, with consequences in the sphere of criminal law and in the construction of the democratic state.

3.4. Polish Jewish Relations through Texts post-1989

In this section, I shall outline the key texts that have influenced Polish-Jewish relations through historical reflection and enabled coping with truth. The populist movement in Poland, promoted neo-nationalists in institutions like the Institute of National Memory (Instytut Pamięci Narodowej—IPN) and aggressively pursued a policy of opening the secret police files and exposing those with secret police connections before 1989. The one area of the traditional right's policies which it did not follow was anti-Semitism—the two Kaczyński brothers fostered good relations with the Jewish world and the state of Israel and supported initiatives like the establishment of a Jewish museum in Warsaw aimed at preserving the memory of the Polish-Jewry. Even Maciej Giertych, leader of the LPR and descendant of a long-line of *Endek* and anti-Semitic politicians, who held the posts of deputy prime minister and minister of education in the government, claimed that Roman Dmowski's views on the Jews would disbar him from membership of the LPR.

The difficult issue of Polish-Jewish relations had already been the subject of serious debate before the end of communism. In the late 80s and 1990s, the parameters of the debate seemed to lie between those who believed, like literary historian and commentator Jan Błoński, that in relation to the Jews, Polish behaviour gave rise for the need to make amends for past wrongs and those like Polish Lawyer and political activist, Władysław Siła Nowicki, who held that this was a conflict of equals in which both sides were evenly to blame.

The past decade has seen a series of set-piece debates similar to that aroused by Błoński's articles especially "The Poor Poles Look at the Ghetto", which inaugurated the Public debate of Polish-Jewish relations after the Holocaust. The debate got heightened by the publication of an article in the liberal daily, *Gazeta Wyborcza* on 29/30 January 1994 by a young (non-Jewish) historian Michał Cichy, entitled 'Poles and Jews: Black Pages in the Annals of the Warsaw Uprising'. In it, Cichy discussed anti-Jewish attitudes and actions the part of Polish military organisations and civilian population during the sixty-three day Warsaw Uprising launched against the Germans on 1 September 1944. In particular, he described individual and group murders of several scores of Jews, by the National Armed Forces (*Narodowe Siły Zbrojne*), and by some units of the Home Army (*Armia Krajowa*). Although Cichy's shocking revelations were confirmed by three leading historians of the war in Poland — Andrzej Paczkowski, Andrzej Friszke and Teresa Prekerowa—a majority of discussants refused to accept them.³¹ Similar debates were provoked by the exchange in

³¹ The debate, including publication of letters and phone calls received by *Gazeta Wyborcza*, was published on 2, 3, 7, 11 and 12/13 February. The responses by the historians Andrzej Friszke, Andrzej Paczkowski and Teresa Prekerowa and Włodzimierz Borodziej and Tomasz Strzembosz were published in the issue dated 5/6 February. [Intelligence Report - Article on Warsaw](#)

late 1997 in the pages of *Tygodnik Powszechny* between the late Father Musiał and Father Chrostowski on the reaction of the Polish hierarchy to the anti-Semitic utterances of Father Jankowski³² and by the article ‘The Disgrace of Indifference’ (*Hańba obojętności*) by the sociologist Hanna Świda-Ziemba, which appeared in *Gazeta Wyborcza* on 17 August 1998 and repeated in sharper form the arguments set out by Błoński.

What is striking about these debates is their moral character. It is no accident that several of them took place in a Catholic periodical. They were mostly conducted by theologians, philosophers and literary critics. This is why, as Jerzy Turowicz, the veteran editor of *Tygodnik Powszechny*, who died in 1998 found it necessary to point out that the argument between the two sides was ‘conducted on totally different planes’.³³

Two developments began to affect the debate. The first was the large mass of new historical material produced since 1989 which has given us a much fuller picture of Polish-Jewish relations in the twentieth century. From this research a clear and unambiguous picture was emerging – in an important review article by Maria Janion in *Tygodnik Powszechny*, 22 October 2000. She points out that although Goldhagen’s work *Hitler’s Willing Executioners* has many flaws, his concept of ‘eliminationist anti-Semitism’ is a useful analytical tool. She argues that there are several stages before a society adopts such a stance. Jews are first seen as undesirable and to be denied some rights. Then comes a demand for the voluntary or compulsory removal of the bulk of Jews from the society, only then does the move to mass murder occur. Janion argues, in my view correctly, that

Uprising Touches Raw Nerve in Polish-Jewish Relations No. 8, April 1994, 1-2, the Institute of Jewish Affairs, (London, 1994).

³² This debate was translated into English in POLIN: Studies in Polish Jewry, 13 (Oxford, 2000) 303-328.

³³ Jerzy Turowicz, ‘Polish Reasons and Jewish Reasons,’ in A. Polonsky (ed.), ‘My Brother’s Keeper?’ Recent Polish Debates on the Holocaust (London, 1989), p.138.

the majority of Polish society and of Polish political parties had come by the 1930s to the position that the ‘solution’ of the ‘Jewish problem’ was the voluntary or compulsory removal of most Jews from Poland, a key factor in understanding the Poles’ reaction to the mass murder of the Jews.

These are conclusions which it is hard for Poles to accept. But we are faced here not with moral imperatives but with hard facts, which, it seems, will, in the long run, prove much more persuasive. These are tragic developments which are part of the more general tragedy of the twentieth century. They cannot be changed—accepting them will be a sign of political and social maturity. There are some signs that this is already taking place.

The second important development, which has been described above, is the important corpus of work produced by Polish-Jewish writers in the 1990s. These writers dealt extensively with their Jewish backgrounds, often previously concealed. Several had common experiences in that they lived through the war as children hidden on the ‘Aryan’ side and grew up in the complex post-war years. Their work gave a graphic and largely negative picture of what it was like to be a Jew in a hostile environment both during the war and under communism.

This is the context for the debate provoked by the publication of Jan Gross’s *Neighbours*, first published as *Sasiedzi: Historia zagłady żydowskiego miasteczka* (Neighbours, The History of the Destruction of a Jewish Shtetl, Sejny, 2000). The book describes, in detail, in the basis of evidence produced for a trial in 1949 an incident in the town of Jedwabne in

the north-east of today's Poland in which, with some German incitement, but little actual assistance, the local population brutally murdered the overwhelming majority of their Jewish neighbours.

The debate on Jedwabne has been the most serious, protracted and profound on the issue of Polish-Jewish relations since the end of the war. At the commemoration service, held in Jedwabne on the sixtieth anniversary of the massacre, President Kwaśniewski gave the address in 2001:

We express our pain and shame, we give expression to our determination in seeking to learn the truth, our courage in overcoming an evil past, our unbending will for understanding and harmony. Because of this crime we should beg the shadows of the dead and their families for forgiveness. Therefore, today, as a citizen and as the President of the Polish Republic, I apologize. I apologize in the name of those Poles whose conscience is moved by that crime.

The ceremony was attended by some 3,000 people, among them former residents of Jedwabne and relatives who had traveled from the United States and Israel to remember the victims killed. After the speeches from the president and others, the crowd walked silently from the town square to the former site of the barn where most of the victims died, burned alive. A new six-foot-high monument made of stone was officially unveiled there. In Polish, Hebrew and Yiddish, the new inscription reads: "To the memory of Jews from Jedwabne and the surrounding area, men, women and children, inhabitants of this land, who were murdered and

burned alive on this spot on July 10, 1941.” President Bronislaw Komorowski followed with a response: “A nation of victims had to accept this uneasy truth that it sometimes was also the perpetrator,” President Komorowski wrote in a letter this month on the 70th anniversary of the Jedwabne pogrom. “It took long before we understood that admitting this guilt doesn’t invalidate the Polish martyrdom and heroism in the fight with German and Soviet occupiers.” He added the Polish state did not exist on the Polish soil at the time, wiped from the map by Hitler’s attack and the Soviet invasion of 1939. “But today it exists. And it hears the grief, the unyielding scream of its Jewish citizens. Today, in its name, I honor their suffering. And once again I ask their forgiveness,” (Ha’aretz, July 2001)

The Church has been more equivocal. In particular, Cardinal Glemp, then the Primate of the Polish Roman Catholic Church failed to give a clear lead. Although he acknowledged the seriousness of what had happened in Jedwabne in a statement on 4 March 2001, on 14 May of that year, after promising that the church would apologize for wrongs to Jews he asked rhetorically ‘We wonder if Jews shouldn’t recognize their own guilt toward the Poles—particularly for cooperating with Bolsheviks, sending Poles to prison and degrading so many of their fellow citizens.’ Some other members of the hierarchy expressed more contrition. Archbishop Muszyński in an interview with *Tygodnik Powszechny* of 25 March 2001, admitted that ‘some Polish residents of Jedwabne’ were ‘direct perpetrators of the crime’ and referred to the removal of the old monument in Jedwabne, holding the Germans responsible for the massacre, as ‘symbolic of the beginning of the end of the era of falsification, instrumentalisation, and the ideologising of the truth.’ For this process to continue, Poles, like the Pope, would have to ask for forgiveness for ‘wrongdoing and sins against the Jews.’ This

should take the form of joint participation with Jews in a 'community of prayer.' Although this prayer service took place on 27 May 2001 without Jewish participation (the diplomatic excuse was that it was on the first day of Shavuot) in the Church of All Saints in central Warsaw, where anti-Semitic literature was prominently displayed in a bookshop, it turned out much better than could have been anticipated. The church was packed with worshipers and most of Poland's bishops were also present. Speaking on behalf of the Church, Bishop Stanislaw Gądecki said that the Jews were victims of a crime and that there had been 'Poles and Catholics' among the perpetrators. 'We are deeply disturbed by the actions of those who caused Jews to suffer and even murdered them in Jedwabne and in other places over the ages.' Among the biblical readings were the story of Cain and Abel and the parable of the Good Samaritan. The Bishops also prayed for peace in the Middle East. The service concluded with a prayer for the Jewish nation.

How far has Polish society followed the lead given, even if not entirely clearly, by its elites? In an article that appeared in late April 2001 in the newspaper *Rzeczpospolita*, the historian Andrzej Paczkowski sketched out a tentative typology of the discussion which, as he rightly observed, concerned less the events as such than the 'range, intensity and nature of Polish anti-Semitism.' He identified four categories: first, the 'affirmative,' which upholds Gross's basic premises, and is particularly concerned about their moral ramifications; second, the 'defensive open' genre, which accepts some of Gross's conclusions, but raises questions about his research priorities and methods, and stresses in particular the supposedly still vague nature of German participation in the atrocity; third, the 'defensive closed' which generally portrays some Poles as, at worst, unwitting helpers of the Nazis, or as motivated largely by a desire to retaliate for the various wrongs perpetrated against them by the Jews (an overwhelming

number of them, presumably) who worked for the Soviet forces and Soviet secret police in 1939-41; finally, the letters and articles aiming to refute Gross's book *Tout Court*, in the process often resorting to old stereotypes, from decide to mounting perfidious conspiracies against Poland.

In scholarly terms, the debate has largely been settled by the publication of the the two volume report of the *Instytut Pamięci Narodowej, Wokół Jedwabnego* ('Around Jedwabne', Warsaw 2002), edited by Paweł Machcewicz and Krzysztof Persak, the first volume of which consisted of eight essays by members of the IPN staff, while the second provided documents with commentaries, grouped under three headings: Polish-Jewish relations during the Soviet occupation, the operations of the Wehrmacht and police units in the area in 1941, and records of post-war trials and by Anna Bikont's *My z Jedwabnego* (Warsaw, 2004), an ethnographic investigation by a well-known journalist into the memory of the massacre in contemporary Jedwabne.

Recipient of 2007 YIVO³⁴ Jan Karski and Pola Nirenska Prize, cultural anthropologist Joanna Tokarska-Bakir in her acclaimed book *Rzeczy Mgliste* or Hazy Things reveals how the negative image of the Jew in the Polish traditional folk culture instigated anti-Jewish attitudes over the centuries and into the present time. Through extensive ethnographic study in Sandomierz, South-East Poland, she identifies myths and preconceptions, which serve both to dehumanise the Jews and to foster false beliefs about the righteousness of their neighbours. Writing about the Jedwabne massacre of the town's Jews in the summer of 1941 perpetrated

³⁴ Originally founded in Vilna around 1925, now based in New York, YIVO Institute for Jewish Research is dedicated to the history and culture of Ashkenazi Jewry and its influence in the Americas.

by the local Poles, Tokarska-Bakir argues against those defenders of the perpetrators who are “obsessed with innocence” and thus unable to accept facts, “In the nature of conscience, however, lies a paradox: its moral voice calls us to maintain our innocence, but at the same time its religious voice teaches us the contrary.”³⁵ While investigating the holocaust-guilt complex and historians’ views on it, Tokarska-Bakir talks about the shades and symmetries of the “two memories”, “two truths” and their delimiting contradictions. “If the Jewish identity is abased and mobilized by the ‘Auschwitz lie’, the Polish memory is tormented and nourished by the ‘Katyn³⁶ lie’.”³⁷

Popular attitudes are more confused, although it does seem that the debate was the start of a process by which the larger society has also begun to come to terms with the ‘dark’ side of its past. Ultimately what the debate revealed, both in the scholarly community and in the society at large, was a division over attitudes to the past which went beyond the Jewish issue. To quote Andrzej Paczkowski again, one of ‘the most significant phenomenon of the last fifteen years has been the emergence, concretization (also in political life) of competing positions in the sphere of memory and in relation to the national past.’³⁸ At the same time, that part of society willing to accept a self-critical attitude to the Polish past does seem to be the larger and seems to be growing.

³⁵ Tokarska-Bakir, Joanna *Rzeczy Mgliste* p. 21.

³⁶ Katyn – reference to the discovery of mass-graves in Katyn, where Polish officers were executed on 5th march 1940 by the order of the Soviet politburo.

³⁷ Tokarska-Bakir, Joanna *Poland as the sick man of Europe? Jedwabne, “post-memory” and historians*, Eurozine 2003-05-30, Original in Polish -Translation by Michal Pawica and Jessie Labov, Contributed by Transit – accessed on 21st August 2007.

³⁸ Ibid.

This was clear in the debate over Jan Gross's next book, first published in English in June 2006 under the title *Fear* and then in January 2008 in a slightly different version in Polish as *Strach*, which described the anti-Jewish violence in Poland after the Second World War and, in particular, the Kielce pogrom. The neo-nationalist right mounted a concerted campaign against the book, which was published by *Znak*, a leading Catholic publishing house and even attempted (unsuccessfully) to have Gross tried for defaming the Polish nation under a law passed by the Kaczyński government. Yet, although some more moderate historians criticized Gross for excessive moralization, there was little reaction from the wider society and younger Poles, in particular, seem to have accepted his damning account of the failure of the Church to act in the post-war years to curb anti-Jewish violence. According to Henryk Wozniakowski, the Director of *Znak*, 'The basic reason why we published the book has been to promote the truth about history, to overcome the remnants of anti-Semitism that continue to linger in our society, as well as our commitment to the Christian sources of value on which those who create our organization drew and to which we, in the new conditions of today, are attempting to remain faithful.'³⁹

It seems that in the discussion of the difficult problems in Polish-Jewish relations, we are now beginning to enter a second stage, where apologies and apologetics will increasingly be replaced by careful and detailed research and reliable and nuanced first-hand testimony. It should be possible to move beyond strongly-held, competing and incompatible narratives of the past and reach some consensus which will be acceptable to all people of good will and

³⁹ Quoted in *Gazeta*, vol. 16, no. 1 (Spring 2008).

which will bring about a degree of normalization both in Poles' attitude to the past and in Polish-Jewish relations.

In recent years, the division within the Church between the more conservative and the more liberal elements, sometimes described as the 'closed' and 'open' Church has inhibited radical initiatives. Indeed, sections of the 'closed' Church, most notably periodicals such as *Niedziela* and the widely circulated *Nasz Dziennik* and Radio Maryja have sometimes expressed antisemitic views. At the same time the Episcopate Committee for Dialogue with Judaism has continued its activity and some efforts have been made to rein in the activities of Radio Maryja. The Church has also finally closed the Antyk bookshop in which antisemitic literature was being sold.

Another important area is the introduction of more satisfactory school textbooks dealing with Polish-Jewish relations in the twentieth century. Here too some progress is being made though it is painfully slow. In particular, Robert Szuchta in Warsaw and Piotr Trojański in Kraków have put together a curriculum guide for teachers) to teaching the holocaust which came out in the summer of 2000 and are at present, at the behest of the Ministry of National Education (MEN) working on a textbook to go with it. For the most part, there is still little in the current textbooks on the subject although individual teachers in schools are introducing the subject separately from the 'World War II' unit which has always been in the textbooks. The recent guidelines laid down for the revision of history programmes in secondary schools by the Polish Ministry of Education give individual teachers a lot more latitude in setting the syllabi for their classes, although obviously the very existence of an approved list of texts and topics ensures

that a canonical core will remain. Students are to learn about ‘the variety of scholarly approaches and historical interpretations’ and at the end of secondary school should be able to analyse events in their historical context. This focus on interpretation and argumentation is certainly to be praised and should make it possible to move history teaching away from its role as a vehicle for inculcating national identity. It should also make possible a more balanced approach to the complex Polish-Jewish relationship.⁴⁰

3.5. Concluding remarks

Through this chapter I have sketched the historical factors that influenced Polish-Jewishness in Poland’s national history. Though much of the focus has been towards post-1945 history, I also gave an account of political and social complexities since the 17th century that impacted on Poland’s multicultural heritage. Besides narrating the political changes in regimes from communism to post-communism to EU integration, I narrated historical perceptions between Poles and Jews in the media and how key political comments and publications evolved with these changes to bring back memories for critical self-examination of the nation’s past. While addressing shifts in political regimes I explained the historical essence and factors that led to the three generational divides of Jews in Poland - '56, '68 and '89. I clarified the position of the Catholic Church and how it continues to influence Polish Politics today. I interpolated discussions with political party dimensions as relevant in order to highlight the creation of ‘new’ dialogues in Polish-Jewish relations.

⁴⁰ For these visit:
www2.reformaprogramowa.men.gov.pl/projekt_podstawy_dla_gimnazjow_i_szkol_ponadgimnazjalnych/?sessio_n_id=f47c501db13b18f5f1739b4e47b276c5.

Two recent political events in the evolving context of Polish Jewish relations also needs to be additionally highlighted, the first being the tragic death of President Lech Kaczynski in 2010 which brought both Poles and Jews together and the second one being Israeli Prime Minister Benjamin Netanyahu's recent visit to Poland and discussion with Prime Minister Donald Tusk.

Kaczynski was the first Polish president to attend a service at a Polish synagogue, the first to celebrate Chanukah at the presidential palace, the first Polish leader to provide support for a Jewish history museum on Polish soil. Poland's chief rabbi, New York native Michael Schudrich, commented: "A lot of those who are politically right of centre are open to Jewish contributions to Polish culture, but if you had a different person in power they would have been quiet about it. Kaczynski empowered those people to also have a voice," (Associated Press, 2010). Warsaw's Nozyk Synagogue had a service for Kaczynski. It was one of the great ironies of Polish history that a nationalistic, ultra-conservative Catholic who may have counted some anti-Semites as his supporters was a pivotal figure in the post-Communist healing of grudges that divided Poles and Jews. Progressive Jews also found some of Kaczynski's social positions disdainful. But Kaczynski, along with others who worked to preserve Jewish culture and died in the plane crash, collectively represented a brain trust of Jewish-Polish-Israeli relations. "Kaczynski and those around him, they are not replaceable," said Monika Krawczyk, CEO of the Foundation for the Preservation of Jewish Heritage in Poland. "His approach to Jewish issues has to do with his personal

experience and convictions. We hope for people similarly sensitive, but they will not be the same.” (JTA, 2010)

The current Polish Prime Minister Donald Tusk and his cabinet of the Civic Platform Party are considered allies of Israel and the United States, and are friendly to Jewish concerns. In his recent visit to Poland in June 2013 Israeli Prime Minister Benjamin Netanyahu visited Auschwitz and contrasted the painful Jewish history of the past in Poland with the current strong relations between Poland and Israel. “The histories of our peoples are intertwined over thousands of years, in great achievement and also in great tragedy. We are both shaped by our past and we are both focusing together on shaping our future.” Tusk concurred, saying “we speak a common language with Israel” (Ha’aretz, June 12 2013). Netanyahu’s father was born in Warsaw. He visited Auschwitz and inaugurated a new pavilion meant to educate visitors about the Holocaust. Netanyahu and a team of six ministers met with their Polish counterparts and discussed security, including the peace talks with the Palestinians, the conflict in Syria and a series of bilateral issues such as Poland's possible purchase of Israeli armaments.

From post-war anti-Semitic riots to embracing Jewish identity openly, Poland has undergone deep social, cultural, economic and political transformation. As Michal Bilewicz, Forum for Dialogue Amongst Nations (FDMN)⁴¹ co-convenor comments, “The revitalization of Polish-Jewishness is a multi-dimensional and complex process,

⁴¹ A non-profit Polish organisation that works towards Polish-Jewish civic dialogues to eradicate anti-Semitism and teach tolerance through education.

the regeneration of historic sites, memory and the present acceptance of the lived-heritage while presenting opportunities for reinterpretation isn't always an easy lesson so it is important to keep the dialogues alive in the minds of the youth.”⁴²

⁴² Bilewicz interview taken by me at the FDMN office Warsaw, July, 2006

Chapter 4: Visible or not so Visible Jews: Jewish communes in Poland

The identity of any man or woman is, after all, or often is a palimpsest composed of fragmentary memories, imprints, of those he or she has loved.

Bernard Harrison, *Talking Like a Jew*

For our house is open, there are no keys in the doors and invisible guests come in and out at will.

Czesław Miłosz, “*Ars Poetica?*”

The chapter gives a record of the organisational networks in Poland working on Polish-Jewish relations. It gives a detailed account of Jewish Organisations in Poland today including their membership and activities as well as highlights Poland’s links abroad through events of commemoration. I relate events which have helped in creating an open dialogue with the multicultural heritage of Poland.

4.1. Key Organisations working on Polish-Jewish Relations

Though 3.5 million Polish-Jews were killed in the war, the cultural legacy and the cultural void they left was too heavy and too rich to be easily negated. After all, they formed the largest Jewish community in Europe and the abode of the Yiddish civilisation – the heart of the Ashkenazim. Poland is still seen by outsiders, especially non-Polish Jews as the land of pogroms, deserted synagogues and a Jewish cemetery. On the other hand, about six thousand Poles are recognised by Yad Vashem as *Righteous among the Nations* for saving Jews during the war, highest number from any one country. The country has been popularising the Jewish Festival of Culture in Kraków since 1989 (Murzyn 2006) which today attracts more than thirty thousand people from around the world per year. As mentioned in the previous chapter the memory of the Shoah and the political regime changes have been some of the key factors that predominate Polish-Jewish relations, and

the most famous Polish place of historical and tourist interest on the map stands out as Auschwitz. Deleuze and Guattari (1987:106) suggest: “Continuous variation constitutes the becoming minoritarian of everybody, as opposed to the majoritarian fact of nobody. Becoming-minoritarian as the universal figure of consciousness is called autonomy. It is certainly not by using a minor language, as a dialect, by regionalising or ghettoising, that one becomes revolutionary; rather, by using a number of minority elements, by connecting, conjugating them, one invents a specific, unforeseen, autonomous becoming.” The revival of Jewish indeed did the same, till the early 1990s Kraków’s Kazimierz was a dilapidated part of Krakow but due to people’s embracing things Jewish today the area has fashionable cafes, shops, bookstores, Jewish restaurants with signs in Hebrew and Yiddish beckoning customers. For Poland the revival of Jewish quarter of Kazimierz is not merely a commercial and touristic place it is a responsibility and positive Polish engagement with its Jewish past (Lehrer in Glowacka and Zylinska, 2007:87).

As Konstanty Gebert comments, “the Jews of Poland are not a nation but a nomination.”⁴³ The 1970s saw the gradual “coming out” of the Jews as democratic zeal heightened in Poland. Similar by age, the next generation of Jews mostly in their late 20s and 30s, their quest triggered by anti-Semitic as well as non-stigmatised Jewish experiences (which became clearer after the final forced immigration of Jews in March 1968), started talking about their Jewishness, the Ashkenazi history, the Yiddish language and Polish-Jewish relations. Their meetings held in private apartments, were named *Żydowski Uniwersytet Latajcy* (ZUL) in Polish, meaning Jewish Flying University (JFU). The word “flying” was used deliberately as it could not get any accreditation as a formal centre for learning. Torn

⁴³ Gebert, K. interview taken by me, Warsaw, 7th August 2007

between the desire to free themselves from the persecuted and the longing for a “positive identity” while sustaining historic awareness, the young re-emerging or re-discovering Jews differed in their conception of identity from their earlier generations and claimed to be a new defining other. The ZUL (or JFU) became very popular; made significant impact on young intellectuals both Polish and Jewish, which led to the formation of the Socio-Cultural Association of Jews in Poland during the 1980s.⁴⁴

Gazeta Wyborcza journalist, writer and former editor of the Jewish quarterly *Midrasz*, Konstanty Gebert, also an activist during the JFU years recalls, “For most of us it was an opportunity to say publicly that I’m Jewish. That was revolutionary and scary, people who were exposed as Jewish were hunted down, expelled, and we had all met with that experience only ten years earlier. Once we passed that hurdle of admitting being Jews, we discovered that we really knew nothing so what we did was we tried to educate each other.”⁴⁵ The JFU movement met with resistance and initially also faced struggles with resources. The members couldn’t approach the existing Jewish institutions as they would treat them with suspicion and would take it as a provocation. Gerbert adds, “We were simply young Polish intellectuals interested in things Jewish for political and moral reasons, but as it progressed it turned out that our experiences were different, which made us construct our identities differently. I am certainly not taking the essentialist position. The first time I realized this was during one of the meetings at the Jewish Flying University, we were discussing anti-Semitism in Poland. The meeting was being held in a

⁴⁴ Małgorzata, Melchior *Jewish Identity options in contemporary Poland*, Proceedings of the Twelfth World Congress of Jewish Studies, Division E Contemporary Jewish Society, World Union of Jewish Studies In Cooperation with Sapir Academic College, Jerusalem, 2001.

⁴⁵ Konstanty Gebert interview – taken by me, Warsaw, 7th August 2007.

new apartment that one of our people got, it was completely empty with no furniture. We were all seated on the floor. It started as usual with somebody giving a presentation, then question and answer, followed by discussion among everybody. At a certain moment I had to stand up, I looked at the room from above and discovered that we had uniquely divided ourselves (by the order of seating) into Poles and Jews without anybody being consciously aware about it. It was a shock...but I knew where it was coming from, I was getting fed-up with having to explain what it is I'm afraid about!"⁴⁶

The 60th anniversary of the liberation of Auschwitz was a catalyst to revival of Jewish identity in Poland (Gudonis, 2001). Funding across the Atlantic and from Israel started huge investments in the growing field of both Jewish and Yiddish studies in Poland. The proliferation of a plethora of Jewish cultural, historical and religious arts and media programmes emerged in Poland since early 1990s and NGOs like Shalom Foundation, Beit Warszawa, Borderland Foundation, Robert S Lauder Foundation, Galicia Museum, Czulent, Forum for Dialogue Among Nations, the Foundation for the Preservation of Jewish Heritage in Poland (FODZ), the Union of Jewish Religious Communities in Poland or the Social and Cultural Association of Polish Jews (TSKZ), to name a few, now seems to attract both Jews and non-Jews as well as scholars, artists, producers and audiences. Poland's Jewish culture revival is slow but deliberate there's been rebuilding of Jewish infrastructures reclaiming and rebuilding synagogues, both as museums and as functioning houses of worship; identifying, restoration of Jewish cemeteries and funding of Jewish schools.

⁴⁶ Ibid 29.

Most of these changes may have been instigated internally but it is interesting to note that their completeness is impossible without diasporic influences of the American Jewish Joint Distribution Committee, Jewish Community Centre of Kraków (JCC), Shavei Israel⁴⁷ and US based patrons of Polish Origin like Sigmund Rolat, Seweryn Aszkenazy both Holocaust survivors, who make the interconnectedness between Poles and Jews even more diverse. Polish society has been accepting Judaism's increasing prominence, institutes such as the Jewish Historical Institute in Poland, are funded by the state, have contributed a great deal of support. With the end of communism and the decline in hostility to Jews, more people have been willing to acknowledge their Jewish identity, while significant numbers of 'hidden children' were now told by their Christian foster-parents of their Jewish roots. Among them is the remarkable figure of Fr. Jakub Romuald Weksler-Waszkinel, a Catholic priest who discovered after his ordination that his parents were Jews and who has devoted himself to Christian-Jewish understanding. A special helpline was set up in Warsaw for those who are uncertain how to react to the revelation of their Jewish origin. Konstanty Gebert (1994:161) writes, "The intensity and character of this national identity varied with the bearer's political affiliation within the Jewish community, but it was national all the same. This implied an incompatibility in being Polish and Jewish."

A record of pre-war Jewish life will be ready for the world to see in November 2013, at the Museum of the History of Polish Jews in Warsaw While the launch of its first temporary exhibition took place in April 2013. "We want to be the museum of life," says the exhibition's curator, Tamara Sztyma, a Polish Jew and part of new generation of young Polish museum professionals. "We want to invite people to travel into the past and to not

⁴⁷ Shavei Israel literally meaning Israel returns. The organization convened a conference on Hidden Jewish identity in Kraków October 2007, such programmes have served increasingly important as they give people a chance to come out and confess about their discovered Jewish roots. www.shavei.org.

just to watch those films as historical documents, not just to be the witnesses of history, but to be its participants.” The recently opened exhibition represents a concrete outcome of a year-old partnership between the Warsaw museum and YIVO, the Jewish Institute for Research in New York. For Barbara Kirshenblatt-Gimblett, a senior adviser of the project, the artwork’s magic lies in the fact that visitors can enter the exhibition space and be surrounded by scenes from a time when Poland had many vibrant Jewish communities and cities where Jews comprised a large sector of the population—a dramatic effect in a country where most of the Jews are now gone. Work on the museum for Polish-Jews began in Warsaw from June 2007, the Warsaw City Council and the Polish government donated \$33 million towards its construction cost. The cornerstone was laid of this ambitious project with a remarkable design by two Finnish architects, Rainer Mahlamaki and Ilmari Lahdelma.

I shall now give a brief account of some of the key organisations instrumental in reviving Polish-Jewish culture. Fundacja Pogranicze (Borderland) Foundation was established in 1990 by dramatist and cultural activist Krzysztof Czyżewski in Sejny, near the Polish border with Lithuania and Belarus aims to examine and commemorate the multi-cultural and multi-ethnic heritage of this region. Czyżewski, has gathered a crucial publication *Pogranicze*, an important influence towards the existent body of scholarly literature in Polish-Jewish relations featuring works of sharp thinkers like Jan T. Gross, Ruth Ellen Gruber and Joanna Tokarska-Bakir. The foundation's cultural centre is based in a renovated Jewish Yeshiva (i.e. high school), holds a sizable research library on the cultural

history of this region and Eastern Europe⁴⁸. It also runs a gallery, a Klezmer band, theatre workshops and archival projects to reconstruct Sejny's multicultural history and Jewish heritage through *Sejny Chronicles* and *Krasnogruda*⁴⁹ magazines devoted to cultural life, literature, art, history, and the national problems of Central and Eastern Europe. The foundation organised Musicians Raft in 2001 a concert with New York based second generation Klezmer musicians originally from Sejny. They performed in the restored old synagogue and through Sejny's streets, re-opening a whole new dialogue and awareness for the once multicultural borderland town home not only to Jews but also to Ukrainians, Belarusians, Dominicans, Tartars and Roma Gypsies. Dramatist, cultural activist and director of Pogranicze, Krzysztof Czyżewski, is an important influence towards the revival of Jewish culture. Czyżewski narrates: "It is not just about Jewishness, we are concerned with perception of identities at borders – physically and metaphorically. While identity is a performance we uphold it through our theatre, NGO work through cross-cultural projects all over Europe and the West. Our travelling theatre has helped revive Jewish plays, culture and music in Sejny."⁵⁰ *Sejny Chronicles* are a part of Pogranicze's community regenerational programme of intercultural dialogue practice for culture animators, educators and youth. It is a part of a long-term artistic and educational program, whose parts are also photography and books exhibition, ceramics and visual art workshops, oral history and classes at schools, and finally the intercultural play the "Glass Beads Game".⁵¹

"When one watches the performance one can't escape the feeling that the children guiding us around Sejny move in time with ease, fluently shifting from legend to reality,

⁴⁸ I have used their library during all three of my visits to Poland.

⁴⁹ The name of the magazine comes from Nobel laureate Czesław Miłosz's family manor house and estate in Krasnogruda near the Polish-Lithuanian border.

⁵⁰ Czyżewski interview by me in July 2006

⁵¹ I watched it in Sejny in 2006.

unnoticeably switch from one language to another and smoothly travel across cultures. Alongside a Polish prayer, one hears a Jewish Hasidic chant, then an Old Believers' song, and then a Lithuanian conversation – there is an unbecoming through it all, yet an aspiration of returning home”, adds Czyżewski⁵². *Pogranicze* first published Jan Gross's *Sąsiedzi* in Polish in 2000 that sparked a wave collective guilt and responsibility in Poland with the Jedwabne affair.⁵³ Czyżewski comments when interviewed by Radio 4 in 2004 that the foundation's aim is to not to indulge in nostalgia but provoke a real connection with history: “We need to see ourselves with the good and the bad, only then can we move forward towards building a civil society.”

The Jewish Historical Institute (JHI) has had a new lease of life since 1989 and has re-organized its archives and undertaken an extensive program of publication, which got extended by its former director the eminent historian Eleonora Bergman, who has now stepped down to work on the *The Underground Archive of the Warsaw Ghetto* called the Ringelblum Archive. JHI now continues to work under the able and experienced leadership of the sociologist Paweł Spiewak. Its quarterly, *Kwartalnik Historia Żydów* (formerly *Biuletyn Żydowskiego Instytutu Historycznego*) is one of the best in the field.

The Ronald S. Lauder Foundation works towards rebuilding Jewish identity all around the world, in Poland it started in 1989 with Lauder-Morasha School in Warsaw. The school imparts Jewish education, where children learn the Torah, to celebrate Shabbat and other Jewish holidays. In 1994, the Primary School was established and in 1999, the Middle

⁵² Czyżewski interview taken by me in July 2006

⁵³ For its website: <www.pogranicze.sejny.pl>

School welcomed new pupils. Over the years, the Schools became an immense success and number of children kept growing every year. Currently, in The Lauder-Morasha Kindergarten, Primary and Middle Schools are enrolled over two hundred children. The foundation also organises summer camps for students to incorporate Jewish values. The school has colourful facilities, special labs, a gym, provides medical help, a speech therapist, a psychologist, synagogue with Sefer Torah, a kosher dining room and a kitchen, a playground, a library, a Jewish resource room, internet access and smart boards at the Middle School. The Lauder Morasha has around 900 pupils and has teachers from the Orthodox community in Warsaw and from New York⁵⁴. Besides being trained in their respective subjects, the teachers have adequate training to link their classroom activities to Jewish ways of life.

Shalom Foundation⁵⁵ works towards bringing Yiddish culture, music and literature back to Poland and organises a cultural festival every late summer. The American-Polish-Israeli initiative was established in 1988 to preserve Polish Jewish memory led by Golda Tencer, an actress and director of the E.R. Kaminska State Yiddish Theatre. It presently has its office in Warsaw's Grzybowski Square a neighbourhood once had a thriving Jewish life. The foundation has had an outstanding photo memory project entitled "And I still see the faces" which has been published as an album and the collection has been exhibited. The photos were gathered from personal collections, some found hidden in attics, found in rubbles, saved from recycling bins mostly by Polish families, neighbours, and friends.

⁵⁴ I am thankful to Ms. Helise Liberman, the principal of Lauder Morasha for her time to show me around the school.

⁵⁵ For its website: <www.shalom.org.pl/eng/>

One of the most difficult tasks facing the community is the preservation of the Jewish heritage in Poland. Poland has over 400 standing synagogues, which are used for various purposes, some appropriate and others less so. In addition, there are at least 1,400 Jewish cemeteries, some well-preserved, others in a parlous state. Some of the synagogues have returned to the community under the communal restitution law, but resources for large scale preservation are not available. To help in this task, the Union of Jewish Communities in Poland and the World Jewish Restitution Organization (WJRO) has established a Foundation for the Preservation of the Jewish Heritage in Poland (*Fundacja Ochrony Dziedzictwo Żydowskiego* or FODZ), directed by Monika Krawczyk. The key aims of the organisation include protecting properties having religious and historical significance and reclaiming as well as managing returned properties of Jewish religious communities from urban and remote areas in Poland as the plenipotentiary of the Union of Jewish Religious Communities. It has attempted to restore Jewish communal property reclaimed under the 1997 law and has also established an educational programme ‘To Bring Memory back’ to help young people uncover and memorialize the presence of Jews and Jewish culture as an integral part of Polish life. In order to achieve this objective, it organizes groups of Polish students who restore cemeteries, research the Jewish presence in their towns, discuss this with older residents and photographs the surviving traces of the Jewish past there.⁵⁶ The Foundation also works with the U.S. based Poland Jewish Cemetery Restoration Project, established in 2001 by Norman and Hanna Weinberg.⁵⁷ Restitution of synagogues in Zamość, Krasnik and Przysucha were successfully completed by FODZ since 2010 as a

⁵⁶ For its website:<www.pamiec.fodz.pl>

⁵⁷ For its website:<www.pjcpr.org>

part of their Chassidic route project which promotes multicultural heritage oriented tourism through traces of Jewish communities all over south-eastern Poland and stimulates the socio-economic development of the region.

Set for concerns of civil society dialogues between Polish and Jewish students by Andrej Folwarczny ex-member of the Polish Parliament (the Sejm) from the Freedom Union (Unia Wolności) and the chairman of the Polish-Israeli Parliamentary Group, the Forum for Dialogue Among Nations⁵⁸ aims to eradicate racial prejudice and teach tolerance through education. It organises workshops, seminars, exchange programs targeted at Polish and Jewish youth and leaders. In 2006 it published a formidable collaborative project entitled Difficult questions with the America Jewish Committee taking key questions of concern that have often been debated between Polish-Jewish relations.

Since 1989 when freedom of assembly was restored, the numbers of non-governmental organizations focused on human rights, tolerance, and dialogue are increasing; most either started from or have included a stance of anti-anti-Jewishness. Besides the Forum for Dialogue among Nations (FDMN), Never Again, and ZNAK Christian Culture Foundation are also a part of the endeavour with the aim of promoting interfaith as well as interethnic dialogue in all forms. Among its accomplishments is a bilingual (Polish and English) website devoted primarily to informing readers about all manner of Polish-Jewish issues.⁵⁹

Another significant achievement was the organization and funding of a trip to Kraków⁶⁰

⁵⁸ For its website: <www.dialog.org.pl/en/>

⁵⁹ See www.forum-znak.org.pl. In recent years, based on Poland's centuries-old history with all three monotheisms, ZNAK Foundation's website has been reflecting work on a Christian-Jewish-Muslim "trialogue."

⁶⁰ Significant among the cooperating institutions was the US Consulate in Kraków.

for all third-year high school students from Jedwabne in May 2001 – precisely when the eyes of the world were turned on their town during the Presidential apology as discussed in the previous chapter. They organise trips to Wawel Castle and Wieliczka Salt Mines, tours of the Jewish Quarter of Kazimierz, the former Podgórze Ghetto, and Płaszów Camp with a local survivor, a day at the Auschwitz Museum, and Shabbat services on Friday evening at the Remuh Synagogue. The people who take the journey are deeply culturally influenced and certainly are able to perceive Poland in a positive light and consider the emerging Jewish life seriously.

With Poland in the European Union and travel unhindered, relationships between Jews and non-Jews became more complex. They were no longer solely between Polish citizens, but between Polish citizens and citizens of other countries. As a result, dialogues today need to continue between the Polish Catholics and Polish Jews, but also Polish Catholics with non-Polish Jews (especially Israel and the USA). Since the publication of *Nostra Aetate* in 1965 and the *Dabru Emet* in 2000⁶¹, discussions at the theological level have been the most successful. Much thornier are the dialogues at the psycho-sociological level with the March of the Living discussed later in the chapter. Professor Orla-Bukowska⁶² of the Jagiellonian University adds: “Real comprehension of the historical, but especially wartime and post-war experiences of the other side are a necessary element in these meetings. This requires overcoming various barriers in which each has invested – among

⁶¹ Orla-Bukowska interview taken by me, Krakow, August, 2008

⁶² Ibid. 15

them the hurtful stereotypes. Fortunately, several foundations, associations, and individuals are engaged in tackling this problem”.⁶³

Jewish Community Centre (JCC)⁶⁴ Kraków opened in 2008, with Prince Charles as a patron and financial supporter. The Centre, is led by New York born Jonathan Ornstein is based in the heart of Krakow’s centuries-old Jewish Kazimierz neighborhood, and has playing an increasing role in fostering the post-communist renaissance of Polish Jewry. In a city that has an estimated affiliated Jewish population of a few hundred adults, the JCC serves more than four hundred adults and children each month, most of them with “Jewish roots.” It holds, Yiddish and Hebrew classes, physical education and dancing, and a weekly Shabbat dinner that draws up to eighty people each week.

Krakow’s JCC also offers a staff genealogist who assists the continuing stream of people, from teens to seniors, who wish discover their family’s Jewish background or become interested in things Jewish. “The JCC”, says Konstanty Gebert⁶⁵, “gives Polish Jews a non-judgmental, non-threatening place to explore the Jewish world – without the religious demands of a synagogue or the established Jewish community’s ties to an often-aging leadership. And while there have been stories of strained relations between Orthodox and non-Orthodox segments of Poland’s Jewish community, as elsewhere in Eastern Europe’s former Communist communities, and charges that some of Polish Jewry’s leaders are

⁶³In 2006, the Forum for Dialogue Among Nations (Gliwice and Warsaw) published a book in which experts reply to the most frequently-asked questions put by non-Polish Jews, e.g., about Polish anti-Semitism, about the size of the Jewish community, etc.

⁶⁴ For its website: <www.jcckrakow.org>

⁶⁵ Gebert interview July 2008 taken by me.

selling off communal property, they do not seem to faze those at the JCC, where the environment is welcoming.”

Czulent⁶⁶ Jewish Association is an independent association of young Jews in Krakow. It was established in 2004 with members sharing the belief that Jewish identity is something precious that needs to be nurtured and strengthened. The Society is open to both religious and secular Jews. It promotes tolerance and openness of dialogue. It runs educational projects, a film club and a space for community studies. In 2010, Czulent realized the project “a Majse” or “fairy tale - for the little ones,” whose aim was to introduce children to their sense of Jewish identity. Due to the popularity of the project “Unzere Kinder” or “Our Children” a follow-up creative workshop was organised for the children of members of the Jewish community in Kraków.

The two other Kraków based organisations: Galicia Museum⁶⁷ and Judaica Foundation⁶⁸ have long been the life force of Kazimierz. Set up by the photographer late Chris Schwartz, the Galicia Museum in an educational experience, it holds a traces of memory photo exhibition which reflects on the remnants of Jewish life all over Poland. It is partnered with FODZ and the Centre for Urban History. It holds media events, travelling exhibitions, book exhibitions and audio-visual educational projects related to the Holocaust as well as post-war Jewish life.

⁶⁶ For its website: <www.czulent.org.pl>

⁶⁷ For its website:< www.en.galiciajewishmuseum.org/>

⁶⁸ For its website: < www.judaica.pl>

Judaica Foundation led by Joachim Russek is a research and cultural centre located in the *Beit ha-midrash* (House of prayer) in the Kazimierz district. It has been supported by Congress of the United States of America through the Polish-American Joint Commission for Humanitarian Assistance in Warsaw, as well as the Governor of Cracow Province, the Citizens' Committee for Restoration of Cracow's Monuments, and the General Conservator of Poland. It holds library of Jewish studies, a music arena where it regularly holds the Felix Mendelsohn concerts, a café and an exhibition area. Ford and Alexander Hertz Foundation have also supported a number of academic initiatives at Judaica Foundation which runs its own lecture series and each year felicitates academics working on Polish-Jewish history. ." As commune building is a civic enterprise, Joachim Russek, Director Judaica Foundation based in Krakow's Jewish quarter argues: "Our standing is secular, we are a centre for civic culture and learning in Kraków, specialising in community learning of things Jewish." The foundation works through its programmes and maintains independent profile at Kazimierz.

Several cultural and academic endeavours have enabled strength in renewal of Jewish culture. Brama Grodzka (Grodzka Gate), the archway that served as a connection to the Christian and now-extinct Jewish sections of Lublin is now resurrected into a cultural centre, dedicated to preservation of arts and exhibiting materials from the Jewish past, including photographs and oral histories, hosting lectures and theatres. Impressive Jewish Studies programmes have also been established at the Universities of Warsaw, Lublin, Gdańsk and Poznań and at the Jagiellonian University in Kraków. In 1995 a *Polskie Stowarzyszenie Studiów Żydowskich* (Polish Association of Jewish Studies) was formed

with its headquarters at the Department of Jewish Studies in the Jagiellonian University and today has over 100 members. Another important area of activity has been the introduction of more satisfactory school textbooks dealing with Polish-Jewish relations in the twentieth century. Robert Szuchta in Warsaw and Piotr Trojański in Kraków have put together a curriculum guide for teachers) to teaching the holocaust which came out in the summer of 2000 and are at present, at the behest of the Ministry of National Education (MEN) working on a textbook to go with it. For the most part, there is still little in the current textbooks on the subject although individual teachers in schools are introducing the subject separately from the 'World War II' unit which has always been in the textbooks. The recent guidelines laid down for the revision of history programmes in secondary schools by the Polish Ministry of Education give individual teachers a lot more latitude in setting the syllabi for their classes, although obviously the very existence of an approved list of texts and topics ensures that a canonical core will remain (Polonsky interview by me 2008). Students are to learn about 'the variety of scholarly approaches and historical interpretations' and at the end of secondary school should be able to analyse events in their historical context. This focus on interpretation and argumentation is certainly to be praised and should make it possible to move history teaching away from its role as a vehicle for inculcating national identity, while opening up a more balanced approach to multi-layered understanding of Polish-Jewish relationship.⁶⁹

⁶⁹ For these visit:

<www2.reformaprogramowa.men.gov.pl/projekt_podstawy_dla_gimnazjow_i_szkol_ponadgimnazjalnych>

4.2. Jewish Religious organisations

The reclamation of Jewish life after the fall of the communist rule was indeed a quest based on an imaginary extensive of the once lived traditional sources. However returning to Judaism was still a major challenge. Poland's Jews were still torn over their new Jewishness, seeking a compromise in the face of an already unsettling force. The present day revival and secularisation of Jewish culture in Poland with its contemporary fascination for all-things Jewish – literature, architecture, food, music, calls for a critical re-objectification of the assemblage. As Rabbi Schudrich observes, “Their current challenge is learning how to integrate their Jewish identity with their Polish one. Polishness is obviously a strong starting point as it's understood more closely as a *fact* than just ‘an awareness of’ or even ‘a right’. So here we see Polishness is something given, acquired at no effort. The reverse is true of Jewishness.”⁷⁰

Indeed embracing otherness and negotiating a religious identity is difficult especially when it entails a very different, observant life-style but Jewish revival in Poland remains persistent. Poland's chief rabbi, American-born Michael Schudrich, heads the Nożyk Synagogue, that serves the Orthodox Jewish community of Warsaw, where daily *minyans* are held while offering classes, religious and cultural events during Jewish holidays. In Łódz, Symcha Keller, a Polish-born cantor who has lived in Israel and the United States, conducts traditional Shabbat services and a daily *minyan* in the town's Jewish community centre as does Swedish Rabbi Yitchak Rappaport with Wrocław Jewish congregation

⁷⁰ Interview with Rabbi Michael Schudrich, Chief Rabbi of Poland, Nożyk Synagogue, Warsaw, 17th August 2007.

while actively involved in restoring the White Stork synagogue⁷¹ as well as fostering dialogue with the local church on communal integrity and cooperation. Rabbi Symcha Keller⁷² of the Łodz congregation comments: “The law structures life which the newly converted have accepted very-well. We do not impose Judaism on anyone but people who are observant in the community – know what to wear, how to pray, what to eat, how to relate to one’s spouse, to one’s children, to the family, in various social contexts of Jewish communal life. Rabbi Symcha Keller of Łodz explains, “It is important to work for, with and through the community. I was born in Łodz, I returned to it in the nine-ties and decided to work here and re-establish the community. We are an orthodox congregation but work separately from Warsaw. We have organised our *Gmina* (community) centre and run separate programmes.”⁷³ Indeed the Łodz community centre with its old synagogue and guest house is an engaging site to be in. Through my travels in Poland in the three years I have experienced different narratives of collective identity and several individual accounts by now I have realised that there isn’t one account of correct Jewish identity. As historian Irwin Wall (in Wettstein, 2002:9) explains, “Jews are the quintessential other... [they] have the role of remaining in exile and spreading the word of Kant to the world.”

I attended Sabbath in the orthodox and reformed communities of Kraków and Warsaw, as well as participant observed *minyan* studies in Warsaw, which was a deep cultural experience. It was remarkable to observe was the willingness of people to change, acknowledge their roots, to negotiate with scripture learning, inculcate a whole new way of life and internalise a daily basis of observation according to Halakkic principles. “There

⁷¹ Wrocław visit in August 2007.

⁷² Interview taken by me at the Łodz congregation community hall, August, 2008.

⁷³ Ibid. 29

is something in lighting Sabbath candles and being with the community”, adds Małgosia⁷⁴ (name changed), “as one learns to accommodate the observant life-style, one finds new ways to ameliorate self-conflict, learning new assumptions and be positive about every *mitzvah* one performs.”

The two principal Jewish organizations which existed throughout the communist period, are the Religious Union of Jewish Communities and the Cultural and Social Association of Jews, and since 1989 both have been quite transformed. Each has around two thousand members. The Union of Jewish Communities is made up of nine Jewish communities. The largest congregation is in Warsaw with five hundred members followed by Wrocław, Łódź, and Kraków – having about two hundred members between the ages of 25-80. Wrocław particularly has an aging population so Rabbi Rappaport actively engages with the young people willing to rediscover their Jewish roots. Smaller congregations exist in Katowice, Szczecin, Legnica, Gdańsk and Bielsko Biala. The chairman of the Religious Union of Jewish Communities Piotr Kadłcik, owes much of its expansion to its principal clergyman, Rabbi Michael Schudrich, who worked in Poland between 1990 and 1998 on behalf of the Ronald S. Lauder Foundation. Although he received ordination at the Jewish Theological Seminary, Rabbi Schudrich adopts a modern Orthodox stance. Schudrich has subsequently been ordained by Rabbi Moshe Tendler of Yeshiva University. The community in Warsaw reappointed him in June 2000 as Rabbi of Warsaw and Łódź. In December 2004 he was appointed Chief Rabbi of Poland, succeeding Rabbi Pinchas Menachem Joskowicz who held this office between 1988 and 1999. Since the summer of 2007 Rabbi Schudrich has been assisted by a second rabbi, Rabbi Matatiachu (Mateusz)

⁷⁴ Interview taken at Beit Warszawa, August, 2007

Kos. According to Rabbi Schudrich of Nozyk, though small, the community has shown remarkable dynamism since 1989, partly as a result of the emergence of a new generation of leaders who were also active in the Solidarity Movement, above all the journalist Konstanty Gebert and the philosopher Stanisław Krajewski.

The Union of Jewish Religious Communes protects and promotes things Jewish in Poland. It develops primarily orthodox *kehillas* or Jewish communities. It is actively engaged in creating a positive atmosphere around Jewish organisations by encouraging involvement of its members and promoting the values of Judaism, as well as by reacting to anti-Semitism and other negative trends. With the reawakening of Jewish consciousness, and growing numbers of young people of Jewish origin who had no previous knowledge of Judaism are joining the community, the European Jewish Fund and the Coordinating Committee of Jewish Organizations in the Polish Republic (KKOZRP) together with the Religious Union of Jewish Communities and the Social and Cultural Organization of Polish Jews, which is a secular organization came together to offer a wide range of activities for the young people including courses on Jewish way of life and thought as well as a course on Judaism. Lauder Foundation supported the endeavour by organising Jewish summer camps including one in which a Jewish group composed of persons orphaned in the Holocaust and raised by non-Jews.

As the central Jewish organisation in Poland, the mission of Jewish Religious Communities of Poland is to serve each of the communities and their members by stimulating development, providing high-quality services, organising religious life,

creating programmes that engage current and potential members, while obtaining and allocating funds for priority social projects. It represents the interest and opinions of the Polish-Jewish community in the rest of society. Another key part of their agenda is the preservation of the large number of Jewish historical sites (including cemeteries and synagogues) that are located all around Poland. Besides investing in youth and development and implementation of educational, cultural and scientific programmes it works closely with FODZ in their restoration endeavours.

There synagogues that the Religious Union of Jewish Communities actively works towards are the Remuh Synagogue and the Temple Synagogue in Krakow, a 17th Century restored synagogue in Tykocin (near Bialystok), the synagogue in Lancut and the Nożyk Synagogue in Warsaw. In association with the American Jewish Distribution Committee it maintains kosher cafeterias in the largest Jewish centres. It is important to note that private kosher restaurants can be found in Warsaw and Kraków. Kosher meat and other foodstuffs are being readily available in Poland since the last five years.

It is reassuring to witness Poland's first post-war reformed synagogue, on any Friday night, where middle-aged and young, casually dressed Jewish Poles welcome Shabbat by singing “Hinej Ma Tow”, “Lecha Dodi” and “Szalom Alejchem” among other songs and prayers, the Hebrew words transliterated into Polish. American Reform Rabbi Burt Schuman is Beit Warszawa’s first resident Rabbi, who arrived in 2006, while he continues to learn Polish, he simultaneously presides the *drash* and conducts some torah discussions in the language. Established in 1995 *Beit Warszawa* in Warsaw, is affiliated to the World Union of Progressive Judaism for a long while it had sporadic cultural programmes but with the

arrival of Rabbi Schuman it got structured and programmes got organised with Torah and Talmudic studies at its Sunday school, and Shabbat events. It started with two rabbis the American, Rabbi Burt Schuman, who was ordained at Hebrew Union College-Jewish Institute of Religion in New York, and Rabbi Tanya Segal in 2008, the first female rabbi in the entire history of Poland, however, today it has four Rabbis – Rabbis Gil and Zivah Nativ and one cantor Anna Silverman⁷⁵. Rabbi Tanya has been leading Beit Kraków since 2009. *.Beit Warszawa* has around 450 members and associates and at present seeking to establish itself in other cities, including Lublin, Gdańsk and Jastrzębie Zdrój. It has created a nationwide organization Beit Polska.⁷⁶

Beit Polska works to Renew Judaism in Poland with sponsorships from the World Union for Progressive Judaism, the European Union for Progressive Judaism and Friends of Jewish Renewal in Poland. They have estimated Poland to have about two hundred thousand potential Jews. As a part of its community building project they are training a new generation of lay Jewish prayer leaders to serve emerging congregations. The prayer leaders' training is a two-year program with nine study weekends each year at Beit Warszawa. The second year of the program includes visiting synagogues in Berlin and active congregations in Poland. They also have an active music programme with the Shir Aviv choir. Beit Warszawa's academic and cultural seminars as well as arts initiatives are constant inspiration to the young learners and people returning back to their faith. The programme that has made most impact in guiding people who wish to know about their Jewish selves is Judaism step-by-step.

⁷⁵ Beit Warszawa Weekly Newsletters which I e-subscribe gives a details of their activities and events.

⁷⁶ For its website:<www.beit-warszawa.org.pl>

Originally from Moscow, Tanya Segal, the first female rabbi in Poland and the current leader of the Progressive Jewish community in Krakow came to Poland by way of Israel in 2007 as part of her religious studies⁷⁷. She saw the need to create an active and engaged Jewish community in Poland and had a vision of developing a place in Krakow where people could live in accordance with their traditions and celebrate their Jewish culture. Sabbath dinners at the JCC every Friday evening, helped to bring together both Krakow residents and visiting tourists. Under the guidance of Rabbi Segal, Beit Krakow⁷⁸, has provided visitors and the local community with more than 500 cultural and religious events celebrating contemporary Jewish life in Poland. While the events are focused around building a dynamic Jewish community, a positive sign is the growing interest in Beit Krakow activities beyond the local Jewish population. Lectures on Krakow's Jewish heritage and exhibitions of contemporary art have attracted many visitors and residents who are curious to learn about the city's historical and modern-day Jewish community. Rabbi Segal also serves as the artistic director of the Midrasz Lab, a project that brings classic Hebrew texts to a contemporary audience using theatre, dance and music. Most Beit Krakow events are held in the Galicia Jewish Museum and are open to all. As Rabbi Segal comments, "the new generation cannot recreate the world in which their parents or grandparents lived. They come with their own expectations of how they want a Jewish community to look and function, and through their determination are creating a new future out of Kazimierz's tangled past."⁷⁹

⁷⁷ Her interview excerpt is in chapter 7 of the thesis.

⁷⁸ For its website:<www.beitkrakow.org.pl>

⁷⁹ Interview taken on phone by me in 2009.

Other smaller Jewish organizations are the Polish Union of Jewish Students, got reorganized in March 2007 as the All-Poland Jewish Youth Organization (*Żydowska Ogólnopolska Organizacja Młodzieżowa--ZOOM*) and the Association of the Children of the Holocaust, comprising of child survivors. This body has organised a programme ‘Remembering for the Future’ in which members of the association meet teachers and students and describe their experiences during the war. Funding for the community is provided by the Taube Foundation and after the restitution of communal property law passed in 1997. The Joint and the Jewish Agency both have offices in Poland. Additionally the Lauder Foundation has a well sponsored the publication of a high-quality monthly, *Midrasz*, originally edited by Konstanty Gebert and now by Piotr Paziński, devoted to the past and present of Polish Jewry.

4.3. External Links and Events

The Jewish revival in Poland has over the years attracted funding and political association with countries like US, Israel, Canada, Australia , South Africa, UK, Sweden, Germany and Norway. This certainly helps Poland in building relationships bridges to heal the past. One such event was the official opening ceremony of the restoration of the White Stork Synagogue in Wrocław May 6, 2010 as part of a five-day long series of events. The Synagogue was designed by the famous architect Carl Ferdinand Langhans the Younger, son of the creator of the Brandenburg Gate in Berlin. It was built in 1829 and throughout the nineteenth century, catered to the rich Jewish community of Wrocław. The subject of a two-day historical conference entitled “Jewish Religious Life in Breslau/Wrocław” organized by the Jewish Studies Department at the University of Wrocław. Speakers

included Prof. Abraham Ascher, professor emeritus of the City University of New York and author of *A Community under Siege: The Jews of Breslau under Nazism* and the Chief rabbi of Poland, Michael Schudrich. The celebrations continued with the opening of the exhibits “Wergeland’s Legacy: Jewish Life in Norway 1851-1945” and “History Reclaimed: Jewish Life in Wrocław and Lower Silesia,” both of which are part of a larger project “Jewish Life in Oslo and Wrocław – an exhibit.” Britt Ormaasen and Oskar Kvasnes, curators of the “Wergeland’s Legacy” gave a short presentations of their work, followed by Sidsel Levin, director of the Oslo Jewish Museum, who opened the exhibit. The event was attended by local dignitaries and clergy and guests from Europe, the United States and South Africa. The evening began with prayers lead by chief rabbi of Poland Michael Schudrich and rabbi of Silesia and Wrocław Yitzhak Rapoport, with translation by Jewish community leaders Jozef Kozuch and Jerzy Kichler. Keynote speakers included Wrocław mayor Rafal Dutkiewicz, the Ambassador of Norway Enok Nygaard and the Ambassador of Israel Zvi Rav-Ner. Bente Kahan the Norwegian sponsorer of the event presented a special award – a unique White Stork Channukia designed by Wroclaw artist Ewa Rossano – to three individuals who had contributed their time and energy to bringing the renovation to completion: Rafal Dutkiewicz, Marek Mielczarek and Maciej Sygit.

Another event that strongly establishes Poland’s links with the wider international community and Polish-Jews is the March of the Living. The March of the Living (Gebert, 2008, Krajewski, 2005) has drawn the attention and attendance of thousands, including, in the last decade, Jewish and Christian Poles. From the perspective of Polish citizens, however, this event has been guilty of embedding some of the worst stereotypes about

Poland being a cemetery of the Jews etc. March of the Living which began in 1989 initially evoked more fear and defensiveness. Jewish participants, primarily from the U.S. and Israel, strode triumphantly from Auschwitz I to Birkenau draped in blue and white, their ranks officially exclusive of any Poles, even Polish Jews. Concurrently, the semi-annual, en masse 'incursions' of Israeli secondary school students on 'death camp field trips' began appearing. Often swathed in the Israeli flag, rigorously shielded by Mossad agents, they were 'parachuted' into Poland, and then whisked safely away to sunny, warm Israel for reflection. These visitors, and the Poles who witnessed their 'invasions', could not help but feel mutually antagonistic. As James Young (1994: 224) observes, '[Holocaust] monuments lead a curious double life in Poland: one in the consciousness of the local community and another in that of Jewish visitors. On the one hand, they continue to serve as essential commemorative sites for the visitors. But ..., it was inevitable that Jewish memory would also be collected and expressed in particularly Polish ways. It could not be otherwise. For once the state reassembles the fragments, it necessarily recalls even the most disparate events in ways that unify them nationally.' Nevertheless, it is too important an occasion for especially Polish Roman Catholics not to participate; with each successive year, more scouting, school and university groups are in evidence. Following the March of the Living, the Forum for Dialogue Among Nations foster Polish-Jewish dialogue particularly with younger visitors from Israel and the US and Poles who often accompany them on these trips as guides to overcome stereotypes and teach tolerance and diversity. In addition, together with the group 'Friends of the Forum' in the United States, FDMN organises trips of groups of Jewish students to Poland to become acquainted with Jewish and Polish history alongside their Polish counterparts. Each year, March of the

Living is often critiqued on the grounds of imbalanced political depiction of Poland as opposed to the strong state of Israel. Critics question the irrational building of identity through a fear of anti-Semitism, intertwining Jewish culture with the Holocaust. But thanks to efforts of Beit Warszawa and Forum for Dialogue Among Nations (FDMN) the youth now meet the burgeoning Jewish community in Poland, observe Sabbath and engage in Jewish-Polish dialogue and reconciliation. The visits of twenty to thirty thousand Israeli and American Jewish teenagers to Poland every year on March of the Living encouraged Andrej Folwarczny, the director of FDMN to organise workshops on Polish-Israeli-US dialogues with high school students on fundamental questions like “Where does anti-Semitism come from?”, “Are there any Jews left in Poland?”, “Is it dangerous to be a Jew in Poland today?” Based on the workshop questions FDMN collected fifty essential challenging topics and published a book in 2006, “Difficult Questions in Polish-Jewish Dialogue,” the answers are authored by Polish and Jewish scholars and the project jointly funded by FDMN and the American Jewish Committee. A well-researched volume in English and Polish, based on some fifty questions selected from those which arose when young Polish and Jewish groups encountered each other.

Similar groups in Poland who work towards such community dialogues are *Otwarta Rzeczpospolita* (The Open Republic), created in 1999 to fight anti-Semitism and xenophobia and *Nigdy więcej* (Never Again), which mobilizes young people against right radicalism and fascism and skinhead anti-immigrant and anti-Jewish violence.

Since the late 1990s another group of Polish non-Jews has organized and led the *Marsz Pamięci* (March of Memory) on the Sunday nearest the 13th of March, the anniversary of

the liquidation of the Kraków Ghetto. From a handful of interested individuals, the group has now drawn numbers several hundred people and government representatives are always full participants. Since 2003 members of the Society of Cracovians in Israel arrive to make the walk from Ghetto Heroes Square to the Płaszów Camp site where all say *kaddish* (the prayer of mourning for the departed). Yet there are annual commemorations which focus not only on death but also life. After twelve years, the Tarnów *Galicjaner Shtetl* event, held each June, has come to encompass more participants, more supporters, more days, and more locations. Additional towns are event sites, children are made part of the target audience, and a Roman Catholic priest partners Rabbi Michael Schudrich.

Established in 1991, the Polish Council of Christians and Jews affiliated to the International Council of Christians and Jews is an active organisation building intercultural and interreligious bridges in Poland today. With members both Jewish and Christian the aim to build a tolerant society free of anti-Semitism - two annual marches have been organised since 1992: the March of Prayer on the Sunday closest to April 19 the traditional day of commemoration of the Shoah in Poland which begins with a Memorial Path walk in Warsaw from one Jewish memorial to another beginning at the Ghetto Heroes Monument and end at Umschlagsplatz Museum from where Jews were taken to gas chambers in Treblinka. The second gathering takes place in the Nozyk synagogue on the Sunday closest to the Jewish Holiday Simchat Torah where readings are held from the Hebrew Bible and the New Testament and Jewish-Christian reflections from liturgy to society are exchanged. Every year the society also grants a Figure of Reconciliation Award to individuals who live abroad but continue to make outstanding contributions to Jewish-Christian life in Poland (Krajewski, 2005).

4.4. Concluding Remarks

Through this chapter I have drawn upon the details of Jewish religious organisations in Poland today and their key activities in reviving and preserving. I have also discussed other non-profit and secular institutions working with new democratic values to cater to evolving perceptions of things Jewish in Poland today. All the organisations bring together interreligious and inter-ethnic cultural sensitivity to contemporary and historical problems, they explore attitude to Jewishness and cultural policy as well as the place of Jewish thought in Polish society. While Poland is far from being multicultural, yet these initiatives are crucial in resolving history, healing past perspectives and building a healthier concern for Poland's national identification with the others while reinventing ethical modes of collectivity and solidarity.

Chapter 5: Jewish Recognition in Poland: The 1997 Act and the Promises of Corrective

Justice

“The Talmud teaches us that in an argument undertaken “in the Name of Heaven” – and so with due respect towards the truth and one’s opponent – both opposing positions are “the voice of the Living God,” even if one of them should ultimately prove to be false. Both Poles and Jews are in desperate need of such arguments.”

– Konstanty Gebert, 2008:161

While all the previous chapters dealt with socio-political, historical and organisational constructions of Jewish Renewal in Poland, this chapter engages with the legal constructions of Polish-Jewish identity as sanctioned by the Polish state which enables such recognition to be realised. In this chapter I discuss the 1997 Act on Jewish Religious Communes in the Polish Constitution that addresses the rights of Jewish minority in the country. I attempt to correlate its provisions with larger Halakhic understanding of leading a Jewish life and finally assess the ways in which Poland has achieved corrective justice using relevant events, interviewee excerpts and political instances.

5.1. Brief background that led to the 1997 Act

The 1997 Polish constitution was the result of an extended drafting process that started with roundtable talks in early 1989 (Krajewski, 2005). The modifications deleted language that gave the communist party a leading role, created the position of president, established a senate, and declared Poland as a free, democratic, multi-party state. In 1993, a new national assembly returned to the process of constitution drafting. It appointed a drafting committee to solicit suggestions and comments from a wide array of groups, including political parties that had failed to win seats in the legislature. In 1997, the assembly approved the constitution and the draft went to a national referendum. The 1997 Act on the Relation of the State to the

Jewish Communities in Poland was adopted by the Polish *Sejm* or Senate as a part of the Regulation of the Status of National Minorities in the Polish legal system as a part of EU accession negotiations. Poland signed Council of Europe's Framework Convention for the Protection of National Minorities on the 1st of February of 1995 (as one of the first twenty countries), and ratified it on the 20th of December of 2000. After Poland got accession to the European Union in 2004, it had to observe European standards of protection and promotion of minority and regional languages thus the 1997 Act fulfilled the legal criteria of protection of national and ethnic minorities (especially Jewish) and clarified the state commitments in this field. The Polish Constitution of 1997 established transparent relations between international law and the municipal law. According to article 87 of the constitution, "the sources of universally binding law of the Republic of Poland shall be: the Constitution, statutes, ratified international agreements, and regulations". While Article 35 of the Constitution (2 April 1997) clearly emphasizes preservation of minority rights: "1. The Republic of Poland ensures Polish citizens belonging to national and ethnic minorities the freedom of maintain and develop their own language, to maintain customs and traditions, and to develop their own culture. 2. National and ethnic minorities have the right to establish educational and cultural institutions, institutions designed to protect religious identity, as well as to participate in the resolution of matters connected with their cultural identity." Also, article 27 provides that Polish is the official language in Poland, however "this provision does not infringe upon national minority rights resulting from ratified international agreements". The constitutional provisions relating to minorities in these articles are a novelty to Poland's post-war legislation representing democratic change in Poland as well as setting the new culture of Polish constitutional

tradition. Apart from the above mentioned articles there are few other articles in the 1997 Polish constitution that support minority protection:

- Article 9 deals with Poland's commitment to respect international law binding upon it
- Article 13 forbids political organizations aiming at incitement of racial or national hatred;
- Article 25 introduces equality of rights of churches and other religious organizations;
- Article 53 ensures freedom of faith and religion;
- Article 54 ensures the freedom to express opinions, to acquire and to disseminate information;
- Article 57 provides an opportunity of peaceful assembly and Article 58 - the freedom of association;
- Article 60 provides that Polish citizens have the right of access to the public service based on the principle of equality;
- Article 32 confirms everyone's equality before the law and prohibition against discrimination;

Polish-Jewish relations have always raised many controversies in Poland with its anti-Semitic past and the 1997 constitution gave Poland the perfect opportunity to heal and legally accept the status of the Jewish minority in Polish state and society. The Council of Europe (COE) framework ratification also gave way for the country to abide by its: Article 8⁸⁰ which emphasises the need to recognise minority religions and its associated institutions. Thus it led the State to fund and sponsor institutions like the State Jewish Theater in Warsaw, Jewish Historical Institute in Warsaw, Museum of Lemko Culture in Zyndranowa (south of Poland) to name a few.

⁸⁰ COE Framework Convention for the Protection of National Minorities (FCMN)

Article 8: The Parties undertake to recognise that every person belonging to a national minority has the right to manifest his or her religion or belief and to establish religious institutions, organisations and associations.

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Historically however this is not the first time that religious liberties have been extended to Jewish minorities in Poland. As Cole (1998) notes that the nobility “cultivated a special relationship with Jewish communities for reasons that were largely economic as early as the twelfth and thirteenth centuries”. Unlike most other European countries, Poland allowed Jews to establish businesses and engage in various trades; they were not restricted to money-lending. Jews were able to lobby to protect their rights; they contributed to officials and attended meetings of Parliament. Religious toleration was not only official policy in sixteenth-century Poland; it was the law, codified in the 1573 Warsaw Confederation, which was reputed to be the first document in European history to constitutionalize religious toleration (Cole: 1998, 12).

The Polish Constitution, adopted in 1997, establishes in its Article 32 the principle of equality and non-discrimination. In its second report on Poland, Council of Europe’s Anti-Racism Commission – the European Commission against Intolerance and Discrimination (ECRI) suggested that Article 32 of the Constitution has not been amended since 1997 and needs to include a list of grounds for discrimination such as, race, religion, ethnic or national origin and colour. As a part of General Policy Recommendation No. 7 on national legislation to combat racism and racial discrimination ECRI suggested that all member states of the EU should adopt a Constitution that “enshrine[s] the principle of equal treatment, the commitment of the State to promote equality as well as the right of individuals to be free from discrimination on grounds such as race, colour, language, religion, nationality or national or ethnic origin.” While the article 32 in the Polish Constitution remains unchanged, the 1997 Act created that recommended provision and provided the Jewish communes a chance to exercise their social

and political rights. Additionally the 1997 Act on the Relation of the State to the Jewish Communities in Poland formed a strategic and legal preparation of Poland's accession to the EU and promoted external affairs of the state with key allies like the US and Israel. Poland incorporated the 1997 act and recognised nine orthodox Jewish religious communes.

5.2. 1997 Act on the Relation of the State to the Jewish Communities in Poland

I shall now consider the 1997 Act and give an understanding to the basis of Jewish identity and rights re-ordering in Poland. Through the 1997 law I argue that the state should make informed allowances and open up possibilities for representation of all factions of minority identities. The 1997 act deals with the identity of Jewish religious minorities, in terms of securitizing their freedom as Polish citizens and develop their own language, maintain their customs and traditions as well as develop their own culture, it sanctions the right to establish educational and cultural institutions designed to protect Jewish religious identity, as well as to participate in the resolution of matters connected with their cultural identity.

The 1997 act on the Jewish religious communes has five following chapters: Chapter 1: General Provisions, Chapter 2: Legal Status, Chapter 3: Activities of Jewish Communes, Chapter 4: Matters Concerning Assets, Chapter 4: Transitional and final provisions within which the 37 articles are embedded.

The general provisions of the 1997 Act sanction the legal recognition of Jewish communes and their property status and note that any amendments to the act require the approval of the Związek Gmin Wyznaniowych Żydowskich [Transl.: Association of Jewish Religious

Communes]. It stresses that the communes are liable for managing their own affairs as well as their interior law in agreement with the religious council. While describing the legal status and processes of making legal statements Article 5 gives quantified understanding of minimal representation of members and their position of leadership within the particular Jewish commune and the Association of communes as well as precision of appointing or recalling a member of the board. The act sanctions the understanding of the 'interiority' of Jewish legislation as a mode of life and recognizes activities surrounding memberships of new communes, customary activities, religious services, holidays according to the Jewish calendar and daily/life rituals. Articles 11-15 explain the different provisions of handling employment in public sectors for individuals who are members of Jewish communes and recognise the practice of rights as a tool to change the mode of production for mobilisation of socio-cultural activities. Article 17 suggests protection of traditional and cultural heritage in Poland as well as intercultural activities of knowledge, religion and education. The act allows the communes to engage with religious development of the youth devoid of state fees as well as grants the permission of commune services to be broadcasted on the media with associated religious-ethical and cultural programs. The state accounts for conserving art, architecture, libraries, documentations, museums and archives related to Jewish communes. Chapter 4 of the 1997 Act concerning assets from Articles 21-27 provides clauses regarding legal entitlements of commune properties through a foundation and guarantees for the protection of cemeteries own by state treasury. Article 25 discusses tax regulations and clarifies that the Jewish communes are exempt from paying real-estate tax, unless the same property is used for any further commercial purposes. It guarantees duty free donations from abroad to Jewish communes for socio-cultural awareness, rituals, charitable-care and basic utilities of association management

like religious appliances and materials. Chapter 5 considers clauses of application of a Jewish commune and transfer of ownership rights from pre-war synagogue communes to present-day Jewish legal properties (where some communes might have the historical bearing of 1847 Prussian laws) through a procedure termed as “adjustment proceeding” (Article 30, 1997 Act) aimed for transitional functionality of legal access within the Republic of Poland. Related to this chapter article 32 observes the “adjustment proceeding” of article 30 through an adjustment committee which besides the board of the commune would also feature the Minister of Interior Affairs as representative of state for considering the details of the procedure. At the same time article 33.6 suggests that a ministry council through “separate regulation” will assess and “determine from the assets of which state organisation or unit or regional self-governmental unit a property can be separated in order to reward it as a substitution property or which state organisation units can be burdened with the duty to pay restitutions.”

With respect of minority provisions Poland gave priority to the 1997 Act and it came into effect alongside a number of amendments in the Polish constitution. As Cole (1998:3) assesses, “The process by which the (1997) Constitution was ratified has contributed to the crisis of legitimacy.” Sociologist Paweł Śpiewak (1997), derides Poland’s new Constitution as “a bundle of compromises,” which “freezes the present order in place and hence preserves its flaws.” According to Śpiewak, it does not even accomplish the basic objectives of a constitution: “The division of powers is not guaranteed and short-term political considerations define the economy, the state, and the administration of justice. It follows, too, that human

rights are not well protected by the state. Moreover, the state is weak, excessively divided, and at the same time, still very centralized and reluctant to grant any forms of self-government.”⁸¹

The rights that the 1997 Act confers are from general to specific. It clearly emphasizes on religious liberty, freedom of association, - in terms of Jewish thought, conscience and language. The articles 9 to 15 stipulates the economic, social, and cultural rights, in particular it is interesting to note that Articles 14 and 15 concerns with military service both in Poland and by the virtue of being Jewish in foreign country, hinting at Israeli Military Service. Most of the articles from 16 to 21 are concerned with observant Jewish life-work and life-practice. These articles accordingly contain directives of association or work with organisations and communes in different capacities. Chapter 4 clearly focuses on restitution of assets and property but here there are individual challenges in concept of rights giving as most provisions are for communal restorations.

Among many rights the 1997 Act sanctions the provision of restitution of Jewish properties in Poland comes to the fore. But in Poland, for example there are several problems of privatization through reprivatization surrounding the restitution of property and legal entitlements from the state to the individual; it has therefore failed to garner an agreement on individual restitution policy so most of the restitution is officiated through the Foundation for the preservation of Jewish heritage (FODZ). I struggled to get concrete procedural details for time constraints: “...we don’t wish to openly talk about restitution or its procedural standpoint – it is a very complicated matter and a time consuming process. I am aware of two to three properties that have been restored but Beit Warszawa had no involvement in that,” says Rabbi

⁸¹ Paweł Śpiewak, (1997), *The Battle for a Constitution*, 6 (2 & 3) Eastern Europe. Const. REV. 89.

Burt Schuman, who leads the reform congregation in Warsaw, as does Chief Rabbi Shudrich “we don’t wish to discuss as it involves personal information.” Polonsky⁸² adds, “Restitution of private property is potentially an explosive issue, but it is sort of diffused in the Polish context, and seems to play less of a role in Polish politics partly because the way that the present-day government is formulated it that – this is not a Jewish issue, it is an issue of private property which everyone has a right to get back but it is a question of defining what links you have to have with Poland to get back the property.”

Post-communist reparations in Poland and largely in East-Central Europe present a challenge to individual rights and property rights. More so in Poland the adoption of restitution policy found obstacle in the post-communist times as compensatory schemes were more engaged and legally more involved in rebuilding and enforcing of new economic reforms and privatization of the country (Teitel, 2000:135). But rights in essence needs to be conferred to the individual (Krishnadas, 2007). It needs to have a distributive purpose and should not be conditioned upon political manipulation. If it does then it becomes a form of rights discrimination. Article 14 of the 1997 Act vaguely calls to transmute “the enjoyment of the rights and freedoms” irrespective of an association of national minority and social origin. The question of transparency of legacy is another issue as the law here fails to look beyond as it intended, as Fitzpatrick (1998) suggests: “liberal legality imports racism into law”.

I argue that the 1997 Act loosely captures the ‘minority flavour’ while it does recognise a range of social, religious and cultural rights it doesn’t allow a transference of category from Orthodox to any other forms of Jewishness that exists in Poland today. Butler (1997) suggests

⁸² Interview taken by me in London, September 2008

that incendiary rhetoric while reprehensible calls for state intervention as both gap between speech and conduct are resignifying strategies of risk which needs to be addressed through enhanced state power into state regulation. Rights protection in reconciliation Cornell (1992) argues, demands the recognition of the call of the other but the 1997 Act is merely an outcome of political decidability and legal ordering for the state's own accession to the EU. I argue that state law besides being constitutive of social life (Fitzpatrick, 1992) should take the semi-autonomous advantage to seek the interlinkages of cultural rights and political ordering with the micro-processes of legal action and interpretation. As a newly democratic state Poland should supports plurality of social forms including *all* minority customs and affiliations. I assert that 1997 Act should be further developed as an inherently dynamic process and should be able to address inter-local and inter-national contexts. In recognising autonomy of a separative normative order and culture, can a state exclusive focus its strategies from disputes to non-disputes (Merry, 1988).

5.3. Reclaiming Jewish Identity through the *Halakhah*

Judaism was founded beyond territoriality, amidst a nomadic, transitional life yet bound in legal obligations and processes of reform, holding profound reflection of the past while ushering about a redemptive projection to the future. Jewish law or the *Halakhah* is considered to be divine because, unlike conventional forms of governance, all the Torah's laws, whether ritual, civil, or penal, have a single purpose: the divine goal of aiding the community in its striving for spiritual, intellectual, and social perfection quite analogous to the idea of the innate desire of humans for transformation (Walzer, 2006; Stone, 1993).

Given the nomadic nature of Jewish law, Maimonides⁸³ describes the command of emulating God, as the organizing principle of the Torah. Jewish law strongly binds its community members because the ‘doing’ of the law is perceived to be a step on the path to communal perfection (Walzer et al., 2006). While Gilman et al. (1994) may argue that a renewal of minority culture could risk being ultra-religious or in fact the complete opposite - to be obliviously universal, my encounters in the Polish-Jewish communities made me rethink about the myriad structures through which identity permeates. There’s a perpetual state of contestation surrounding reconstruction of Jewish identity and renewal of Jewish rights in Poland, which I argue needs greater delegating and re-distribution of autonomy in the law of the state. I argue for the need to legally recognise minority identity –through a shift from *domination* to *non-domination* in the rights paradigm. The simple codification of different forms of Polish-Jewishness to ‘things Jewish’ as external to that which is Polish, I assert, reiterates exclusion even in the apparently ‘corrective’ mode of rights giving processes.

The section examines how valorising the minority as a prototype of the postmodern experience obscures the rights of those who involuntarily remain in such minorities. Today even those Polish-Jews “merely” affiliated or culturally curious cannot deny that as the Judaic processes builds hope in a community and provokes a need to look beyond death and commemoration of a persecuted past (Gruber 2002, Graham:2008). As my interviewees struggle to cope with the excesses of their Jewish or Polish selves as recorded in chapter 7, I

⁸³ Moses Maimonides (born in Cordoba, Andalucía around 1135) was a Jewish rabbi, theologian, lawyer and philosopher in Spain and Egypt during the middle ages. He was one of the medieval Jewish philosophers who also influenced the non-Jewish worlds (Arab, Islamic and pan-Mediterranean cultures). Although his copious works on Jewish law and ethics were initially met with opposition during his lifetime, he was posthumously acknowledged to be one of the foremost rabbinical arbiters in Jewish history. More than eight centuries on, his book: *A guide for the perplexed* remains a masterpiece in medieval philosophy. (Stone, 1993; Walzer et al., 2006)

attempt to study the structural templates of the 1997 Act and the Jewish law to gauge how the social constructions of reality got created through overlaps of law's performance over time, the crux being the narrative adoption of this identity and belonging dilemma and the rights that ensue. To interlink and build up this legal discourse of Jewish identity renewal in Poland, the section 'journeys' through the arguments surrounding identity ascriptions through the Halakhah (Jewish law) then contextualises Polish-Jewish identity and rights through the 1997 Act concerning relations with Jewish religious communes in Poland. Minority rights post-1945 consists in the perception of international standards being incorporated as a measure for corrective justice and security for locally-generated regimes for internal arrangements but Jewish law or the Halakhah was developed in conditions of exile, where Jews had neither a state nor citizenship of any sort. It is interesting to note that this exilic legal process has been incorporated in democratic states such as US, Canada, Poland, Britain to name but a few as a feature of accommodating Jewish citizens or Jewish minorities (as applicable in the contexts of the states). *Halakhah* layers the conditions of Jewish belonging and creates openness with the pluralistic tendencies of emancipation in Judaism to reshape tradition. In this context, the acknowledgement of the 'interiority of law' through the 1997 Act, is especially important when the considering Jewish minority which has its own law that legislates life, security and identity.

To understand and practice religion, theological thinking is important for the members of the congregation (Stone 1993). And when modes of cultural thought and theology integrates all the elements of human experience more exhaustively than any of them acquire a legal functionality in a state which attempts to integrate at every level of democratic citizenship

(Walzer et al., 2006) and public behaviour. Halakhah is pervasive through all aspects of Jewish life, rather than being isolated in narrow interests and narrow purposes. *Halakhah* with its nomadic mutuality between the citizen and the state is a messianic doctrine promising Jewish entrance and perhaps acceptance from the wandering past to each mitigated territorial present, from the medieval ghetto into the larger political worlds (Zohar in Walzer et al., 2006:138-140). There's indeed a marked universal function in this view, but nonetheless the progressive vision of Jewish messianism and legal obligations as based on the covenant with God, paves the primacy of the human will to autonomously build local civil societies, while integrating the international.

In relation to the state and the interior law of Jewish minorities, more often than not there are two major underlying ramifications, one that of equality as a means of 'deepening' protection in a way that it can reach out to, for example, through communication and religious education and maintaining an open dialogue with public authorities; and secondly equality as a means of 'widening' protection so as to not permanently exclude minorities from societal processes in other words, the rights of the *other* must be recognized. The 1997 Act certainly takes this into account but while affirmation of minority rights in state policies are a necessary component towards seeking reparation from past injustices, the taken for granted position of the interior law in the 1997 Act on Jewish religious communes accommodates merely one section of minority interests and thereby fails to accommodate the echelons of intra-communal divisive recognitions of the all minorities. However, this difference or non-recognition does create cultural rights and practices which I have witnessed in the field with the aim of developing into an autonomous body of religio-cultural standards precisely

because they serve a specific ethno-cultural sub-group complexity within the minority. Thereby working within a limited nexus of rights under diasporic influences and remains somewhat silent or indifferent about the specifics of sanctioned minority regimes. The 1997 Act does mention some foundational criteria of Jewish life-practices applicable for *all* factions, regarding Halakhic mitzvot: *Kashrut, Mikvah and Mitzvot*⁸⁴.

The oral law passed down from Sinai through the generations intact has a precise historical identity. These laws and interpretations are eternal (Walzer et al, 2006). This knowledge from tradition was then deposited in the Talmud, and was never the subject of dispute. In principle, the rabbinic derived law is revisable - until its codification in the Talmud (Walzer, 2006; Stone, 1993). The most intriguing aspect is question of the absence of the divine author is not new to the rabbinic tradition. The divine author of law is dead; He has been replaced by a community of interpreters who are the sole producers of meaning in the present (Stone, 1993). One must look elsewhere to articulate a distinction between the self-reflexive, conscious awareness that the bestower's characterize as progressive thought, on the one hand, and the more restrained rabbinic model of interpretation, on the other: to the fact that the Torah, although autonomous, is still associated with its divine author.⁸⁵ Belief in the divinity of the Torah, whether that belief is before the law or a command of the law, becomes an internal feature of the legal system and acts as an implicit constraint on legal interpretation.

⁸⁴ Jewish dietary laws, ritual bath and religious action incorporated in Chapter 3 Articles 9 and 10 of the 1997 Act of the Polish Constitution. See glossary of terms for details.

⁸⁵ Comment made by Rabbi Julia Neuberger in discussion on *Rabbis and Rebels – Feminism and Jewish studies*, - I attended this Jewish book week session in London 2008

The affirmation that there can be multiple Halakhic truths, holds potential for many ways of being Jewish, within the Halakhic system as there's the lack of a Supreme Court, or of a conventional notion of precedent, the broad powers the Halakhah vests in its judges, exemplified by the principle that the judge must rely only on what his own senses perceive (Cover in Walzer, 2006). Therefore, in the context, the Halakhic tradition can be argued to be an on-going process of canonization of rabbinic legal literature, which unifies the law and prevents fragmentation, but remains open to the interpretative dialogues of earlier generations. As Stone (1993:24) narrates: "The quintessential example of this process is the reception accorded to the Babylonian Talmud as the legal opinions expressed in it are subject to interpretation. The Halakhah admits of debates about the extent to which authorities can reach back into the tradition and rehabilitate earlier rejected opinions or reconsider later decisions on which such conformity rests." The intellectual study of all the sources of Jewish law, including rejected opinions, is a religious-legal obligation, carried on independently of the practical determination of the law (Walzer et al. 2006). Intellectual speculation on the plain meaning of scripture, for example, may lead to conclusions noticeably differing from the authoritative legal interpretation of scripture, yet, the canonical interpretation remains the Halakhic norm. Thus the very reaching of a binding Halakhic resolution with regard to any issue, despite the possibility of multiple Halakhic truths, is due to the fact that Halakhic values of life and rights are placed on behavioural uniformity, social order and legal stability in response to civil society. The inclusion of some aspects of Jewish law in contemporary Polish law, is in fact an assertion that that cultural identity, like individual identity, is not essentialist but, rather is constantly in a process of revision and transformation through encounters with the others instead of merely being the voice of the excluded or marginalized

other, within and/or without a cultural context. The propensity comes naturally with blurring cultural boundaries and importing ideas from one culture to another and shares an autonomous response in transforming the past. However Webber (1992:150) warns that this notion of reciprocity – “that we encounter others in order to be transformed by them but, also, to transform them from the perspective of the formerly excluded other - is troubling for those committed to the perpetuation of a distinct community and culture.” Rabbi Schudrich⁸⁶ comments: “The fundamental question is before whom you make the claim. There is a great difference in the religious view and the secular view. There is a fundamental difference between saying that one is primarily claimed by God and in the claiming of God, and the saying that one is primarily claimed by other humans and the claiming of them.” But then again Stone (1993:24) points out that the Halakah speculates such cross-cultural encounters and the dilemmas that these thoughts pose as: “Talmudic stories vividly illustrate the antinomies of cross-cultural meetings”. Thus it is expected out of the Halakhic tradition to continue dialogue within the law alien state or states even when there’s been threat to community’s integrity while at the same time maintaining its autonomy in the community’s vital interest (Seligman in Walzer, 2006). I argue that this reciprocity while being transformative and autonomous legally is also a proof of how exclusion can be a powerful principle as the principle of inclusion. I witnessed this paradox of situation on a more visual and spiritual level while attending *Sabbath* organised by Beit Warszawa at Galicia Museum in Kraków in July 2006 amidst the exhibition on the Righteous among nations and Traces of memory – photographs on Jewish ruins all scattered all over Poland by the former director, curator and photographer the late Chris Schwartz. The feeling was particularly heightened when fire a symbol of Jewish life was re-invoked and blessed, surrounded by photographs of

⁸⁶ Interview taken by me at the Nożyk Synagogue, Warsaw in August 2007.

desecrated synagogues, charred Jewish houses and communal libraries. Rabbi Schudrich⁸⁷ adds, “The bottom line is people do not want to leave home. So following the war many Jews said we don’t want to leave Poland let’s go underground, certainly it is not a majority but the real question is not the number, the question is what can you do to open the door.”

While this brings about a revival, the state in its recognition should understand that minorities are citizens of the state and their secular or reformed or cultural life ways of being Jewish too needs legal acknowledgement. The intellectual study of all the sources of Jewish law, including rejected opinions, is a religious-legal obligation, carried on independently of the practical determination of the Halakhah (Walzer et al. 2006) and this I have witnessed during *minyan* studies. Intellectual speculation on the plain meaning of scripture, for example, may lead to conclusions noticeably differing from the authoritative legal interpretation of scripture, yet, the canonical interpretation remains the Halakhic norm. Beyond doubt Jewish identities in transition reveals temporal disjunctures, which unsettle the stable, coherent categorizations on which legal normalcy relies (Seligman, 2006). But like religion, law also has a redemptive vision which should mediate corrective justice – through the consideration of plural structures to particularize rather than unify the political divide. Legal transitions and rites amidst discontinuities and continuity ultimately should re-create coherent identities from which cultural patterns, generalizations, ethical obligations and knowledge can be discerned (Novak in Walzer, 2006).

⁸⁷ Interview taken by me at the Nożyk Synagogue, Warsaw in August 2007.

5.4. Corrective Justice and Polish-Jewish Identity Renewal

When a state succumbs to corrective justice in transition during political transformation, despite its varying legal accountability (Teitel, 2000:102-3) it affirms the need of the legal spectrum to be both “backward-looking and forward-looking”, “retrospective and prospective.” From anti-Semitic graffiti on walls, synagogues, tombstones to walking down through the corridors of the Lauder Morasha⁸⁸ adorned by stars of David and mezuzahs made by children, from hearing Radio Maryja reports, seeing anti-Semitic books available in newsstands to observing in Sabbaths and Torah study sessions in Beit Warszawa all was a striking paradox. Corrective justice essentially entails in giving the victims or minorities their due historical validation and recognition. While it the 1997 Act stands for social ordering and combating racism in Poland it also offer interconnectedness of legal orders offer new way of thinking about social relations of domination, the acknowledgement of the ‘interior law’ of the communes or the Halakah. as Merry (1988:889) writes: “law is simply a set of rules exercising coercive power but a system of thought by which certain forms of relations come to seem natural and taken for granted, modes of thought that are inscribed in institutions that exercise some coercion in support of their categories and theories of explanation”. But while the thought may be genial, rights reconstruction processes as witnessed in the Act 1997 does also reflect an aspect of social reflection and at the same time the participatory measure of the Jewish law and the state law (including its historical legacy). However in the 1997 Act there remains rather blurred as does the nature of the “adjustment proceeding” in Article 30 which is left rather open to the capacity control of the state, as Krishnadas (2004:46) notes, “that

⁸⁸ The Lauder-Morasha Jewish Primary and Middle School in Warsaw, which began as a preschool with seven children in 1989 today has 240 students, between ages of 3-16, are actively engaged in Jewish and secular learning.

politics of redistribution depends upon the notion of who decides how resources are allocated and how resources are prioritised and defined.”

Based on the 1997 Act the Foundation for the Preservation of Jewish Heritage in Poland (FODZ)⁸⁹ reclaims the properties which before WWII were the property of Jewish Religious Communities and other Jewish legal entities as well as provides legal services for the regulatory procedure and manages returned properties. It also aims at protecting properties bearing special religious or historical significance. FODZ, CEO, Monika Krawczyk⁹⁰ adds: “In very few places we can count for a positive co-operation concerning both the protection of the heritage and the accomplishment of our right to regain the properties of pre-war Jewish communities. It happens that the regulations are on purpose interpreted in a very restrictive way.”

As material nature of rights is one of the determining factors of corrective justice (Krishnadas, 2007) I argue that legitimacy of rights as religious and cultural exercise of a controversial minority identity through the processes of renewal where power of participatory control between communes and state is unclear puts restorative constitutional entrenchment as a normative pull of the old order. Moreover such a restrictive order of law does not allow any prospect of individual rights which renders rights claims bridge between retributive,

⁸⁹ The Foundation for the preservation of Jewish Heritage in Poland was established by the Union of Jewish Communities in Poland and the World Jewish Restitution Organization (WJRO) to protect and commemorate the surviving monuments of Jewish cultural heritage in Poland covering an area of operation of nearly two thirds of Poland. <www.fodz.pl>

⁹⁰ Interview taken by me in Warsaw, August, 2007

constitutional and corrective measures of rehabilitation as paradoxical. The idea of corrective justice is to construct an acceptable body of social relations from authoritative to a reparatory measure of equal protection of rights instead the 1997 Act despites its concern and “adjustments” towards “interior law and cult of the communes” fails to mediate this normative shift between the state and the individual. Basing on the provision of the 1997 Act, the Jewish communes can only achieve partial restitution of pre-war Jewish communal property seized after the war by the state. Besides it is important to mention that no law still regulates the restitution of such individual property, regardless of ethnicity of the owner.

Another important point in the social ordering the 1997 Act overlooks is the different roles Jewish Non-profit organisations or NGOs play in Poland in creating awareness between Poles and Jews while also engaging with immigrants from US and Israel who attempt to “correct” the Poland’s past injustices. When transformations through corrective justice needs to be considered the law of the state should also endeavour to work towards the construction of liberal politics rather than categorise a fixed citizen/state relation (Teitel, 2006). The 1997 Act legally recognises only nine Jewish communes which are orthodox and has no provision for the any other sects within Judaism – such as reformed, Chabad or any other potential divisive cultural renewal. Thus once again the regulatory measure of participation reduces the fluidity of corrective legal recognition and renders the hybrid transformative combination of backward looking and forward looking purposes of justice rather banal. Political competency lies in forging a constructive provision of rights when ensuing corrective or transformative measures and not engage in disproportionate status of rights participation. Notwithstanding the difference in the forms of legality between cultural systems and the contexts of their

historicity, the law of the state, I argue, must over time gather compromising rhetoric and not consider a cultural group as one homogenous unit but a dynamic process for aptly valorising ethnic morals and rights protection, and take the necessary action as required.

Lastly, when the states own measure of protection of rights and prevention of rights abuses are rather muddled⁹¹ and rights responses to anti-racial discrimination committees are unclear there is much work to be done to transform public knowledge to manifest change in matters of public dignity of minorities despite the basic understanding of minority rights in the constitution⁹². While article 21 of the 1997 act seeks to protect and conserve establishments of Jewish heritage the following extract from FODZ's report in 2008 reflects the achievements among the ongoing challenges.

Extracts from the foundation's 2008 report:

“The Foundation for the preservation of Jewish Heritage in Poland is aware of several incidents (mostly insults and threats, but also dismissing a person from a state institution) aimed at people protecting Jewish heritage and co-operating with the Foundation who are not Jewish at all.”

“Devastations of cemeteries are especially painful because they cause indivertible damage to the last material traces of Jewish presence in Poland. The problem concerns also those cemeteries that were recently restored (e.g. in Strzegowo). The objects (cemeteries, synagogues) that are still the property of the State Treasury or the district authorities are

⁹¹ Extract from CERD/C/SR.1939 8TH Dec 2009, 17-19TH Periodic reports: Mr. Rzemieniewski representing Poland said that the 2002 census had, for the first time, included a direct question on membership of an ethnic minority. This had provided a more accurate count of people belonging to that minority. Indeed, some minorities tended to assimilate very quickly, which was one reason why the Polish Government was trying to contain the problem by lending them legal protection.

⁹² The basic provision for minority protection Article 35 of the Polish Constitution states:

1. The Republic of Poland ensures Polish citizens belonging to national and ethnic minorities the freedom to maintain and develop their own language, customs, traditions and culture.
2. National and ethnic minorities have the right to establish educational and cultural institutions, institutions designed to protect religious identity, as well as to participate in the resolution of matters connected with their cultural identity.

neither restored nor protected. They often become even illegal rubbish dumps (e.g. in Krosno) and the responsible institutions do nothing about it. The Foundation informed the Government's Spokesman (November 2004) and the Chief Rabbi of Poland (January 2005) in detail about these situations."

"For all Jews and especially for the Foundation for the Preservation of the Jewish Heritage in Poland, established by the Union of Jewish Communities in Poland, protecting relics of Jewish material culture is a matter of great importance. It is manifested by fencing and commemorating (thanks to the support of several Polish Jews living abroad) Jewish cemeteries all over Poland (just within the last two years in Strzegowo, Zakopane, Mszczonów, Kozienice). Costs of the fencing amount to hundreds of thousands PLN. These sums enrich Polish economy and are a substantial financial supply for local companies. As far as the synagogues are concerned, a most positive example is the reconstruction of the synagogue in Rymanów (May 2005) and the project of saving the renaissance synagogue in Zamość."

"As for the attitude towards Jews in the context of the law allowing restitution of the real estates of religious or charitable use (the Law on the Relationship between the State and the Jewish Religious Communities of 20th February 1997, which does not differ from the laws concerning other churches and religious associations), an analysis of the titles appearing in local press can be very suggestive. For example: "Jews come to reclaim what's theirs" ("Słowo Polskie. Gazeta Wrocławska", Zgorzelec); "Jews exaggerate? Łaszczów: they reclaimed a real estate that hosts a social care house" ("Dziennik Wschodni"); "Walls full of pain – I am prepared that in the spring we'll become homeless" ("Gazeta Współczesna", Łomża); "They don't want to trade people" ("Kurier poranny", Suwałki)."

Drawing from the above extracts and reports on anti-Semitic activities in Appendix C, it is clear that there is a dynamic inefficiency of the state in rights conservation and protection. Also considering the 1997 Act there is a great overlooking of social complexity of "secular" Jewish cultural activities which has since 1989 fostered much support from the diaspora. Thus I argue if law is to facilitate corrective justice and societal complexity through minority identity negotiation – the state must adopt the adequate legal development and resolve lapses of past injustices. The state law should therefore incorporate minority cultural codes and customary laws in detail to nurture the redistributive process constructively and ensure cross-cultural coverage.

Attempts have also been made to deal with the vexed question of the restitution of property, which in its unresolved form can give rise to anti-Semitic fears that the Jews are intending to extract large sums of money from Poland. The restitution of communal property was resolved more or less satisfactorily in 1997. In March 2008, Prime Minister Donald Tusk announced that his government was preparing a proposal to compensate owners of properties seized during the Nazi occupation and under communism.

Corrective justice is also about putting forth self-knowledge of history and contested accounts in a balanced way so as to limit counter-accounts. In Poland public spaces specifically and directly associated with the Shoah were sometimes renamed and/or marked: a *plac Bohaterów Getta* (Ghetto Heroes Square) appears in the World War II ghetto district of several major cities.⁹³ Yet, though all sorts of monuments were erected, especially in the 1960s, nearly all of them – with the notable exception of the Warsaw Ghetto Uprising memorial – referred only to the murder of Polish citizens, not mentioning that these were overwhelmingly Polish Jewish citizens. As Young (1994: 224) comments: ‘Thus, the state integrates Jewish memory into its own constellation of meaning. Whether or not the Jewish fighters of the ghetto were regarded as Polish national heroes at the time, they are now recast as such whenever the state commemorates the uprising’.

Additionally acts of violence against Jews and vandalism against synagogues, Jewish schools, or Jewish cemeteries are not common. On 27 May 2006 Rabbi Schudrich was assaulted in broad daylight in Warsaw, the man responsible was soon captured and convicted by the Polish

⁹³ After 1989, streets and squares in most cities were to revert to their 1939 appellations; quite notably, the ‘Ghetto Heroes Squares’ have not.

authorities. Despite several reprimands from the Catholic Church, public occurrences of written and verbal abuses against Jews by some church-related sources have continued. Also, Radio Maryja continues to engage with the sale of anti-Semitic literature in the bookshop located in the crypt of All Saints Church in Warsaw, operated by the right-wing publishing house *Antyk* (its name means ‘anti-communist’) and the anti-Semitic comments in sermons by Father Jankowski in Gdańsk.

Making the truth official is to acknowledge it and also apply corrective justice (Teitel, 2006). Poland is making progress undoubtedly but it needs to converge historical, social legal and political accountability not merely for democratised processes of the EU but also understand in democratizing truth the society can make a “clean break” and move towards popular sovereignty which can particularly help in renewing inter-generational dialogue.

Beyond doubt the existence of post-trauma memory haunts the memory of the society even them who were not directly marked by tragedy, this is clearly a manifestation of irony and displacement, it occurs in a surrogate, symbolic place and moment, in a location removed in space and time from the events to which it refers. In fact, it is in the gradual disappearance of the “real” victims of the trauma that actually triggers the phenomenon and calls for bringing corrective justice over time. I felt it most while walking down Kazimierz, Kraków’s Jewish quarter and during my visits in Sejny as Murzyn puts it: “a disinherited patrimony, a heritage without heirs” (Murzyn, 2006:120).

5. 5. Corrective Justice and Polish-Jewish Heritage Renewal

Identity formation is linked with ‘senses of time’ (Bauman, 2004). Cultural heritage and identity are inescapably linked to historical legacies of violence and atrocity. And when there’s transformation of the structures – political and legal, rights re-entrench or regenerate the historical legacy of identity with its heritage and place – the national right wing ‘martyrology’ claiming to be the ‘corrected version’ gets revised (Murzyn:2006) as does human perception and consciousness through the ‘multi-tokenism’ (Graham and Howard:2008) of multicultural heritage. As Harvey claims, heritage is a human condition and ‘discursive construction’ with material consequences interwoven in the power dynamics of the society (Harvey in Graham and Howard, 2008:19).

Since the war and post-communist transitions correcting past injustices and preservation of the Polish Jewish historical and cultural heritage continues to be done by Polish non-Jews (Michlic, 2006). Without the contributions of the time, energy, and often funds of gentile⁹⁴ bookshop shelves would not be weighed down with *Judaica*, nor would the Jewish landscape of synagogues and cemeteries be as noticed and tended, nor the Polish Jewish community be confidently gaining numbers (Gebert, 2008; Orla-Bukowska interview, 2008). The country, like any other, is not a paradise void of anti-Semites, but there are perhaps as many “anti-anti-Semites” who are increasingly active. To use the words of Adam Michnik, a Polish Jew and founding editor-in-chief of *Gazeta Wyborcza*: “Anyone who writes about anti-Semitism in Poland and ignores those facts, falsifies – even if unintentionally – the truth about Poland.”⁹⁵

⁹⁴ Term used for non-Jewish people with conscientious attitudes towards identity and rights.

⁹⁵ Adam Michnik, “Elie Wiesel Accuses Poland – Commentary by Adam Michnik,” *Gazeta Wyborcza*, 27 June 2006, <www.gazeta.pl>

“Under the communist monoculturalism – an anomaly in the country’s history so abundant with multiculturalism, that Poles could have invented the term as early as the 16th century – any and all cultural minorities were to melt into the pot of an international brotherhood of the proletariat.” adds Gebert (interview taken in Warsaw, 2007) After 1968, Poland witnessed Jewish radical underground activities and the formation of Jewish Flying Universities (JFUs) in the 1970s. Konstanty Gebert reflects his experience surrounding racial tensions on the streets of Warsaw (interview taken in Warsaw, 2007) – “It was part group therapy, the JFUs were a revolutionary experience. For most of us it was the first time we could say publicly – ‘I am Jewish’. Jewishness was scary, people who were exposed as Jews – were hunted down and expelled. So the fact to admit in public that my mother is Jewish or my father is Jewish was a huge challenge. At the JFU we tried to educate each other about our Jewishness or Jewish identity – with the limited resources which meant more often than not anybody knowing something would pontificate to the group. It was almost the case of the blind leading the crippled (laughs). We couldn’t go to any remaining Jewish institutions as they wouldn’t believe us and think it is a provocation. The basic and perhaps the most interesting thing was that the JFU as a group consisted of Polish intellectuals were interested in things Jewish for political and moral reasons, and we were a mixed group not by design but as our experiences were different, it made us construct our identities differently. However people did a lot for the meetings, they took risks, the militants of the communist party would at times try to break the meetings and participants were even severely beaten up. As many meetings spread on the word of mouth – sometimes we understood when a police officer came in disguise but we said okay let them learn too (laughs).” For Gebert the fear of anti-Semitism in the late-70s was incomprehensible to those who were non-Jewish “as they did not have any first-hand

experience of being beaten on the street, or a relative or friend killed, they would not realise the fear that constantly troubled us. We had to be very careful about the people we met, as we might put ourselves or even put the other person in danger and had to make sure that we were not followed in the street. This was not possible for any non-Jewish Pole to understand and that in a way still lingers on – even today you will find decent, honest individuals who deny the existence of anti-Semitism in Poland, some might lie others may genuinely be truthful and say that they had not run into any anti-Semitic situation, ...but they couldn't understand the daily tensions as they are not Jewish!" Gebert relates that the problem with the JFUs from late-70s and early 80-s arose primarily because the collective experiences of racial discrimination of Poles and Jews in the group were not evenly distributed, because it dawned on the Jewish participants that they had a separate agenda, for them it was personal despite the fact that part of the political and cultural agenda was shared with their non-Jewish Polish counterparts equally keen about understanding Jewish culture, investigating and promoting it, Gebert continues, "so despite coming from the same political understanding and generation, the Jews started talking among themselves while the Poles in the group got fed up and opined that the Jews were inventing problems that didn't exist. Though it is important to mention here is that there was no ill will involved, however, the Polish-Jewish acknowledgement of anti-Semitism in Poland appeared accusatory to non-Jewish Poles who were compatriots of the same movement. So when the Martial Law was passed in December 1981 we had to discontinue the university as it wasn't safe to have meetings and many went underground. The group broke apart because of the impossibility to negotiate on the point of anti-Semitism; hence the difference of collective experience started translating to the difference of identities." This *difference of identities* has been a core part of Polish and Polish-Jewish rights dialogue and it

reflects in the political discourse of the country. Gebert adds a witty insight: “There is no denying that ’68 shaped the Jewish identities of my generation but I’m curious if we did not have the positive experience of collective action and political opposition of the -70s – would we have the courage head-on? ’68 in itself wasn’t enough to make us Jewish, we needed also a nurturing ambience which was the Jewish Flying University but in general the democratic movement which was very open to things Jewish. ’68 was a complete reversal of official communist doctrine, the communist were by definition anti-antisemitic because they were against all racial discrimination, which is why they could not call their campaign ‘anti-Semitic’ but ‘anti-Zionist’. I was expelled from high school “for being of a Zionist extraction” which shocked my good communist parents no end (laughs). Be that as it may, what in effect happened was that anti-Semitism had crossed the barricade in ’68, it was very difficult for anti-communists to be anti-Semitic and I remember an old anti-Semite complaining to me: “look the *Reds* can ruin everything, even a good thing like anti-Semitism they could ruin” (laughs). Jaček Kuron once remarkably said, that had it not been for ’68, *Solidarność* (in 1989) might well have been antisemitic – and he was right.”

While under the intense political censorship and economic difficulties of Martial Law, editors of the *Znak* monthly managed to produce a February-March double issue entitled “Jews in Poland and the World: Catholicism-Judaism” precisely to commemorate the upcoming 40th anniversary of the Warsaw Ghetto Uprising.⁹⁶ The frontispiece portrayed the surviving ghetto partisans as they surrendered over a bold heading reading: “In memory of those who chose a

⁹⁶ The monthly had previously printed individual articles touching on Jewish subjects, but this collection marked a watershed moment which forced the military regime in Poland into an official ceremony before the Warsaw Ghetto Monument. A year later *Znak* would not be able to do likewise for the 60th anniversary of the Warsaw Uprising of 1944. (Source: Gebert interview, Warsaw, 2007)

dignified death; on 19 April 1943 the Warsaw Ghetto Uprising broke out.” The table of contents begins with an essay entitled “Antisemitism, Patriotism, Christianity” by then editor-in-chief, Stefan Wilkanowicz and closes with an appeal by the Committee for the Preservation of Jewish Cultural Monuments, founded in 1981.⁹⁷ There were Polish Jews among the authors in the issue, as well as the membership of this Committee, but the majority were Polish non-Jews such collaborative projects enable corrective justice in society as it gives the minorities an *at par* status in perceiving the nation’s history. Professor Orla-Bukowska adds: “On the one hand, this meant, for instance, the erection of a prominent public monument in 1948 only five years after the 1943 Warsaw Ghetto Uprising; on the other, it ironically meant the scapegoating of the group during political upheavals – especially in 1946, 1956, and 1968. The Jewish population bled out further; today it comprises somewhere between 0.01 and 0.1 percent of the society. With so few direct heirs, the physical and spiritual legacy of centuries of sometimes easy, sometimes uneasy coexistence had to be bequeathed upon the society as a whole.”⁹⁸ This bestowed upon Poles a right to benefit from alongside a responsibility to care for this inheritance. The Holocaust had transformed “young Polish Jews and non-Jews alike into perennial caretakers and archivists.”⁹⁹

According to Orla-Bukowska, “it was simple to take advantage of the physical heritage, and overlook accountability for the spiritual.” Further, with the state assuming ownership,¹⁰⁰ any burden seemed thus lifted from the shoulders of the society. Over the decades, most Poles came to view everything this way (Gebert, 2008). Yet by the latter half of the 1960s a handful

⁹⁷ Source: Gazeta Wyborcza Archive.

⁹⁸ Orla-Bukowska interview Jagiellonian University during my fieldwork in Krakow, July 2008

⁹⁹ James E. Young, “Jewish Memory in Poland,” in *Holocaust Remembrance: The Shapes of Memory*, ed. Geoffrey H. Hartman, Oxford: Basil Blackwell, 1994:229.

¹⁰⁰ All property which had last been in German hands or was unclaimed came under the state treasury.

of concerned non-Jewish individuals had taken up some of the load. The more the communists persecuted the Jews, the more the anti-communists wanted to side with the Jews, and, as of 1965, the Second Vatican Council provided the liberal Roman Catholic opposition¹⁰¹ with a new theological teaching – *Nostra Aetate* – which facilitated all manner of cooperation on the basis of interfaith dialogue. Underground, the first motive was more manifest; aboveground, it was under the auspices of the Roman Catholic Church in Poland that sustenance for the remaining (especially after 1968) Jewish community was given (Krajewski, 2005).

All around the country – despite abundant risk and scarce supplies – illegal, underground publications on Polish Jewish topics were printed, sold, and read. Being caught at any phase would mean arrest; the safest distribution channels were churches. *Fiddler on the Roof* as well as a part of Lanzmann’s *Shoah* were shown on Polish television, *Dybuk* was staged by a major theatre, and performances of visiting Israeli artists were met with hearty ovations. Activity of this vein was felt across the nation (Krajewski, 2005). The changeover to capitalism and democracy of mid-1989 could only trigger a landslide that had been long in coming. The new situation, however hesitant at the start, led to a readiness to consider more critically how ethnic Poles had treated their minorities – among them, Germans, Ukrainians, and Jews. Alongside this urban regeneration projects in rebuilding minority heritage in Kraków, Warsaw and in smaller towns like Wrocław, Częstochowa has been a part of the enhancing and locally constructing once dissonant heritage. These intensive revitalisation programmes can certainly be related to corrective identity reconstruction as it is not only visual image that changes with

¹⁰¹ Most belonged to the *Klub Inteligencji Katolickiej* (KIK, Catholic Intelligentsia Club) and were associated with the three key Roman Catholic publications, Warsaw’s *Więź* and Kraków’s *Tygodnik Powszechny* and *Znak*. (Source: Gebert interview, Warsaw, 2007)

urban regeneration, but also heritage management is a rightful acknowledgement of political and material consequences of the past – with all its threats, economy and challenges (Murzyn, 2006).

5.6. Concluding Remarks

In this chapter I have narrated the provisions of rights and belonging conferred by the state to Polish-Jewish communities. I compared that with the Halakhic idea of identity whereby I showed that the latter offers broader sanctions of identity and rights distribution than the state given norms. The 1997 Act provokes interesting religious proximities and intimacies of being an orthodox Jew in Poland but doesn't address all forms of Jewishness that the country contains today. I explained the nomadic and flexible nature of the Halakkah and the pluralist identity it encompasses to demonstrate that when it comes to negotiations within the ascriptions of Polish-Jewish rights delegation from the Polish state such flexibility is hardly given consideration. To link these concepts with corrective justice, I engaged with the socio-history of tolerance and divided economy of understanding rights between Poles and Jews. The chapter was an attempt to clarify the nature of rights giving and rights manipulation through both the Polish regulation and the Judaic norms. It discussed the dilemma of making rights effective for minorities basing on legal understanding by facts or by law. This revival of Jewish life in Poland, I contend reaffirms the engagement and enrichment of a culture through interconnected awareness of belonging and somewhat "unsettled" negotiation of selves much like its plural 'multiconfessional' history (Polonsky interview, 2008). While it is influenced by real practices and experiences, its multifarious orientations of belonging cannot be subdued

therefore, I assert the need for further political appropriation of the law of the Polish state when reinstating Jewish minority recognition.

Chapter 6 Enduring Anti-Semitism: How Far does Poland Remain from Achieving Justice?

“La Pologne est un pays marécageux où habitent les Juifs.”¹⁰²

Following the discussion of legal recognition of Jewish identity in the Polish law, in this chapter I shall narrate the key points of concern about racial monitoring in Poland as conducted by Council of Europe’s human rights monitoring body European Commission against Racism and Intolerance (ECRI) and Committee on the Elimination of Racial Discrimination (CERD) which monitors implementation of the UN Convention on the Elimination of All Forms of Racial Discrimination by its State parties. The discussion is important for understanding racial intolerance in Poland and presents assessments of the counter checks and balances suggested by the international community towards preventing any derogation of minority rights. The chapter also delves with the country’s perception of anti-Semitism to give an understanding of how far Poland has achieved justice for its Jewish minorities.

According to Cohen (1999) construction of identity is a reciprocal process between cultural rights and privileges of the state – patterned, stabilized (for protection) and objectified. The institutionalisation of the system in form of monitoring provides specific opportunities for thought and action, for deeper understanding of the social construction of legality in the identity renewal process. Since the analysis of human rights can emphasise about congruent or incongruent patterns of opportunities when reinforcing traditions amidst ‘the pluralist

¹⁰² Poland is a marshy country where Jews live as thought by the French in 1939. Quoted in Milosz, Czeslaw (2004:7) *Second Space*, New York: Harper Collins Publishers.

character of the law,' (Moore in Fitzpatrick, 1998:222) practical advice on how to tackle problems of racism and intolerance in a country become paramount in a country.

6.1. Why monitor racial intolerance?

When a country actively seeks to correct past injustices, it needs to deploy institutions which can assume responsibility for democratic accountability. But while every country is a sovereign state an assessment from the international community provides a mechanism of counter-measures that the country should incorporate to eradicate racial intolerance and promote civil society dialogues. While most countries are monitored by the CERD, Poland being a member of the EU is also subjected to the monitoring reports from ECRI. Before I discuss CERD and ECRI reports on Poland, in this section I shall clarify the functions of either organisation in the context of racial intolerance monitoring.

Established by the Council of Europe in 1993 to prevent racism and intolerance, the ECRI is composed of independent experts, individuals of recognized merit in conducting activities against racism, xenophobia, anti-Semitism and intolerance in Europe. It analyses racial intolerance of the EU member states and presents its report. ECRI's action covers all measures necessary to counter the violence, discrimination and prejudice that individuals or groups may experience notably on grounds of race, colour, language, religion, nationality or national or ethnic origin. While this also remains true for CERD, it stresses this definitional understanding of intolerance to all racial and ethnic groups including indigenous peoples. Also unlike ECRI, CERD provides annual report thus offering a closer opportunity to monitor the country's progress.

The CoE Committee of Ministers granted ECRI an autonomous Statute, thereby consolidating its role as an independent human rights monitoring body. ECRI's main statutory activities include working on country-by-country monitoring, working on general themes of racial discrimination and forging relations with civil society. The ECRI examines the legal framework of each country for combating racism and suggests practical implementation, to assist victims of racism. It addresses the situation of vulnerable groups in specific policy areas (education, employment, housing) and the tone of political and public debate around issues relevant for these groups.

ECRI elaborates twelve General Policy Recommendations (GPRs) addressed to the governments of all member States. The GPRs provide detailed guidelines which policy-makers of the state are invited to use when drawing up national strategies and policies. Anti-Semitism features as a priority for the ECRI and according to GPR N° 2 it recommends organising "Specialised bodies" to combat such racism. According to GPR N° 4 it gives importance to national surveys and victims' perception of discrimination. Besides GPR N° 6 and GPR N° 9¹⁰³ feature caution against anti-Semitism:

□ General Policy Recommendation N° 6 on "Combating the dissemination of racist, xenophobic and antisemitic material via the Internet": This Recommendation requests governments to take the necessary measures, at national and international levels, to act effectively against the use of Internet for racist, xenophobic and anti-Semitic aims.

General Policy Recommendation N° 9 on "The fight against anti-Semitism" This Recommendation reflects ECRI's concern about the increase in the dissemination of anti-Semitic ideas and in acts of violence perpetrated against members of Jewish communities and

¹⁰³ www.coe.int/t/dghl/monitoring/ecri/default_en.asp

their institutions. It suggests legal and policy measures that States should undertake in a variety of areas, including criminal legislation, education and awareness-raising, research, and inter-religious dialogue.

In addition to this ECRI combats the use of racist, anti-Semitic and xenophobic elements in political discourse and in educational institutions. Most ECRI documents acknowledge that Jewish communities in Europe face anti-Semitism. It does not permit Anti-Semitic acts by neo-Nazi group or otherwise.

While human rights is an important rhetoric when it gets a universal construct it becomes too simplistic which overlooks the nature of social and perhaps legal recognition. As Donnelly (1989) argues “universality of human rights is a moral claim about the proper way to organise social and political relations in the contemporary world, not an historical or anthropological fact”. This claim denies the importance of historical legacies through which corrective justice derives its reasoning also at the same time challenges the idea of composite facts and human consciousness failing to work with the particular. Douzinas’ view of the bureaucratization of human rights (in Dembour, 2006:13) thus becomes important for resolving past wrongs.

In terms of the functioning process, ECRI’s reports are first transmitted in the form of draft texts to the member States concerned for a process of confidential dialogue and review with the national authorities of these countries. Upon agreement by government and the CoE Committee of Ministers, the report is made public, unless the government in question is expressly against its publication. The publication of ECRI’s country-by-country reports is an important stage in the development of an on-going and active dialogue between ECRI and the authorities in member States with a view to identifying solutions to the problems of racism

and intolerance which they face. The input of NGOs and other bodies or individuals active in this field is welcomed as a part of this process, and ensures that ECRI's contribution is as constructive and useful as possible.

In Poland coerciveness of the law from supra-structures in relation to other systems of regulation is a measure of cultural hybridity and makes intertwining results possible which contributes to the awareness of arranging dynamic of the rule over regulation. Such supra-counter strategies of racial monitoring prove regulation outside the law may co-create or even co-constitute the law despite internal resistance.

CERD is a human rights treaty designed to protect individuals and groups from discrimination based on race, whether the discrimination is intentional, or is the result of seemingly neutral policies. CERD is monitored by the Committee (an independent body of experts), which reviews regular reports of States parties (governments) on how the treaty is being implemented. Governments are expected to report initially one year after acceding to the Convention and then whenever the Committee requests (usually every four years). For the purposes of the thesis, it is important to note that CERD works on multiple discriminations like hate speech, including xenophobic and racist practices. CERD observes that: "differential treatment based on citizenship or immigration status will constitute discrimination if the criteria for such differentiation, judged in the light of the objectives and purposes of the Convention, are not applied pursuant to a legitimate aim, and are not proportional to the achievement of this aim." In the General Recommendation No. 30, the Committee also recommends that States parties adopt various measures to protect the rights of non-citizens

against discrimination in the law and practice¹⁰⁴ with particular reference to administration of justice; expulsion and deportation of non-citizens; and economic, social and cultural rights.

CERD Article 2 requires the State party to prohibit and stop racial discrimination by any persons, groups or organisations, without any distinction between public and private actors. Also it sets out State obligations under Article 2 (1) which prohibits any act or practice of racial discrimination; ensure that all public authorities and institutions do not engage in any act or practice of racial discrimination; not to sponsor, defend or support racial discrimination by any person or organisation; to review policies and to amend or nullify any laws and regulations which have the effect of creating or perpetuating racial discrimination. Thus through article 2 CERD stipulates the need to confer full and equal enjoyment of human rights and fundamental freedoms to both citizens and non-citizens.

With due regard to the principle embodied in the Universal Declaration of Human Rights CERD Article 4, which puts a limit on the excessive exercise of freedom of expression whereby dissemination of ideas based upon racial superiority or hatred is prohibited; any literature that can incite to racial discrimination needs to be banned; as well as prohibits assistance to racist activities, including their financing. However States obligations under this Article and respecting the freedom of expression and association is often blurred since States frequently resort to the idea that the argument of protecting the freedom of expression and maintains a noncompliance. As Dembour (2006:245) points out: “rights law can never be truly faithful to the philosophical concept of human rights”.

¹⁰⁴ CERD General Recommendation No. 30, para. 4

Law, as Fitzpatrick (1992) associates, is concerned with the bringing of order into a disordered situation for the purpose of universal progression yet the state law as well as the broader legal schemas do not recognise the narrative coherence of relational minority identity then as Krishnadas (2004:41) points out the need to influence ‘the very person’ from ‘state to the body’. Poland has indeed come a long way from radical journalism and minority action to underground protection of Jews in the 1970s starting with the Jewish flying university to adopting a secular way of learning (and confessing) about Jewishness but legally it has to work towards the discrimination of relational rights and is yet to tackle the question of generational divide.

Reflecting on religious programming Chief Rabbi Michael Schudrich¹⁰⁵ noted: “Our summer and winter camps in the mid-90s were a key source of getting people together to start talking on renewing their Jewish life in Poland – we struggled with the generational divide but as the camps were held away from city. This gave them safety and provided a place where they could come-out safely, openly to talk regarding their identity. It’s the release of the internal angst which is challenging but community building programmes, lectures, Sabbath, communal prayers discussions brings people closer. The fact that Beit Warszawa and Chabad has come is testament to the fact that we succeeded – of course people think us as a threat but I think we have succeeded”. While statement indeed holds institutional psychological support towards people wanting to confess or know more about their roots but such processes ultimately alienates the state as the public guarantor of rights for the people, especially minorities seeking retributive justice. The minorities or their institutions should be able to facilitate or capacitate amelioration without the fear of racial discrimination. Also the constitution of Poland doesn’t

¹⁰⁵ Interview taken by me at the Nożyk Synagogue, Warsaw, 2007

formally recognise any other sections besides the nine orthodox communities. This selectivity of rights recognition further clarifies Dembour's (2006:178-9) comment: "universalism cannot exist independently of particularism" and human rights law must strive to "accommodate the particular".

Douzinas (1998) argues that as human rights law arrives in modern nation states as a form of collective memory; law allocates the task of 'recalling the past' and 'constructing the future'. Douzinas appropriates the institutional conditions and the productivity of the rituals of official memory through institutional mediation — through the institutions of language, of the nation state and of liberal internationalism, which is applicable to Poland's Jewish minority amidst diasporic influences. The idea is captured well by Ruti Teitel (2000:139) in her description of the appeal to 'bounded change':

"Transitional jurisprudence's appeal is that it offers the closure that passage brings. But it does so at a cost. Every act of transition implies an ambivalent resolution. These liberal rites perform political passage by constructing discontinuities and continuity, destruction and reproduction, disappropriation and reappropriation, disavowal and avowal. These rituals attempt to relegate to the past the worst of this century, while also propounding a workable shared narrative for the future. By these practices, a line is drawn delineating the parameters of that collective memory to be preserved: what is to be remembered and what repressed; what is to be abandoned and what validated; what is to be rendered incontestable and what will remain controverted."

Drawing upon the above I assert the need for cultural rights to share a common or even specific parlance with the convention more importantly because of Europe's own transitional history since 1945 as Fitzpatrick (1992:149) points out that the dependence of the law with social plurality is of fundamental coherence which though 'integral' might be 'necessarily opposed'. While the oscillating debate between universalism and particularism is ubiquitous (Dembour, 2006; Krishnadas, 2007; Orford, 2006) ECRI suggests specifications of rights at various levels, especially for new members of EU, who are still caught up in constructing critical changes in power resolutions, status, and rights. Given the transitional history of East-Europe, the need for protection of minority identities and their political rights are to be emphasized. Unsurprisingly enough Dembour quotes Morvai (Dembour 2006:123): "the law of rule as opposed to the rule of law". Cultural understandings of rights principles and practices at supra-state level should offer opportunities for state organisation, political will and values, which surely has transformed in Europe. But since the progress has been rather slow it is important that racial intolerance is monitored regularly to keep the concept of rights giving alive so it leads towards emancipation. Both ECRI and CERD are osmosis of different judicially institutionalized structures which contribute to the dynamic processes of civic dialogues in society.

6.2. ECRI and CERD reports and responses

Merry (1992) and Messer (1993) suggest that field research provide coping rights strategies that also in-turn demonstrate the demise of rights under changing conditions which through risks and insecurity ultimately necessitates in the build-up of state capacity to assume responsibility. In this section, I shall sketch the fissures of inequity between

Poles and Jews through CERD and ECRI reports. Before I bring up the parallel syllogisms of racial discrimination from through CERD annual reports on Poland and associated recommendations from the European Commission against Racism and Intolerance (ECRI), it is important to present the contextual challenges of Polish-Jewish identity transitions since the forced expulsion of Jews in 1968. In the context of annual anti-racial discrimination reports on Poland's since the mid-90s a number of recommendations has been made for minority rights in terms of their political representation as well as social and cultural rights and their integration with the international law. The United Nations Convention on the Elimination of All Forms of Racial Discrimination (CERD) imposes duties on states to both create and implement legislation. The UN reports analysing implementation of the CERD standards are instructive and add an important dimension to the international norms on hate-crime legislation and crimes motivated by bias. Implementation of the convention is overseen by a UN Committee to which states must submit regular progress reports. The Committee considers and responds to these reports with recommendations for action.

Since 1994 annual CERD reports on Poland have reported about anti-Semitic symbols on public and private houses as well as on cemeteries and ruins of synagogues. Each report begins with praising the Polish government for imbibing a positive attitude towards national minority groups while it also notes that public opinion tends quite often to be “rather less positive”.¹⁰⁶ In parallel to this the ECRI report in 1997¹⁰⁷ reports anti-Semitic

¹⁰⁶ CERD/C/632CO/6: United Nations Committee on the Elimination of Racial Discrimination, *Poland*, 21 March 2003
¹⁰⁷ CCPR/C/POL/2004/5: United Nations Human Rights Committee, *Consideration of*

manifestations and feelings as a special problem in Poland and the existence of certain extremist groups which challenges the liberal understanding of rights and strategies for becoming an EU member state. It is interesting to note that ECRI reports from 1997 onwards put particular attention to the development of a consistent state policy on issues connected with racism and intolerance for a potential EU member. CERD reports are also concerned about reliable statistics concerning number of minority groups in Poland and their situation, including awareness-raising and promotion of positive attitudes regarding minority culture, language, and the historical legacy of national minorities which has helped to build the nation's history.

The United Nations Committee on the Elimination of Racial Discrimination (CERD) was critical of Poland's record on minority rights and racial discrimination when it reviewed the country's compliance with international standards in 1997. Among five principal subjects of concern, the UN committee noted that "...serious acts of violence relating to racial discrimination have taken place in the State party during the period under review, targeting especially Jews and Roma minorities". The CERD report was also critical of the legal framework in Poland with respect to censuring groups disseminating "ideas based on racial superiority or hatred".¹⁰⁸ In response to the CERD comment, Justice Minister Hanna Suchocka told a news conference on January 14 2004 that she believes the Polish law

reports submitted by States Parties under Article 40 of the Covenant: Fifth periodic report – Poland, 13 January 2004

¹⁰⁷ CRI (97) 59: Report on Poland, European Commission against Racism and Intolerance, Council of Europe, September 1997

CRI (96) 43: ECRI general policy recommendation n°1: Combating racism, xenophobia, antisemitism and intolerance, European Commission against Racism and Intolerance, Council of Europe, October 1996

¹⁰⁸ CERD/C/SR.1938, 11 August 2009 Seventy-fifth session

satisfactorily protects minorities against organisations that propagate racial hatred.¹⁰⁹ But the collective experiences of my interviewees or in fact the caution within the communes for building safety nets around new converts renders exactly an opposite undertone surrounding minority protection.

Prior to Poland's accession of becoming a EU member-state on 1st May 2004, Poland had to sign the European charter for regional or minority languages and ratify the framework convention for the protection of national minority which further pronounced the need for specific legislation concerning minorities and preparation of a draft law in the *Sejm* (Lower Chamber of the Polish Parliament). There was much controversy regarding the draft law which covers areas such as education and culture, and also deals with the right to use minority languages in dealings with the administration as well as the setting up of an office for national and ethnic minorities, which was eventually realized by 2005. The Polish authorities notified CERD that Article 6.1 of the Act on National and Ethnic Minorities and Regional Language prohibits discrimination against national and ethnic minorities. In Poland few specific and administrative law provisions exist to combat racism, anti-Semitism, xenophobia and intolerance. Therefore the ECRI and CERD reports suggest that the civil and administrative law adopt provisions to cover more explicitly field as expressions of discrimination and racism in the media and elsewhere for example employment or discrimination in selling of goods, renting houses etc. CERD¹¹⁰ reports have additionally emphasized the necessity of setting up an independent body at the

¹⁰⁹ Seventeenth to nineteenth periodic reports of Poland (CERD/C/POL/19; CERD/C/POL/Q/19; HRI/CORE/1/Add.25/Rev.2)

¹¹⁰ CERD/C/POL/19 14TH September 2009

national level with full competence including the right to intervene, in the field of minority groups and racial or ethnic problems. To combat anti-Semitism ECRI in 1997 suggests the decentralization of administration to each region (*voivodina*) to determine its own policy regarding protection of ethnic minorities which was reiterated by CERD report on Poland in 2000 “to stimulate interest in foreign cultures and to counter stereotypes also create educational provision for national minorities and the up keep of their linguistic identities”. While CERD reports clearly acknowledge the improvement of Catholic Church relations with the other communities.¹¹¹ It is interesting to note that catholic right wing media remains a huge concern in Poland. Despite the existence of relevant legislative provisions to combat right wing material, publication of racist and anti-Semitic material are widely obtained in press outlets. Prosecutions are rare, the only case cited is that of the prosecution of David Irving a historian who published a work denying the Holocaust.¹¹² Polish authorities were urged to take firm measures against the publication and dissemination of such racist material by CERD in 2004. As a member-state, ECRI in 2005 recommended Poland to “take measures, including where necessary legal measures, to combat racist organizations”.

Although in some cases the state took action, the reports keep featuring the names of *Radio Maryja* or the *Antik* bookstore which has overtly incited anti-Semitism for several years. ECRI¹¹³ notes publications which include the *Protocol of the Elders of Zion* and books overtly denying the Holocaust. The *Antik* bookstore, located in the basement of a church in

¹¹¹ Ibid. 29

¹¹² I attended Deborah Lippstadt lecture on Holocaust Denial at Beit Warszawa in August 2008.

¹¹³ European Commission against Racism and Intolerance, "Third Report on Poland," CRI(2005)25, December 17, 2004

Warsaw, sells anti-Semitic books and magazines. *Radio Maryja*, founded by a Catholic priest is well known for its intolerant and particularly anti-Semitic programmes despite several reprimands from the Catholic Church. Public manifestations of antisemitic expressions are uttered during football matches, where the word “Jews” is used as an insult against the opposite supporters. Another tool for spreading anti-Semitism is the internet, from websites based either in Poland or in other countries (Krajewski, 2005). ECRI reported concern over politicians of extreme-right or nationalistic parties such as the League for Polish Families (LPR, *Liga Polskich Rodzin*) or the National Rebirth of Poland (NOP, *Narodowe Odrodzenie Polski*) often resort to antisemitic speech.¹¹⁴

I interviewed Kostanty Gebert regarding his reflection on anti-Semitism in Poland, the context further serves as evidence to the political exploitation of the phenomena in addition to the CERD reports. Gebert observes, “Mainstream media has moved radically to the right *Rzeczpospolita*, which is the second biggest daily and the main competitor of my paper *Gazeta Wyborcza* has become an extreme right wing paper. We were center liberal, they were center conservative, today *Rzeczpospolita* is an extreme right wing paper *Dziennik* is also another right wing paper and Catholic *Radio Maryja* continues to be immensely influential. So suddenly *Gazeta Wyborcza* appears to be an extreme left publication because everyone else has moved so far right.” Gebert (2008) relates anti-Semitism in the 1990 presidential elections and the infamous Wałęsa political campaign. Where solidarity leader Lech Wałęsa ran a controversial campaign involving anti-Semitic rallies “with a promise of not taking Jews in government” and declarations to prove he was “hundred-percent a pole” at the same time, legal action was taken by the state for dissemination of

¹¹⁴ *Gazeta Wyborcza* news articles Feb 2004, April 2005

anti-Semitic leaflets. The rallies unquestionably drew revolting and critical replies from Adam Michnik and other *Gazeta Wyborcza* journalists. Gebert deduces his efforts to run such a campaign was for gaining votes and conciliatory as Wałęsa self-confessed the one could remain decent yet anti-Semitic in Poland. The measure was a means exploiting the feelings of some members of the Polish population by using anti-Semitic innuendo against his rival Mazowiecki in order to attract votes during electoral campaigns. Gebert notes (2008:79):“If prognosis were to be made solely on the basis of the (anti-Semitic) text, the future of Jews in Poland – and indeed of Polish democracy – would appear rather grim” but the idea that popularity towards presidency could be sought by such a measure explains why there is a predominance of right-wing media in Poland till today. It was ironic that in 1991 President Wałęsa gave a speech in the Israeli Knesset asking for forgiveness of wrongs committed against Jews in Poland. Historian and editor of *Polin*¹¹⁵, Antony Polonsky¹¹⁶ states: “I think there are two concepts of Polishness that goes back quite a long way – one is the historically multi-ethnic and multi-confessional character of Poland which wishes to integrate into the history and present day Poland some consciousness of this multiethnic and multiconfessional disposition, and this is also linked with a consciousness to Europe and Poland as being part of Europe. It is also linked in terms of the church which is an important institution in Poland. An “open church” which attempts to overcome clichés of defensiveness and moves outside, at the same time there is the ethno-nationalistic view of Poland, a view that Poland is threatened by Europe with the stress of Poles as being Catholic above all, and this view is linked with a very defensive

¹¹⁵ *Polin* is a book series published jointly by the Institute for Polish-Jewish studies in Oxford (an associate centre of the Oxford center for Postgraduate Hebrew Studies) and its sister organisation the American Association for Polish-Jewish Studies.

¹¹⁶ Polonsky Interview taken by me in London, 2008

attitude to the Polish past and the resistance to attempt to look more critically at the Polish past.” Despite Poland’s obligations under EU treaties and CERD recommendations, the enforcement of the legal provisions on racism and intolerance, awareness-raising among the general public as regards their rights and duties, and promotion of tolerance, lack of openness towards cultures and anti-Semitic feelings is notable. Małgosia (name changed), a reformed Jew who has been able to incorporate Jewish symbols in her life keeps the *mezuzah*¹¹⁷ not on the doorpost but inside the house as does Michał (name changed). This lurking fear of intolerance has been a common occurrence for some of my interviewees who have experienced anti-Semitic verbal responses at their workplace or on the street when they least expected.

Both CERD and ECRI records cases of racial hatred and contempt are relatively rarely brought before the courts¹¹⁸. From September 1998 to September 1999, six out of a total of thirty-six cases reported to the authorities reached the courts. One of these included extreme right wing activists setting-up of hundreds of crosses on the site of the former

¹¹⁷ The *Mezuzah* (meaning: doorpost) is a small case in which a small hand written scroll of parchment (called a *klaf*) is placed. The scroll contains the words of the “Shema Israel” (meaning: “Hear Israel”) (Deuteronomy 6:4-9) passage, in which God commands Jews to keep His words constantly in their minds and in their hearts. The scroll also contains another passage (Deuteronomy 11:13). The passages are written in Hebrew, and contain 22 lines of 713 painstakingly written letters. It symbolizes that God is always there.

¹¹⁸ For example: The Helsinki Foundation for Human Rights report submitted to CERD on 30 July 2009 mentioned that the head of Polish public television from December 2008 till September 2009 was headed by a former publisher of a racist newsletter called “Front” (its editorial line was the following: “We don’t tolerate cowards, snitches and Jews.”). His election as vice-president of the public television in 2006 was supported by the League of the Polish Families and the Law and Justice Party. From the beginning of his term as president of the public television, Piotr Farfał imposed his will steadily, purging the network of journalists and officials opposed to him and his nationalist line. He has also given prominence to eurosceptic views challenging the European Union, forcing a break in programming to broadcast an interview with Declan Ganley. Recently, he took one of Poland’s largest dailies (*Gazeta Wyborcza*) to court for calling him a “former neo-nazi.” In February, the court ruled against him, with the judge saying that Farfał was a public figure, “who should not be one because of the views he once expressed.” www.hfhr.org (accessed 19th Feb.2010)

convent in Auschwitz, after rumours that a big cross already there will be removed, as requested by Jewish organisations. Eventually the crosses were removed by the government but the big cross stays (Krajewski, 2005). ECRI recommended close monitoring the number of cases reported, and proposed action to be taken by state authorities by the setting-up of a system of data collection by ethnic origin. As such crimes can be prosecuted under articles 256 and 257 of the Penal Code which are aimed at countering anti-Semitism. Article 256 penalises anyone who promotes a fascist or other totalitarian system of state or incites to hatred on the basis of national, ethnic, racial or religious differences or for reason of lack of any religious denomination. Article 257 penalises anyone who publicly insults a group within the population or a particular person because of his national, ethnic, racial or religious differences or because of his lack of any religious denomination or who, for the same reasons, breaches the personal integrity of another individual.¹¹⁹ The Penal Code provides for a fine, restriction of liberty or imprisonment of up to two years for acts which falls within the ambit of Article 256 and up to three years' imprisonment for breaching Article 257. While such provisions are appropriate for prosecuting most of the instances of anti-Semitism the problem, CERD annual reports suspect it does not stem from a lack of criminal provisions which prohibit anti-Semitic statements but from the unsatisfactory implementation of such provisions on behalf of the state. ECRI reports an example, a report on the anti-Semitic material sold by the *Antik* bookstore was brought to the attention of the Prosecutor in 2002. In July 2003, the case was discontinued on the grounds that no anti-Semitism could be found in the

¹¹⁹ Criminal Code of Poland, Lexadin: The World Law Guide: www.era.int/domains/corpus-juris/public_pdf/polish_penal_code2.pdf. (accessed 12th November 2009)

submitted material. This decision was then upheld by the District Court. However, the Polish authorities informed ECRI that the National Prosecutor's Office has instructed the District Prosecutor in Warsaw to supplement his preliminary investigation with a view to possibly resuming the investigation. More generally, the implementation of Articles 256 and 257 suffers from a lack of awareness of the police and the prosecutors about what is to be considered as anti-Semitic and moreover about the social significance of anti-Semitic statements. ECRI reported that in 2003, the police made fourteen indictments and the courts delivered a guilty verdict in six cases on the grounds of Article 256. In the same year, with regard to Article 257, there were seventeen indictments by the police and eleven convictions by the courts. According to ECRI's Third Report, crimes committed in breach of these articles are rarely prosecuted. "[S]ome 28 to 30 cases have been brought under articles 118, 119¹²⁰, 256 and 257. According to the Ministry of Justice, in 2003, four cases were brought to court under article 119(1) (use of violence or threats) of the Criminal Code and one under 119(2) (incitement to violence or threats). All four cases resulted in convictions and imprisonment for the accused."

The prosecutors frequently use their right not to prosecute or to discontinue a case on the grounds that the anti-Semitic expression at stake has such a 'low social harm' that it does

¹²⁰ Article 118(1). Whoever, acting with an intent to destroy in full or in part, any ethnic, racial, political or religious group, or a group with a different perspective on life, commits homicide or causes a serious detriment to the health of a person belonging to such a group, shall be subject to the penalty of deprivation of liberty for a minimum term of 12 years, the penalty of deprivation of liberty for 25 years or the penalty of deprivation of liberty for life.

Article 119(1). Whoever uses violence or makes unlawful threats toward a group of persons or a particular individual because of their national, ethnic, political, or religious affiliation, or because of their lack of religious beliefs, shall be subject to the penalty of the deprivation of liberty for a term of between 3 months and 5 years.

not necessitate any further action. Another argument put forward by ECRI to justify the lack of prosecutions is freedom of expression, implying that people should be free to say and write anything they wish. However, while understanding the concerns over the risk of infringing upon the right to freedom of expression, ECRI recalls that the European Court of Human Rights may work with the State authorities to restrict the exercise of this freedom by taking criminal sanctions against the authors of racist and anti-Semitic acts. ECRI's General Policy Recommendation number 7 on national legislation to combat racism and racial discrimination, paragraph 3: "The constitution should provide that the exercise of freedom of expression, assembly and association may be restricted with a view to combating racism. Any such restrictions should be in conformity with the European Convention on Human Rights". ECRI like CERD reports have over the years urged Polish authorities to take the appropriate measures to ensure that legislation aimed at preventing and sanctioning anti-Semitism is effectively implemented by all officials involved at all levels of the criminal justice system. The Polish authorities indicated to ECRI that they have already taken a series of measures in order to strengthen the criminal prohibition of anti-Semitism and since May 2004 (which coincides with Poland's accession to the EU). CERD report (Dec'09) notes that from October 2009, the police would be trained in combating hate crimes, with the assistance of the Organization for Security and Co-operation in Europe (OSCE) Office for Democratic Institutions and Human Rights in Warsaw where prosecutors, judges and civil servants would also continue to receive training on counteracting racism and xenophobia. Reporting to CERD¹²¹ in 2009 a

¹²¹ UN Committee on the Elimination of Racial Discrimination (CERD), *Consideration of reports submitted by States parties under article 9 of the Convention: concluding observations of the Committee on the Elimination of Racial Discrimination: Poland*, 14 September 2009. CERD/C/POL/CO/19, available at: www.unhcr.org/refworld/docid/4acef1fb0.html [accessed 20 December 2009] Comments Adopted 24 Aug. 2009 after consideration of the consolidated 17th-19th reports of Poland ([CERD/C/POL/19](#)).

representative also informed that the number of cases of racially motivated offences and crimes brought to court had increased greatly since 2008, implying that there was greater public awareness of racism and the fight against racial discrimination. However according to Foundation for the preservation of Jewish Heritage (FODZ), there was 209 crimes of incitement to hatred recorded by OSCE out of which only 28 cases were persecuted.

From the aforementioned, it is intriguing that legal interpretation including extra-legal values constantly carves a sufficiently determinate and differentiated identity by process and by reworking actual social and historical materials as evidenced from the CERD reports and Gebert interview in this chapter. And legal review processes can transcend mere politics in their dynamic strivings to produce reconciliation for the self and the other through external relationships mandated from universally applicable norms enforcing corrective justice. For instance both CERD and ECRI reported the fact that following the Jan Gross' publication *Neighbors: The Destruction of the Jewish Community in Jedwabne, Poland*,¹²² on 10 July 2001, the Polish President publicly apologised for the 1941 Jedwabne massacre of Jews. Also the fact that every year, young Poles take an active part in the "March of the Living", an event honouring the memory of the Holocaust victims. ECRI in its third report especially notes that the Catholic Church in Poland has publicly condemned the anti-Semitic discourse of some Catholic priests; however, criticisms have

¹²² Polish version: *Sąsiedzi: Historia zagłady żydowskiego miasteczka Pogranicze* (2000) Published in Polish first by the Borderland foundation and subsequently translated in English, the book documents the 1941 wartime massacre of Jews by Poles in the town of Jedwabne, which set-off an anguished public debate in Poland. Following Polish Yad Vashem's (the National Institute of Remembrance) confirmation of Gross's findings, most Poles accepted the truth.

been expressed about the minimal impact of such stances. Some NGOs have asked that the Catholic Church take more dissuasive measures against their priests who do not respect the general condemnation of anti-Semitic discourse. These help in balance of power among political actors irrespective of their agendas of reconciliation, while also creating an opportunity to evaluate different medium of rights mobilisation. I see cultural rights as transitional and dynamic rite of passage which needs to be distributed too, for the purposes of equal protection, political opportunity and deployment of democratic processes of minorities. In response to CERD's¹²³ observation that election in Poland discriminates ethnic minorities as election law deals with political rights but there are no representation of ethnic minorities in the Polish Parliament, the Polish representative clarified that "ethnic parties were not banned but simply did not exist in Poland." But the question here is of creating the provision first and distributing equal political rights rather than of postponing the ethics of external political reconciliation. Rosenfeld (1992:191) opines that the separation of law from politics depends on law's embrace of forms and possibilities not always available in political relationships. He terms corrective justice as backward-looking and distributive justice as forward looking. While corrective justice seeks to reinscribe a disrupted past and overcome injustice(s) by present-day 'compensable' deliberation, distributive justice projects juridical present into the future as a remedy for fostering greater solidarity between state and the others. As Teitel (2000:137) notes that distributive reparations are important "operative acts that demarcate continuity of obligation" which is certainly constructive towards minority political identity. I argue that such political deliberations and monitoring helps towards political transformation, constructive role of

¹²³ CERD/C/SR.1939

redress of the minority recognition and progresses towards legal rehabilitation of rights whereby questions of justice between generations is renewed from domination to re-allocation as legal and political rhetoric is re-constituted.

ECRI in June 2010 (21) noted that on Feb 2007 the Supreme Court held a placard reading “We shall liberate Poland from (among others) Jews, which should have amounted to an offence under Article 256 of the Criminal code but it didn't.”¹²⁴ Although Article 10 of the European Convention on Human Rights (ECHR) related to the freedom of expression is considered still the general policy recommendation number 7 of ECRI prohibits such acts of racial discrimination. ECRI in its June 2010 report recommends that ethnic minority parties be treated the same way as “national” minority parties under the 2001 Law on elections to the Sejm of Poland.¹²⁵ This shows the capacity for political participation needs to be further created.

ECRI 2010(86) noted that the nature of secondary anti-Semitism evolving in Poland concerning a belief in Jewish conspiracy given the economic crisis as well as anti-Jewish propaganda in the Middle-East conflict.¹²⁶ While this is perhaps triggered more politically than racially Poland should actively endeavour to prohibit such comments. Unfortunately political parties because of votes tend to overlook these comments.

Another key transformation that rights review brings is the attempt to change linguistic vulnerability through awareness as rights reports reflect that a general atmosphere of anti-

¹²⁴ CRI (2010) 18

¹²⁵ CRI (2010) 18

¹²⁶ CRI (2010) 18

Semitic sentiments still pervades Polish society, finding its expression for example in published letters to the editors of newspapers or in the anti-Semitic concepts which are still sometimes employed in everyday language.¹²⁷ According to the Open Society report (2001) the Act on Broadcasting in the Polish constitution states that public programs should “respect the Christian value system, considering it as the basis of universal principles of ethics,” and apparently giving it preference over non-Christian cultures of minorities and others. The Act also calls upon private broadcasters to emphasise Christian values: “Broadcasts should honour the religious sensitivities of their audience, and especially respect the Christian value system.” The Act does not refer explicitly to minority languages in public media, and gives no rights to minorities in private media. By contrast, the Act specifies support for Polish minorities living abroad: “duties of the public broadcasting corporations should include in particular [...] producing and providing access to educational programs for Polish communities and Poles residing abroad.” This creates a de-differentiation of the law and calls for transformative change to consider rights distribution from domination to constructive equal protection.

Given the small integrated Jewish population in Poland compared to pre-World War II years, CERD reported various manifestations of anti-Semitic sentiments among the population which have led some observers to speak about the phenomenon of “Polish anti-Semitism without Jews” or a “virtual anti-Semitism” in Poland. ECRI recommends that

¹²⁷ SEM/IST(94)15 : Seminar on Racism and Anti-Semitism – Polish anti-Semitism or anti-Semitism in Poland, Stanislaw Krajewski (Council of Europe publication), December 1994

3. CRI (97) 36: ECRI general policy recommendation n°2: Specialised bodies to combating racism, xenophobia, anti-Semitism and intolerance at national level, European Commission against Racism and Intolerance, Council of Europe, June 1997

Poland ratify the Additional Protocol to the Convention on Cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems. Ruth Gruber in her rich journalistic documentation of first hand reports from Europe and informed analysis of archiving revival of things Jewish *Virtually Jewish* (2002:43) makes an interesting observation: “Tension between philo-Semitism and anti-Semitism still vividly colours present-day circumstances. As opinion polls, news reports, far-right political successes and skin-head demonstrations make clear; the embrace of Things Jewish by some in the non-Jewish population is paralleled by overt anti-Semitism manifested by others. Some, indeed, consider anti-Semitism and extreme philo-Semitism as ‘two sides of the same coin’.”

Following on the discussion of the state criminal code, while reporting to CERD¹²⁸ Polish representatives said an amendment to article 256 of the Criminal Code was planned to penalize Nazi propaganda websites. CERD noted that people tend to express their anti-Semitic sentiments during debates on particular subjects which include the massacre of Jews in the town of Jedwabne, north-eastern Poland during the Second World War, or the return of Jewish religious property. Additionally in 2006, hate-motivated crimes and incidents often took place during or after the participation of human-rights defenders in public events, marches, or demonstrations promoting tolerance and on 5 August, 2007 around 100 gravestones were desecrated in the Jewish cemetery of Częstochowa. The letters “SS”, swastikas, and the slogan “Jews out” were spray-painted on the gravestones. Furthermore CERD has reported since 1997 that sporting events especially football continues to be particularly prone to acts of intolerance of a racist, anti-Semitic, or

¹²⁸ CERD/C/SR.1939

xenophobic nature, these include, racist and anti-Semitic chanting; Nazi salutes; racist insults and discourse; and vicious hate-motivated physical assaults before, during, and after matches. In October 2009, the Polish Football Association incorporated anti-racism regulations issued by the International Federation of Association Football (FIFA), which laid down severe penalties for sports clubs that failed to act against racism in and around sport events. The rules provided, for example, for the suspension of games when supporters or players engaged in racist behaviour; football clubs that failed to abide by those rules might be disqualified from the corresponding league.¹²⁹

It should be underlined that the debate on the Middle East is also becoming an opportunity for people to express anti-Semitism which is ironic as 2008 was the year of Polish-Israeli dialogue. NGOs have drawn attention to the risk of a rapid deterioration of the climate of opinion if nothing is done to combat manifestations of anti-Semitism in Poland more effectively as it is demeaning for inter-state relations. Educative measures and awareness raising among the public is a positive aspect in the ECRI reports. For example, there is an annual competition organised in schools on the history and culture of the Polish Jewish community. A textbook on teaching the Holocaust has been published to serve as a tool for teachers wishing to address this subject with their pupils. Training seminars and study visits have been organised by the State in co-operation with the Jewish community to inform teachers about Jewish history. ECRI recommended to the state authorities to strengthen their efforts in introducing anti-racist education into the school curriculum at all levels and in an integrated manner, including content that builds awareness about anti-

¹²⁹ Seventeenth to nineteenth periodic reports of Poland (CERD/C/POL/Q/19; HRI/CORE/1/Add.25/Rev.2)

Semitism, Jewish history as well as about the positive contribution of Jewish persons, communities and culture to Polish society.¹³⁰ No doubt the Museum of the history of Polish Jews scheduled to open in Warsaw in November 2013 will help in this process. Poland submitted a report to ECRI in December 2012¹³¹ on the implementation of the Framework Convention for the protection of National minorities (FCMN) which lays emphasis on the steps taken by the country to protect cultural, educational and linguistic rights of minorities, which presents a hopeful picture of guaranteeing language rights to Jewish communities and preservation of Yiddish.

6.3. Overcoming the Anti-Semitic Image of Poland

ECRI published its third report on Poland for the time frame of 2000 to 2004. In its report, the ECRI recognized the Polish authorities' efforts in, preparing Programme for the Roma Community in Poland and the Programme for Countering Racial Discrimination, Xenophobia and Related Intolerance, but also indicated that vigilance and protection was an issue for the country. ECRI suggested that the Polish Police do not place enough emphasis on racially motivated offences and that cases of racial hatred are rarely the target of investigation and prosecution. The report mentioned the need to introduce a comprehensive body of antidiscrimination legislation and to create an immigrant integration policy. The ECRI laid importance on the discrimination and exclusion in

¹³⁰ CRI(2010)18 adopted on 28th April 2010 published 15th June 2010

¹³¹ ACFC/SR/III(2012)005

relation to both Jews and Romas, and indicated the existence of strong anti-Semitism in Poland.

The Commission found it disturbing that the word ‘Jew’ is sometimes used as a pejorative term at public events, for example at football games, against opponents, and is being encountered on offensive websites. It also expressed concern that some politicians of extreme-right or nationalistic parties, such as the *Liga Poiskich Rodzin* or the Narodowe Odrodzenie Polski (National Rebirth of Poland--NOP), seem to believe that resorting to anti-Semitic language will gain them support of voters. It acknowledged that there are laws in existence intended to combat anti-Semitism as well as other types of religious or racial intolerance and that the Polish authorities and some non-governmental organizations are attempting to combat anti-Semitism. However, it argued that the authorities needed to act with more determination. ECRI its 2010 (95) report expressed concerns over anti-Semitic comments made in programmes like “Holocaust industry” and “the brazen promotion of Jewish culture and point of view” of Radio Maryja. In recent years, the division within the Church between the more conservative and the more liberal elements, sometimes described as the ‘closed’ and ‘open’ Church has inhibited radical initiatives. Indeed, sections of the ‘closed’ Church, most notably periodicals such as *Niedziela* and the widely circulated *Nasz Dziennik* and Radio Maryja have sometimes expressed antisemitic views. At the same time the Episcopate Committee for Dialogue with Judaism has continued its activity and some efforts have been made to rein in the activities of Radio Maryja. The Church has also finally closed the *Antyk* bookshop in which antisemitic literature was being sold.

Public awareness has to be raised, police have to receive more training, and the public has to be made to understand that freedom of speech has its limits when human beings are singled out for abuse.¹³² In the years since the negotiated end of communism, three phenomena seem to be taking place—the gradual (perhaps very gradual) diminution of anti-Jewish hostility, the slow increase in the society of knowledge about Jews and the persistence of what seems to be an irreducible core (which may be as high as a quarter) of the population of people with determinedly anti-Semitic views. These phenomena can be seen if one compares public opinion surveys conducted by Demoskop on Jewish issues from 1991 and 1994-5.

Table 1: Do you think anti-Semitism in Poland is currently a very serious problem, somewhat of a problem, or not a problem at all?

	1994-51	1991
Very serious problem	18	10
Somewhat of a problem	49	29
Not a problem at all	23	24

¹³² The full report is available at: <www.jewish.org.pl/polskie/materialy/raportJecri_eng.pdf>

Table 2: Looking ahead over the next several years, will anti-Semitism increase greatly, increase somewhat, remain the same, decrease somewhat, decrease greatly?

	1994-1995	1991
Increase greatly	5	4
Increase somewhat	21	13
Remain the same	42	35
Decrease somewhat	10	11
Decrease greatly	3	5

Public opinion polls are not necessarily the best way of gauging opinion on complex subjects. A more sophisticated approach was taken in the project of Professors Kořta and Sędek of the Psychology Department of the University of Warsaw who are conducting research in collaboration with a number of American sociologists into Jewish stereotypes in Poland.¹³³ Their study is based on a quantitative approach, using surveys, while relating the questions asked to the more qualitative methods of analysis favoured by many Polish sociologists. Its general conclusions are not strikingly different from those of the large Demoskop survey described above. 55 per cent of the respondents held that anti-Semitism exists in Poland but that the problem is marginal. 15 per cent regarded hostility to the Jews in Poland as ‘serious’; 21.5 per cent felt unable to answer this question. 35 per cent felt that the Jews had too much influence in political life, 36 per cent in economic life and 21.5 per cent in the press, radio and

¹³³ For these studies, see M. Kořta, G. Sędek, ‘Struktura poznawcza stereotypu etnicznego’, *Kolokwia Psychologiczne*, 1992, 1 and Idem, ‘Psychospołeczne uwarunkowania stereotypów i uprzedzeń etnicznych. Supplement do PGSS; Projekt badawczy (Manuscript of the Institute for Social Studies of the University of Warsaw).

television. In relation to the last question, 32 per cent took the opposite view. When asked whether the respondent would vote for the President of Poland someone qualified for the job, but of Jewish origin, 20 per cent said 'yes', 15 per cent said it depended on the situation, while 54 per cent said 'no'. This figure was even higher for a German (64 per cent) or a Russian (69 per cent).

Where the project broke new ground is in its attempt to use survey techniques to test a number of hypotheses. The first of these is that hostility to Jews in Poland is rooted in the historical conflict between Christianity and Judaism and, more particularly in the persistence of Catholic-inspired anti-Jewish stereotypes, in spite of the changed position of the Catholic Church since the encyclical *Nostra Aetate* of 1964. Here, the researchers found that the element of religious hatred seems to be a minor factor in the holding of strongly hostile attitudes to the Jews. They concluded:

There is also no apparent relationship between animosity expressed towards or negative stereotypes of Jews, on the one hand, and the influence of the Church on the other. In addition, both pro- and anti-Jewish attitudes are as evenly distributed among clerics as through society in general.

The second hypothesis derives from the difference between the historical evolution of the Jewish community on the Polish lands. In Western and Central Europe (and to an even greater extent in the United States), the processes of civil emancipation, integration, acculturation and assimilation were by and large successful and led to the emergence of Englishmen, Frenchmen and even Germans of the Hebrew or Mosaic

faith. On the Polish lands for a large number of reasons, this process was not as far-reaching and from the 1880s, autonomist and national concepts of Jewish identity—Zionism, Bundism, Folkism came to dominate here. The researchers thus sought to investigate how far the Polish-Jewish antagonism can be understood in the same way as the conflict between the Poles and the other nations with whom they live side-by-side. The polling does seem to bear out the view that for many Poles, ‘negative stereotypes applied to Jews are legitimate in a situation of mutual rivalry.’ In other words, hostility is justified by the negative posture of the other side. Thus only 9 per cent of the respondents believed that throughout history Poles experienced ‘more good than bad’ at Jewish hands, 18 per cent opted for ‘more bad than good’ and 45 per cent held that Poles received ‘as much good as bad’. When the formulation was reversed, 38.5 per cent held that Jews experienced more good than bad at Polish hands, 7 per cent more bad than good and 37 per cent as much good as bad. These figures are generally consistent with those resulting from asking parallel questions about Germans, Russians and Ukrainians. In all these cases, the majority opinion was that the Poles had behaved better to these peoples than they had behaved to Poles.

Hostility to foreigners is also at the root of some other attitudes. 68.5 per cent of respondents held that ‘Poland should be mainly Polish, not like the West and not like the East’. Only 22 per cent held that ‘Poland should become a country like other countries in Western Europe’. Thus it is not surprising that only 38 per cent accepted the idea that Jews should buy factories in Poland, a figure which rose to 42 per cent in

the case of Germans and 52 per cent for Americans. Even lower figures accepted the purchase of land and here the three groups have very similar scores.

This view of the relations of Poles and Jews as an interaction between two nations with potentially hostile interests also affects attitudes to Polish behaviour during the Second World War. Thus 68 per cent of respondents held that Poles have no reason for feeling guilty about their behaviour towards Jews during the war. 57 per cent held that Poles did as much as they could to help Jews at this time and only 45 per cent felt that more Jews could have been rescued in Poland. 21 per cent did feel that more Jews could have been saved, although they did not feel this was a matter for feeling guilty about, while only 12 per cent took the view that Poles should have done more to help Jews. This view was held mostly by older people, among whom the view was also strongly expressed that Poles have been unjustly criticised for not helping Jews.

It is clear that a great deal has still to be done to dispel anti-Semitic and xenophobic stereotypes in Poland. One important development is the increased commitment of the Church to taking a stand against the manifestation of such attitudes. An important development here was the pastoral letter of the Polish Bishops of 20 January 1991.¹³⁴ This was the first unequivocal condemnation by the hierarchy of anti-Semitism, and it was read in every one of the 20,000 parishes in Poland. Many Poles, according to the Bishops' letter, saved Jewish lives during the war and they go on to rehearse the number of Polish trees in the Avenue of the Righteous in the Yad Vashem. But they go on:

¹³⁴ Gazeta Wyborcza 26 January 1990.

Despite such a large number of examples of heroic assistance on the part of Christian Poles, there were also people who remained indifferent to that inconceivable tragedy. We particularly suffer because of those Catholics who were in any way instrumental in causing the death of Jews, they will forever remain a pang of conscience for us, also in the social dimension. If there was only one Christian who could have helped a Jew in danger but he did not give him a helping hand or had a share in his death, we must ask our Jewish brothers and sisters for forgiveness. We are aware that many of our compatriots still nurse in their memory the harm and injustice inflicted by post-war communist rule, in which people of Jewish origin participated as well. But we must admit that the source of inspiration for their actions cannot be seen in their Jewish origin or in their religion but came from the communist ideology from which Jews too suffered much injustice. We also express our sincere regret at all cases of anti-Semitism that have occurred on Polish soil. We do this because we are deeply convinced that all signs of anti-Semitism are contrary to the spirit of the gospel and as Pope John Paul II has recently underlined, will remain totally contrary to the Christian vision of human dignity.

6.4 Concluding Remarks

Through the ECRI and CERD reports I showed the role of the external recommendations for the protection of minority rights in Poland. I have included responses from experts in the field. I have also given an account of public opinion related to anti-Semitism in Poland.

I read all these as measures for corrective justice. As corrective justice integrates the injustice and its rectification the remedy though slow happens continuously ultimately bringing civil recourse where wrong and remedy are distinct. Though corrective justice can be relational if followed through times it can eventually guarantee self-determining freedom in minority citizenship. Also, corrective justice eventually becomes reflective about the fundamental freedoms, rights and duties which make political appropriation of the law possible when reinstating minority recognition in a state.

Chapter 7 Way Forward: The Individual in the Collective

“The borderland deprives the border itself of the ruthlessness inherent in a thin line that slices through open space and divides it, while at the same time rendering everything in its immediate vicinity barren.

Anyone who lives in a border zone thinks more about crossing it than about going back home.”

- Krzysztof Czyżewski
The path of the borderland, Sejny 2001: 45

As discussed in earlier in the thesis, with reference to Said’s (2001) analysis of *Freud and the Non-European*, the renewal of identity reiterates the learning from periphery to centre; from outside in, from monotheism to cosmotheism. I argue that reclamation of any form of Jewishness¹³⁵ post-1989, that is, after *solidarność* or the solidarity movement¹³⁶, is an autonomous ‘cosmopolitan’ renewal of an already existing controversial minoritarian identity. This complex identity “suffers” a continuous exclusion and inclusion, in and outside the Polish and Polish-Jewish communities in Poland. In the chapter, I explore the hybridity of Polish-Jewish identities who stand at the intersections of cultural practices and their renewed selves – an assimilation which makes a way for the “civic world” to not only legitimately condition cosmopolitan communities but also create external relationships for the state. The key intent of the chapter is to analyse the possibilities of defining the autonomous cosmopolitical identity renewal as a form of self-definition of Polish-Jewish belonging. As I explore Jewish ethnicity and identity in contemporary Poland with specific reference to ‘returning Jews’ as potential

¹³⁵ With the exception of one Chabad community in Warsaw struggling to make its presence, the most prominent Ashkenazi Jewish ascriptions in contemporary Poland are Orthodox (nine in number) and Beit Warszawa a Progressive community based in Warsaw, also trying to work in Częstochowa, Kraków and Gdansk the synagogue founded in 1999 is now a member of the World Union for Progressive Judaism and currently has more than 300 members.

¹³⁶ Solidarity was a pre-eminently national movement, reclaiming “national values”, exploring prospects for greater national independence. Yet simultaneously, Poles discovered the values of pluralism and openness. It was a revolt against communist uniformity which clashed with traditional nationalistic attitudes, xenophobia and anti-Semitism.

cosmopolitans, I will first deduce my perception of this autonomous renewal of identity. In order to engage with Kant's interpretation of cosmopolitanism, it is worth elucidating on the word cosmopolitanism – an etymological offshoot of the Greek term *kosmopolitês* meaning the 'citizen of the world' which represents a cultural humanism that transcends regional particularities and local constraints. Kant's "universal cosmopolitan existence" refers to "the regulative idea of a perfect civil union of mankind"¹³⁷ where individuals and states co-exist on the basis of mutual influences from one or more external relationships. For Kant, such a culture is possible on material conditions, he argued that such a community already existed in International commerce where the universal culture comprised a constant interaction of the fine arts and sciences. Kant writes about *allgemeiner Volkerstaat* signifying a universal federal state with shared human interests and democratic values, where the moral principles are more important over the nation-state.

Conversely to the carefully sought above notion, Kant in his anthropological writings read Judaism as a kind of politics and argued that Judaism is a religion without religion, meaning Jews as a community were too involved with material conditions in life thus incapable of partaking in idealist missions in society. Kant represented the Jew as an embodiment of heteronomy, one who represents autonomous reason only for a sense of the material.¹³⁸ In his *Anthropology from a pragmatic point of view* (1798) Kant labelled the Jews as "Palestinians who live among us" a complete exclusion from his "universal" philosophy. He positioned the Jews as a group that chose to be heteronymous due to material inclinations posited for the

¹³⁷ Kant, Immanuel "Idea for a Universal History with a cosmopolitan purpose", in *Political Writings*, ed. Hans Reiss, Cambridge University Press, 1991, p.51.

¹³⁸ Mack, Michael *German Idealism and the Jew: The inner anti-Semitism of philosophy and the German Jewish Responses*, University of Chicago Press, 2003.

“goods of the world” (*Güte dieser Welt*).¹³⁹ Kant depicted that the Jews could never follow transcendental freedom as they were essentially materialistic and an empirical obstacle to the rational order.¹⁴⁰ Though the idea is accusatory and negative, inadvertently on constructive lines it also suggests that this constant interaction with the material gave rise to a loss of differentiation between the *mine and yours*, a loss of self in communal obligation – a crucial point for understanding the psyche of the cosmopolite. By the loss of self I do not mean a denial or disengagement, in turn I mean an adaptability to transact with the foreign bearing a prismatic quality in the interchange. This is to say that the formation of the cosmopolitical isn’t just a fractious collection of sovereign cultural identities, but in turn it diffuses sovereignty, nationalism and individualism alike into new forms of social and political engagement and co-existence. It is an occurrence when the “‘the universal’ much like the law as seen in the previous chapter, fails to agree with or include the individual and the claim of universality itself ignores the ‘rights’ of the individual.”¹⁴¹

The cosmopolitan is critiqued to be in a privileged position that provokes a threat of unmaking the national. But as opposed to the complex façade of belonging everywhere and nowhere can the ruthlessness of the inheritance of loss be ignored? Caught between universalistic aspiration

¹³⁹ Kant speaks about the Jewish mind being completely inundated with material sensibility. He writes, “da aber die Gemüter der Untertanen in derselben [i.e., in der jüdischen Theokratie] für keine andere Triebfedern, als die Güter dieser Welt, gestimmt bleiben, und sie also auch nicht anders als durch Belohnung und Strafen in diesem Leben regiert sein wollten, dafür aber auch keiner andern Gesetze fähig waren, als solcher, welche teils lästige Zeremonien und Gebräuche auferlegten,...wobei das Innere der moralischen Gesinnung gar nicht in Betrachtung kam: so tat diese Ordnung dem Reiche der Finsternis keinen wesentlichen Abbruch, sondern diente nur dazu, um das unauslöschliche Recht des erstern Eigentümers immer in Andenken zu erhalten.” Kant, *Schriften zur Ethik und Religionsphilosophie*, 2:735

[Brief translation: ... since the minds of the subjects in it (i.e. the Jewish theocracy) are oriented to the goods of this world, they should not be ruled any differently than by reward and discipline, also as they would have different laws than the world, which entail annoying ceremonies and rituals, .in which the inner moral ethos does not come into consideration: in doing so this law did not only not harm and darken the kingdom of the rights of others but rather (only) helped to maintain the memory of the ineffaceable law of the first owners.]

¹⁴⁰ Ibid 14.

¹⁴¹ Butler, Judith *Giving an account of oneself*, Fordham University Press, New York, 2005, p.5.

and particularistic realization, the cosmopolitical¹⁴² is not about detachment, but a constant self-situated synergy affected through the understanding and clarity over a range of socio-political and historical contexts in transition, often accompanied with migration and violence. The cosmopolitical self is driven by a moral urge over the contested political value or cultural norm. In the context of my research of Jewish identity formation, the cosmopolitical is a voluntary position that privileges choice over chance, where the cultural gets carried over to be the political through multiple global-local constituents, it is about coming to terms with the history of the present through consciously overcoming the brutal memory of history, scattered all over Poland. The active promotion of things Jewish by the American Jewish Joint Distribution committee and the relations between Poland and the state of Israel evidences the aspiration of filling the impossible void with a complacent¹⁴³ alterity, resituating a pleasure in the difference for the other, through the other.

7.1 Many ways of being Jewish in Poland today

I would like to begin with a biblical analogy from the Book of Esther - Esther became King Ahasuerus's queen but did not tell him that she was Jewish. When under the influence of his advisor Haman, Ahasuerus decided to kill all Jews in his realm Esther revealed her identity to him. From this little narrative one can assume that identity is a debatable, mutable and certainly porous fact (Bauman, 2004, Stratton, 2006). The need for searching one's roots and belonging then publicly acknowledging it without hesitation fear or guilt is a shift one can

¹⁴² Cheah, Pheng and Robbins, Bruce (Eds.) *Cosmopolitics: Thinking and Feeling Beyond the Nation*, Cultural Politics, Volume 14, University of Minnesota Press, 1998.

¹⁴³ It's complacent because most of my interviewees in this chapter express contentment over their newly adopted identity.

argue from uncertainty to certainty of the self. But how the rediscovered self will now obtain a response from the society by the virtue of his or her public acknowledgement lies in the perception and will of the others. Particularly if the identity has had a dark or controversial past the rediscovery sometimes can be painful, sometimes can be liberating depending on the context. What Poland experiences today is triggered by many decades of repression, people's need for community and belonging, emancipation from fear of being the other at home and of course understanding the home and diaspora relation – the home relations get a bit extended by the self-confession of being Jewish (Stratton, 2006; Lambert, 2008).

Being Jewish rediscovering once roots are a cultural understanding of identity difference underscored with a racio-cultural essence. Jewishness here over-determined and it comes with the idea of displaced belonging. Also, the problem of home takes another extended step by the virtue of being Jewish since one starts to historicise diaspora (Stratton, 2008) as the cultural prism has been worked into the understanding and legitimation of Israel. The discourse of ethnicity and assimilation takes a new multicultural meaning and the transmogrification of exile or *galut* in the Zionist ideology operates in complex negotiation with various Jewish understandings.

Being Jewish in Poland in my field experience could be triggered by one or many of the above mentioned approaches but most commonly it begins with assimilation where one learns about history in either personal way through family or stumbles across influences that convinces one to take the decision. Last but not least being within an organisation and collective memory also triggers a way of being Jewish where one learns to idolise 'the other' and finally succumbs to be one. Common to all of the above circumstances is the anxiety of coping with the new identity and expecting reactions from people (Gebert, 2004) – not knowing the

reactions whether positive or negative also adds to the factor and here an engagement with a community helps. All of my interviewees are affiliated to Jewish orthodox or reformed or secular organisations, is a proof that even de-centred belonging (Said 2001) needs ascription. The project analyses continuities of discontinuity, reconciliations and transformations between life-practices and life-styles¹⁴⁴ that are mutually exclusive.¹⁴⁵ This exclusivity has many perspectives – it can be Polish-Jewish, various divides in the Jewishness that might restrict Polishness. I argue that historical narratives when rearranged and merged with new political, economic and legal strategies in a nation, gives rise to a complex mix of local, regional and transnational exchanges that mutually co-construct the renewal of minority identities (with a history of persecution and subordination), sometimes even autonomously – i.e., without institutional or organizational affiliations. I assert this shift in identities as cosmopolitical. In the next section I give a typological assessment to my interviewees based on their belonging and Polish Jewishness.

7.2. A Polish-Jewish Typology and the Collected Life Stories

The older generations I think resonates with Feldman’s loaded question: “Was modernity good for Jews?” (Feldman in Cheyette and Marcus, 1998) The excessive monolithic categorization of modernity, limited cultural choice and added economic conditions hindered the material and cultural progress of acceptance as well as emancipation towards identity. The inhospitable climate for particularity and difference created a political exclusion for the old generation which got subsumed in the fatuity of assimilation (Feldman, 1998:174). That is not to say that

¹⁴⁴ Being a Jew in any form (reform, orthodox or any other) comes with adaptation of various daily habits including dietary, clothing, appearance, saying prayers, observing rituals for key days in the week, festivals and setting the household.

¹⁴⁵ Barbero, Martin Communication, Culture and Hegemony: From the Media to Mediations. London and Newbury Park, CA: Sage p.188

the younger are not. According to my research findings, the third generation of ‘returning’ Jews –who belong to a differing difference of the already divided-self, have travelling stories to tell about their readjustment and renewed life in Poland. It is what might be termed as cognitive cosmopolitanism. For them dissimilation does not mean rejecting Polishness; it means a conscious re-engagement with their Yiddish/Jewish heritage but this time through the diasporic others, opening the possibility of a complex reinvention of a “positive” Jewishness and revival of Judaism, a renewal at times even (dis)associative of the past. The new Jewish identities, while not entirely estranged to the existing majority, form a minority sub-group, distinct in their approach to life.

What I extract from most of my interviewees with rekindled identity is that the recollection of what’s left behind - be it repressed memory, exilic-consciousness both politically and socially after 1989 cannot all be reduced to any simple reconciliation. I am aware that it consequential overlaps of circumstances that made each of their journeys special and hold no prejudice to their identitarian engagement and knowledge construction. While I interpret the hybrid, lived experiences of my interlocutors; intersubjectively this is accompanied by a consciousness of my multicultural self. For me hybridity is indeed a gradual systemic construction (Kraidy, 2002) and not a contradiction of identity. It might be difficult to grasp because of its versatility but readily thinking of it, living with the deep awareness of multiple cultures and languages or even multiple modes of life is really quotidian life thought and understanding conditioned to adapt to circumstances – an extract of daily acquaintance with social inquiry. The other in me works as an intersubjective objective entrée to my subjects, as Butler affirms: “I find that my very formation implicates the other in me that my own foreignness to myself is, paradoxically, the source of my ethical connection with others.” (Butler, 2005:84)

I divide my interviewees into Orthodox Jews, Progressive Jews and Jews who are just ‘culturally curious’ with little or no religious affiliation. An interesting sub-category of the Progressive Jews is the Polish-Polish-Jews, i.e. the Poles who are non-Jews now converted to Judaism through the Beth Din. I shall now link the field narratives to this interpretative account unavoidable while “writing cultures” (Hastrup, Elsass, Grillo, Mathiesen, Paine, 1990, 301-311). The Orthodox Jews are observant and religious members belonging to orthodox congregations. Here are some of their stories:

Vice-director of the Jewish education program of the Lauder Morasha and member of Nożyk Synagogue, Piotr Kowalik’s¹⁴⁶ Jewish name is adopted his Jewish name *Zuriel* following conversion. Alongside this he teaches Jewish history and culture in Poland. Piotr realised while in his native town of Wrocław that the Jewish group he associated with was becoming increasingly marginal: “it was unsafe so we had to move underground but I was determined to keep my faith.” As it is often argued that Jewish solidarity is time and again dependent on adversity (Susser in Wettstein, 2002:230), Piotr’s conviction to engage in Orthodox revival appears almost as a reflection of confidence mixed with influence as he moved to Warsaw in 1994 to work with the Lauder foundation, where he could build-up his vocation as a teacher of Jewish culture and administrator while simultaneously preserve a Jewish way of life. “Most of my family, including my brother has left Poland but it is my home and I committed not just to being Jewish but as much as Polish-Jewish”. It is true that without inner positive motivation transformation or for that matter any commitment is impossible. “I am not assimilated”, Piotr vouches – “I do not believe in having a lapsed Jewish sensibility, that doesn’t make me narrow minded, it puts me spiritually and religiously together”.

¹⁴⁶ Interview taken by me at the Nożyk Synagogue, August 2007

Ethyl Syzc a primary school teacher of drama, arts and crafts at the Lauder Morasha in Warsaw, is a practicing orthodox Jew who never gave up her identity in the post-war years. “I have a long Jewish nose (she laughs) – no one would take me as a Pole, it has some advantages as I got to play a small part in Spielberg’s Schindler’s List.” Ethyl’s family chose to stay in Poland despite the purges of ’68. “I love Yiddish theatre, it is a part of who I am, I have never stopped coming to Nożyk (Synagogue) since it was re-instated. And when Lauder Morasha was organised I was one of the first people who joined in.” Ethyl shared how her family went in hiding for a while in the sixties for the fear of anti-Jewish prejudices, which were very common all over Poland. “My parents subscribed to *Folks-Sztyme*¹⁴⁷ and we continued our creative endeavours despite anti-Semitic pressures. I learnt through my parents how to embrace my Jewish identity and to never give it up. Having said that I am certainly equally Polish as I am Jewish, Warsaw is my home and I am a part of this community.” After observing her class, I asked Ethyl how far the school curriculum involves Halakhic education: “The philosophy of the education is entirely based on it, but of course we incorporate creativity in performance which is obvious as you see all around you with the symbols.” With all Jewish crafts made by the children around me, there was a feeling of liveliness and perhaps a promise for the generation studying here that they will be able to pursue their life-choices more openly than their teacher.

Krajewski (2005) notes that following initial Solidarność movement in the mid-80s the liberalisation of identities gained impetus, including women’s rights were institutionalised in orthodox communities. But Malgosia (name changed) was a member of orthodox commune

¹⁴⁷ Founded in 1946 *Folks-Sztyme*, was a literary magazine, which was published with the help of foreign Jewish organisations and the state Jewish theatre from 1950. With only fifty-two percent adult Jews employed Jewish periodicals were printed and the theatre continued to function despite threats from the Soviets. (Tych, Feliks “The policy of the communist authorities towards the Jews in post-war Poland” in *Midrasz*, Special English edition 2007:37)

for ten years before joining Beit Warszawa in 2007. She has an aristocratic background; her mother was Jewish which she realised when she was fifteen. Malgosia grew up with Yiddish songs, stories and culture. “My mother opened my mind to things Jewish, right from the beginning only on the condition that I would never take it outside the house.” She got divorced as the family she married was deeply anti-Semitic and would not tolerate her “deviant” cultural idiosyncrasies. “I went to Nożyk, engaged with the services but ultimately chose Beit because of the freedom it gives to women practicing the religion. I personally found the orthodox way very restrictive. It was tough as I started losing contact with friends who “found-out” I was Jewish. In the late 1980s – Polish people are afraid of Jews. The family I was married checked official books and preferring not to own a land or any property with me because of my origin.” However today in Beit Warszawa she feels she has a new learning experience. “I have renewed my life and the shared knowledge I gain here has helped me to rebuild my understanding towards religiosity and assumptions surrounding my own Jewishness.” Though Malgosia is a part of a reformed Jewish organisation, I found her Jewish life-knowledge to be an observant orthodox hence I put her in this category.

The Progressive Jews are observant religious members who belong to reformed congregations. In writing about forms of Jewishness of my interviewees I seek to bring together the various parts of their perceptions learned through history and lived through their present. Amidst fears, anxieties of acceptance their zeal to reconnect it with the families and communities is laudable. The openness with which they attempt at normalizing attitudes, towards Jewish integration into Polish society and the Jewish contribution to Polish culture has been riveting and progressive. While articulating the poetics of meaning construction and this politics of consent formation, through my interviewee verbatim I examine the revival or renewal of Polish-Jewish identity as

a process that is simultaneously assimilationist and subversive, restrictive and liberating. For example, despite being progressive many ‘new’ Jews fear or avoid wearing the Kippa in public clarifying Derrida’s notion of the ‘constitutive outside’ which refers to predominance of the long drawn perceptions and hence sees identities as relational and ‘irredeemably destabilized from its exterior.’¹⁴⁸

Kamil, a sales manager by profession shares his journey towards his Jewishness. He was baptized at the age of five and grew up in a Catholic community. Kamil learnt that he was Jewish in his age of twenty-three from his mother, most of his family moved out of Poland following the expulsion of Jews in 1969. “My parents kept the family secret away for a while – but we are a family of people interested in arts and cultures so it could not be kept away from us long.” Belonging to a family of intellectuals Kamil did not wish to be religious but nonetheless chanced to come to Beit Warszawa and after listening to their cultural programs started frequenting the organisation. While he has not converted his faith he regularly attends the *Mishnah* and the *Torah* study sessions, while also learning Hebrew. “Jewishness for me is a political act, I am Jewish and feel very much at home with the congregation here, but the communist legacy in my family is too strong for me convert to any religious practice.”

Kamil¹⁴⁹ is careful about racial intolerance which convinced him not to wear the *kippah* (male skull cap) in public – “I was surprised when I received verbal abuse on the street pointing a gesture at my *kippah*, hearing horror stories is very different until something irrespective of the intensity happens to you.” Kamil’s journey of getting to know that he is Jewish has been a validation of the classic Sartrean thesis that anti-Semitism creates Jews. “I was travelling with my mother and we passed a wall full of anti-Semitic graffiti – on returning home I joked about

¹⁴⁸ Derrida, Jacques. “Interpretations at War: Kant, the Jew and the German,” in *The Act of Religion* Ed. Gil Anidjar, New York: Routledge 2002

¹⁴⁹ Interview taken by me in Warsaw, August, 2007

it to my brother on the dinner table, my mother cried out aloud saying that she could not keep it anymore from us – she said that we should not behave in such a mocking way as we are Jews. I was 20 years old then, we both brothers were dumbfounded. My brother is not religious but is culturally curious I would say but the more I got to know about Judaism and bonded with the community I felt a deeper connection.” Kamil converted to Judaism through the Beth Din in 2006 and said he is happy to have confronted reality rather than staying in denial. But herein lies a generation gap as the Polish anthropologist, Małgorzata Melchior (2001) show how the contestations of authenticity in the generational divides led to the formation of positive and negative types of Jewish identity. While Kamil is willing to embrace his Jewish identity today his mother still feels reluctant to embrace her identity for the fear of social disapproval.

The contextual freedom that Judaism as a religion offers comes out through my interviewee comments, also the inclinations towards their respective religious orientations, rationales and authorities play a determinative role in their lives and their affiliated institutions. Indeed the privileging or marginalisation of one faction of Jewish construct over another implies effective distinctions between social domain and collective determination behind each identity renewal. Additionally, distinguishing between Jewish religious forms as a differentiated institutional domain with a marked “constitutional privileging” appears to be another level where reconstructed identities get excluded.

For the ‘new’ Jews of Poland it is about how they want to perceive their own heritage. An important factor for most Jews in Poland today is the fact that they are Poles, they are culturally assimilated and Polishness in them is very strong. One of my interviewees, Małgorzata (Gosia) Szymańska who presented a dissertation in the School of Jewish

Communal Service of the Hebrew Union College-Jewish Institute of Religion, California towards obtaining her Master's Degree in Jewish Communal Service in May 2006 writes, "For me, Poland is home. Poland is my family, my childhood, my favorite poems and films in Polish. It is hiking in the Tatra Mountains, sailing in the Mazury region. It is my high school in Łódź. It is Warsaw, with its cafes, theaters, and friends. Coming to America and sharing my story with people here made me confront my Poland with their image of Poland. My first reflex was always to defend my country, but I have grown to understand and respect the negative feelings and reactions. Simultaneously, I began to tell people about the Jewish revival in Poland, about hundreds of young Polish Jews who are returning to their roots, about Jewish book fairs, festivals and Jewish studies departments."¹⁵⁰ Having completed a double Master's program in Jewish Communal Service at the Hebrew Union College and Jewish Institute of Religion and Public Administration at University of Southern California in 2006 Małgorzata (Gosia) Szymańska is working as Beit Warszawa's first full-time administrator and Executive Director. For her Judaism means "people hood", belonging to community and Jewish values are moral values. "My position is certainly non-halakhic, I am Jewish and feel very much, I am attached to Israel, visit there once every year. I have chosen to return to Judaism but remain reformed I do not want to convert officially through Beth Din¹⁵¹ and don't feel the need to do so to secure my Jewish identity."¹⁵²

Gosia adds: "despite all the studying and work I'm doing, my father feels revival of Judaism in Poland is quite impossible." Gosia learnt she is Jewish from her father at the age of twelve, her mother is Polish-Catholic and her grandparents rejected communism. "My father was

¹⁵⁰ Szymańska, Małgorzata *Even newer Jews - members of Beit Warszawa, the home of Warsaw's progressive Jews*, Master's dissertation, School of Jewish Communal Service of the Hebrew Union College-Jewish Institute of Religion, California p 1.

¹⁵¹ Conversion through the rabbinical court.

¹⁵² Interview taken on 15th August 2007, Ulica Nowy Świat (Polish for "New World Street"), Warsaw.

always interested about any news from Israel so it was a curiosity that led to probing and that revealed my roots...when I spoke with the Israelis who came for the March of the living I got inspired.” She first visited Israel at the age of 17years, shown by a Jewish agency how important Israel means for the people of her age and since then she got interested in Jewish Culture and philosophy. Gosia’s Jewishness is voluntary and shows conscious cosmopolitical commitment which reinforces the Jewish notion of belonging beyond the nation-state, hence requiring intracommunal autonomy. Her choice of staying a reformed Jew morally and intellectually is shaped due to a range of external factors is often contested and challenged. She thinks her own understanding puts her in a mixed “weird” position; she feels closer to the American Jews, has a distinct American accent with a Polish ‘cz’ palatal variant coming out from time to time. But in spite all, the generational divides as pointed by Melchior still remain, “despite all the studying and work I’m doing, my father feels revival of Judaism in Poland is quite impossible.” I wasn’t the first person to interview Gosia, she was first interviewed by the French ethnographer Marius Gudonis who concluded her Jewish identity was the weakest amongst all his interviewees and could easily pass “as simple consciousness” (2001) today her strong intellectual capacity to defend her identity is indeed quite contrary to Gudonis’ inference. Today Gosia has a transnational career in Warsaw and Los Angeles California of working as a Jewish community professional as is active in organising civil society meetings regarding renewing Jewishness and Jewish culture, an analogy can be drawn here with the Jewish exilic paradigm of an autonomous community within the gentile state, which harbours emancipation through engagement of services to the community as expressed in the Torah (Zohar in Walzer, 2006:37).

The Polish-Polish-Jews, i.e. the Poles who are non-Jews now converted to Judaism through the Beth Din. What fascinated me most are the contestations in the forms of Jewish identity and how it constructs meaning and negotiated identity on a daily basis. Here is an interviewee excerpt:

Piotr Łukasz, a Polish-Polish-Jew by choice, confesses that there is nothing in common between him and the Jewish community. It all began as a quest to gain a broader view of life and know what is “actually” going on with the revival of Jewish culture in Poland. “I knew about the Orthodox Jewish Community in Warsaw but I also knew it’s very exclusive, the older generations don’t welcome and acknowledge the new, so I was looking for a place where I could talk at least on spiritual terms. I got finally referred to Beit Warszawa.”¹⁵³ When the new Torah scroll was brought to the Nozyk synagogue in June 2005 witnessing the ceremony was a very moving experience in his life. Originally from Tlomackie Street synagogue of Warsaw, the Torah scroll made in 1876 was returned back to Poland from the US by a patron. Led by Michael Schudrich, the Chief Rabbi of Poland, the investiture event had 129 Israel Defense Force soldiers marching through the streets of Warsaw and finally installed the scroll in the Nozyk synagogue. Piotr was baptised as Polish-Catholic, his father is an atheist and mother a psychologist is fairly secular, so why did he choose Judaism was it just novel for him? “I found the rationale of Judaism much close to my understanding of spirituality, which a church going experience failed to give me...I find it very logical, everything has a meaning. I gained a direction in life at last; I feel I belong to a community which understands me!” Piotr got circumcised two weeks back before I interviewed him, but despite coming from a tolerant background he chose not to inform his mother as she would be “disappointed”. When asked if circumcision was essential he replied “Of course the Beth Din would not accept me

¹⁵³ Interview with Piotr Łukasz, Wilanów, Warsaw 11th August 2007.

otherwise.” Piotr attends every Sabbath service at Beit Warszawa, the community sponsored more than \$500 for his circumcision. He is very religious, has adopted a Jewish lifestyle including the kosher way of cutting nails. “After the Brith Milah¹⁵⁴ I brought myself separate plates and now I have a kosher kitchen. I was a vegetarian before but now I eat kosher food. When I sit on the table, say blessing over the bread, I know that these utensils and these plates have a special quality, it gives me a lot of satisfaction and adds a new meaning to my life, every time I feel as if my life gets renewed.” Soon to be converted through the London Beth Din¹⁵⁵ in Kraków, Piotr feels his Jewishness has been well introduced. “While many have treated me with reserve, in Beit they are very understanding they consider me as a Jew because of my ardent spiritual and cultural pursuits in the religion since the last two years.” But would he really feel comfortable to publicly admit this “I don’t wear Kippah¹⁵⁶ on the street, maintaining a Jewish life in Poland is a challenge. Also practically there is only one kosher shop in Warsaw. I want to go to Israel, have a Jewish family, want to marry within the culture where people will appreciate my understanding and be more logical to my adoption of a Jewish way of life than just going to Church for name’s sake. I am a Polish-Catholic converting to Judaism which began as a spiritual quest but now has become a life long journey with all its rites.”

¹⁵⁴ Brith Milah or Ashkenazi Bris Milah is a religious ceremony to welcome infant Jewish boys into a covenant between God and the Children of Israel through ritual circumcision performed by a mohel (circumciser), on the eighth day of the child's life, in the presence of family and friends, followed by a celebratory meal called seudat mitzvah. Obviously Piotr had his ceremony after getting recently circumcised.

¹⁵⁵ The London Beth Din in its capacity as Court of the Chief Rabbi is historically the supreme Halakhic Authority for several commonwealth countries and additionally is consulted by Batei Din throughout Europe. Beth Din covers all areas of Jewish religious, social life as well as covers all areas of Jewish Law.

¹⁵⁶ Sometimes also called as yarmelke or yarmulka, from the Polish jarmułka the kippa is a thin, slightly-rounded skullcap traditionally worn at all times by Orthodox Jewish men and often by both men and women in Conservative and Reform communities during services.

Piotr is very aware about the active right-wing media in Poland and the anti-Semitic graffiti on walls. I asked him if he has witnessed any anti-Semitic reactions – “No I haven’t, but there are random comments that I can recall. I went to the University bookshop with a friend of mine, who asked the shopkeeper the price of a book. The shopkeeper replied it was ten zlotys, to which my friend exclaimed ‘those Jews!’ implying they made everything expensive.”

Michal K.¹⁵⁷ (name changed) an IT consultant got introduced to Judaism through his wife who learnt about Beit Warszawa through the internet. Originally from Łomza a small town near Białystok, north East Poland where people are predominantly Roman Catholic and politically influenced by the right-wing Radio Maryja, he went to a catholic school was a altar boy in Church services regularly for four-five years, till high school. “When I was 17years old, I began to have some issues with religion and drifted away from the Church. I went to the mass on Sunday because my parents expected me to but I stopped to take the sacraments. At that time there wasn’t anything to do with Judaism, must say that the confession was not comfortable for me, it didn’t make me feel better. I always felt an inclination towards the Old Testament more than the new. I enjoyed reading the book of Moses, my father held nationalistic views about Israel, I was time to time used to his anti-Semitic remarks. Nothing happened till I met ex-wife. Her grandmother was a war orphan raised by a Polish-Catholic family, she was Catholic all her life but she knew very well that she was Jewish. She passed on the knowledge but not the tradition. My ex-wife was baptised too, she went to one or two communions in her life but she really didn’t have any idea of what it was all about, much later in her life she realised she wanted to find out about Judaism and also about her Jewish connection. In 2003 while suffering from a health condition, she realised she wanted to know

¹⁵⁷ Interview with Michal K. (name changed) taken on 16th August 2007, Ulicia Świętokrzyska, Warsaw.

more about herself and her family's hidden Jewishness. She had bits of information from her grandmother that she remembered from her childhood, her grandmother had passed away two years back in 2001, so she missed her chance to speak directly. Her parents were bit nervous about their identity practised Catholicism all their lives, were extremely surprised and worried when we decided to embrace Judaism in our lives.”

Michal's mother's side is German, and his father's family is Polish. His grandfather who was a teacher was killed very brutally by the Soviets and his grandmother with her children including his father was taken to Kazakhstan. She was a strong woman who after six years managed to return to Poland with the family all alive. “I had to consciously build my Jewish identity as although my background is assorted none of them are Jewish. The connection was initiated through my ex-wife but it is more about my choice. I started to learn about Judaism, met and spoke to people renewing Judaism in their lives which indeed helped. At first it was an intellectual adventure to learn about this intricate system of philosophy and ethics, religion and complex customs. The concepts of man-God relationship, most importantly the concept of sin in Judaism worked more closely for me and I felt I could retain my integrity better. I chose to convert to Judaism and now I have embraced it completely.”

Michal converted while his ex-wife was going through the process of reconfirmation after a gap of two generations not in Poland but in the US, in the summer of 2004. Through Beit Warszawa, they got in touch with Brandeis Bar Din Institute at the American Jewish University in the hills of Simi Valley, just outside Los Angeles and took a three week training programme for young Jews or people adopting Judaism in their lives from all over the world from various backgrounds, modern, orthodox and to completely secular. The objective of the programme is to help people explore their Jewish identity and expand it through fine art

classes, guest lectures, weekly ritual Sabbath, Beit Midrash - everyday group study of the text and community work. "I went through a whole lot of study before Beth Din, my sponsoring Rabbi tested me about all needed aspects of Judaism, holidays, commandments, important concepts. I also had to take care of circumcision." It is interesting to note that before Beit Warszawa had Rabbi Burt Schuman as a full-time service leader since 2006, Michal who knows basic Hebrew, all songs and prayers was leading the congregation. "I did it simply because no one would volunteer to do that at that point," he said. While he does not link back to Catholic practices anymore he socially participates with his devout Catholic parents during holidays. "Being a Jew is a process, each year 'we' go over the journey from Egypt to the land of Israel. Year after year, so Jews always perpetually travel on their way to the land Israel. It was a very emotionally charged experience, both my witnesses cried, as I signed the declaration of commitment to the Jewish faith."

Michal regularly reads the Jerusalem Post with interest and any news from the Middle-East, he is yet to visit Israel and "loves the country in a way." He visits the annual Jewish Culture Festival at Kraków and appreciates that Polish non-Jews and Europe in general has started to show interest about Jewish things. "Maybe it's a natural that when something goes void something else takes it place or maybe it's just a shared consciousness of Poland that they are somehow trying to make it up...I don't know it's just a speculation. Polishness is strong in me, when I meet Jews from abroad I try to provide them with the real picture, as most of the time their perceptions are distorted exaggerated truths and I feel it's a part of my responsibility to defend Poland and Poles. It's true that I'm often caught between defending the double identity. It's a liability that I have consciously embraced."

The last category of Jews are those who are just ‘culturally curious’ with little or no religious affiliation. This is not to belittle their Jewishness, these young minds are deeply engage with Jewish culture and organisational work and indeed feel very Jewish. They study independently and their interest comes from intellectual or cultural pursuits. While some of my interviewees are eager to manifest their Jewishness others prefer to remain covert as social knowledge – formed by stories in the media, rumours and third-party accounts, are constant reminders that Jewish identity or perceived Jewish identity continually provokes public displays of intolerance (Gudonis, 2001). As Daniella¹⁵⁸, founder of Czulent a Polish-Jewish youth group in Krakow accounts: “Initially it was difficult for us to hold meetings in once place for a long time as people did not want to allow space for such awareness. Also because in the 1990s people were used to knowing that Jews in Krakow belonged only in the orthodox community – we were not considered Jewish in the first place. But gradually over time once the street theatre group started gaining impact locally we able to promote the understanding of social exchange.” Daniella was born in Warsaw, came to Krakow to pursue higher education where she completed MA in psychology and has since been involved in writing various projects for the Jewish community – writing programmes for young and older adults. “My work is not strictly religious as it also involves community integration, education, promoting social dialogues among Jews and non-Jews.” On asking whether they confronted any racist abuse – she mentions: “only once I remember to have received verbal abuse after one of our workshops as we were packing to leave the premises of the building”.

Kasa¹⁵⁹ who currently leads Czulent came across some letters on her father’s desk regarding family property and lineage matters to realise that the family converted to Catholicism for the

¹⁵⁸ Interview taken by me in August 2008; Jewish Community Centre, Kraków

¹⁵⁹ Interview taken by me at Klezmer house in Krakow, 2007

sake of survival. She was twelve then, “I have not converted to Judaism but my graduate studies is on Gender in Kazimierz, I have sat for hours at the Jarden (Jewish) bookshop taken part in discussion on Jewish studies and feel very closely tied to it, unfortunately my father who knew all right from the beginning refrains from participating in Czulent workshops or seminars.” Kasa grew up in a secular home in Wrocław, with all Polish Catholic traditions with a very open minded mum who brought home elements from various cultures. As a part of family interests however we also had Jewish books, symbols but nothing that I particularly connected with or even told to connect with.” On finding some documents on her father’s desk stating that he has Jewish origin, registration from the Jewish council after the war and letters (in Yiddish) from Israel from the ‘60s with birth certificates of her grandparents Kasa got to know about her Jewish roots at the age of thirteen. She reconnected with her relations in Israel and started studying Jewish culture. Coming to Czulent was an important step for her to revitalize her group identity where she could “belong freely”. Over the years, she started taking a lead in their seminar discussion and Jewish film nights and has been engaging in writing articles for the Jewish political weekly. “It is very difficult for me to summarize my identity – but I will say I contain no feeling of displacement even though I am not religious. I am intellectually curious and that will perhaps lead the way towards my own Jewishness.”

I met Zofia at the Sabbath evening in the new Jewish community centre of Krakow in 2008. Her journey to know place and identity out of corrected measure, Zofia started her quest towards knowing her Jewish roots after her grandmother confessed to mother that they were Jewish. “After I got to know about my Jewishness, I felt quite torn in the context of what I grew up knowing and what I actually am.” A master’s student at the Jagiellonian University, Zofia’s thesis is about perceptions of Catholic identity in Krakow. “For me my identity is a

strange alliance of interconnected autonomy. It is pluralised conscience trying to make sense of what it means to belong and feeling estranged at the same time.”

Negotiating religious identity and communes of belonging is difficult even more so when integrating into new community standards and subscribing to modes of living on a daily basis. When dealing with such instances of fragmentary identity the orthodoxy might certainly be a struggle with its strict moral order and well-defined gendered roles. But it is true that all intellectual directions and habit is difficult, but when the learning has the added baggage of negotiating self-conflict in terms of history and perception of life-centeredness paradoxically the transformation quickens as knowledge is de-materialised and rematerialised into a new way of life-practice. As the Talmud (Mishnah: Avot 2.15-16) says: “One who grasps too much nothing; one who grasps less grasps something.”¹⁶⁰

Field moments are epiphanies-moments of intuition or realization experienced during fieldwork or pre-fieldwork, that provide insight and a point of entry into the research that could not be arrived at simply through the exercise of logic (Kraidy, Taylor 2002). Much like when I first heard Justina’s interview on Radio 4 – fascinated by the phenomena of shifts within identity, I wanted to meet more people like her and share their story but the joy of the ethnographer within knew no bounds when I got to re-interview her in person at Borderland Foundation in Sejny, 2006 as one of my first interviewees. A university student in Krakow Justina was spending her summer working at the Borderland centre of arts, cultures and nature as a tour guide in the Sejny Synagogue, where Borderland’s *Krasnoguda* project exhibition was installed. Justina’s grandmother survived the war by hiding her identity, having married a catholic from Vilnius – she and her husband still live in a village near Sejny. The concept of kindred –alienation once again is striking in her verbatim:

¹⁶⁰ Quoted in Novak, D. “Judaism and Cosmopolitanism”, Walzer et al. (2006)

Justina: My Jewish identity is strongly connected to the things I get to do in Borderland and in the cultural associations in Krakow. I was fourteen years old when I first came to attend the Klezmer café in Sejny. It was the first time that I had entered a synagogue. I heard my friend Gosia was singing in a strange language – what kind of language I asked myself. I remembered the language but didn't know where from. After a while, I recollected my grandmother was singing in that same language, Yiddish. I was very small then. I started asking my mother and grandmother and got to know about my Jewish roots. But I don't tell that I'm Jewish because I go to Catholic Church and my parents are Catholic, so Jewishness is a part of my root.

RD: So would you ever confess that you are Jewish? ¹⁶¹

Justina: Hmm...it is hard to say, it's difficult, not all people like it. When I see the how things happened in my life I see coincidentally they happened in places and people very Jewish. Since I was my age of sixteen, I started attending the annual Klezmer music festival on Szeroka street in Krakow. I was touched, the experience was fascinating, I loved it with all my heart. I started volunteering to teach and help students about Jewish culture. I made friends and decided to study there. This autumn I will work with people from Czulent - the association of young people with Jewish roots. We are going to conduct visits with school children in Kazimierz and have some lessons on Jewish culture and history. I am eagerly waiting for it.

RD: Would you ever consider practicing Judaism in life?

Justina: Hmm...don't know, maybe but I won't go to the synagogue, I would like to study Jewish knowledge from ethnological perspective.

RD: How does it feel to work a guide in this synagogue and yeshiva with Jewish roots?

¹⁶¹I got an engaging supervisory comment on the transcript: "Interesting choice of wording in a Catholic state!"

Justina: I feel very grateful, very happy. I get great energy – you know this town has had a great Jewish history. I do whatever little I can do, it is very important for me.

Emil, a Polish-Polish-Jew by choice, shared his experience at the Jewish community centre in Kraków. I met him first in one of the lecture sessions at the Kupa synagogue in Kazimierz by Professor Tokarsa-Bakir on Jewish Blood libel myths depicted on Sandomierz cathedral (South-East Poland). The lecture was a part of the Kraków Jewish festival. This was Emil's third time at the festival; he had recently been converted through the Beth Din and claims to be a reformed Jew. Emil's remark to Professor Tokarska-Bakir's lecture on the need for recognising that despite the libel myths the gentile Poles today think differently drew me to interview him. Was Emil still struggling to accommodate the psychological recess of his Polish self? "My initiation to embracing Jewishness started with my study of Polish-Jewish intellectual history." he explained. "I have always been fascinated by the stories at the festival but perhaps the crude depiction of Jews did hit me deeper – I am a Polish-Jew and hold equal allegiance to both belongings. No one in my family is anti-Semitic they respect the fact that I have converted and I observe *kashrut* as well as Sabbath. I am a Pole who has turned to Judaism and somehow culturally differently marked by everyone. I am made because I felt the need to embrace this life fully and look through the shoes of the others. Today I am an 'other'; the process of conversion has been an eye-opener which keeps me aware of our common history. As for the fears of anti-Semitism, I think the time has come not to stew in them."

Being culturally curious Magda K, a web-designer by profession and a Pole of non-Jewish origin started learning Hebrew first in Kraków then in Warsaw with Beit Warszawa. "You can say I chose to become culturally Jewish first but eventually I got immersed in the process. I realized I would not be accepted in orthodox communes so I chose to remain reformed and

went for conversion through the Beit Din.” Magda is now the president of the Beit Warszawa board and coordinates their cultural symposiums both in Kraków and Warsaw. She lives a religious life as a reformed Jew and I have seen her taking lead in Jewish services in Warsaw with competence as well as organizing symposiums on Polish Jewish dialogue at the Galicia Museum in Kraków. She also co-organised the Jew Not Painted exhibition series as part of the Jewish festival in 2008, the series was an exhibition of paintings illustrating Polish-Jewish life through history. “For me Jewishness is knowledge and preserving a tradition that every Pole has, it is an important part of our history and culture. It is important that we protect it with dignity.”



Inside the Yeshiva, Borderland Foundation, Sejny, August 2006



The Jew Not Painted Exhibition co-organised by Magda K. (one of my interviewees) at the High Synagogue, Kraków as a part of Jewish Festival in July 2008.

Anthony Cohen wrote, “Awareness of community depends on consciousness of boundaries. Hence, communities and their boundaries exist essentially not as social-structural systems and institutions but as worlds of meaning in the minds of their members.”¹⁶² The fact that communities are predicated on perceptions of difference provides an element of functional ambiguity. Rather than weakening the sense of cohesion inherent in communities, their ambiguous nature enables a wide range of individuals to lay claim to membership. So long as an individual believes that affiliation with a larger entity is in his/her best interest, then s/he is willing to sublimate their unique sense of self in exchange for membership in the larger collective. “Community is an aggregating device which both sustains diversity and expresses

¹⁶² Anthony Cohen, *The symbolic construction of community*, Routledge, 1985

commonality.”¹⁶³ And through my interviews, I attempt to make a critical inquiry into that communal commonality and civic sensibility towards clarifying how this “difference” lost its “scariness” but became relegated to an autonomous “otherness” of exclusion with caution.¹⁶⁴

For the ‘new’ Jews of Poland it is about how they want to perceive it and make it theirs. An important factor for most Jews in Poland today is the fact that they are Poles, they are culturally assimilated and Polishness in them is very strong. The constant working and liaison with the foreign and the diaspora to know about ones heritage, exploring ones genealogy doesn’t just influence the new Jews, spiritually curious Poles also get attracted into the process, resulting into a very interesting category of Jewish identity construction – the conversion to Judaism both religiously and culturally by Poles of non-Jewish origin, it’s a category that I give the name of Polish-Polish-Jews whose quest for values and spiritual essence of their identity transcends the political to consciously and morally become the cosmopolitical.

7.3. Cosmopolitics of ‘returning Jews’

The aim of the project has been analyse continuities of discontinuity in recognition of identity, reconciliations and transformations between life-practices and life-styles¹⁶⁵ that are mutually exclusive.¹⁶⁶ This exclusivity has many perspectives – it can be Polish-Jewish, various divides in the Jewishness that might restrict Polishness. I argue that historical narratives when

¹⁶³ Rapport, Nigel “Community”- Encyclopaedia of Social and Cultural Anthropology, Eds. Alan Barnard and Jonathon Spencer (London: Routledge, 1996), pp.114-117.

¹⁶⁴ For an understanding of *fear* and *ghetto thinking* and an analysis on Ghettoization in coherence to the title of the project please refer Chapter 1 (introduction).

¹⁶⁵ Being a Jew in any form (reform, orthodox or any other) comes with adaptation of various daily habits including dietary, clothing, appearance, saying prayers, observing rituals for key days in the week, festivals and setting the household.

¹⁶⁶ Barbero, Martin Communication, Culture and Hegemony: From the Media to Mediations. London and Newbury Park, CA: Sage p.188

rearranged and merged with new political, economic and legal strategies in a nation, gives rise to a complex mix of local, regional and transnational exchanges that mutually co-construct the renewal of minority identities (with a history of persecution and subordination), sometimes even autonomously – i.e., without institutional or organizational affiliations. I assert this shift in identities as cosmopolitical. What I extract from most of my interviewees with rekindled identity is that the recollection of what’s left behind - be it repressed memory, exilic-consciousness both politically and socially after 1989 cannot all be reduced to any simple reconciliation. The consequential overlap of troubled and fragmented past against the counterpoint of renewed life experiences evokes a questioning about how one should endure time and identity with a deep awareness of historicization. The kindred-alienation in identities, a trait that I saw in many of my interviewees who are in their late twenties or early thirties, most of them are secular or reform Jews and some just culturally Jewish. Although each speaker tells an unique story, their chronicles overlap to reveal variations in the remembrance of some national and some relevant global events.

Jewish culture has always seemed to function in multiplicity what Deleuze and Guattari (1987) refers as “ceaselessly establishes connections between semiotic chains, organizations of power and circumstances.”¹⁶⁷ One of the tenets of such post-modern theorization is that the concrete and finite expressions of multiplicity cannot be referred back to a transcendental centre – the grounds for judgment cannot be located in either the faculty of reason nor in the corporeal experience.¹⁶⁸ Today with secularist modes of assimilation and codes of conduct in the Polish civil society, the simultaneous reconstruction and subordination of the others is indeed a transformative post-modern condition. Through this chapter I have shown the various

¹⁶⁷ Deleuze and Guattari, *A Thousand Plateaus: Capitalism and Schizophrenia* trans. Brian Massumi (Minneapolis: University of Minnesota Press, (1987).

¹⁶⁸ Fitzpatrick, Peter *The mythology of modern law*, Routledge, 1992.

rites of passage within which identities – religious, non-religious and merely affiliated are constructed. I assert that cosmopolitical identity is not dis-associative through re-association while there is awareness of commune building there is a lurking urge for autonomy however contestable with authenticity it is not unaware of the past consciousness but becomes a composite transition of plurality.

While aiming at a paradigm shift from *domination* to *non-domination* as the fundamental principle of humane governance at *all* levels, I assert the autonomous renewal of identity such that it treats diverse understandings of and claims to individual as integral to democratisation process. As a notion, I think, autonomy demands and deserves acknowledgement especially when considering corrective identity distributions as since there is not *one* but *several* knowledges of autonomy, produced at diverse sites, which remain in a perpetual competition with one another for greater salience, legitimacy and authority.

The narratives have indicated that being a Polish-Jew today means adhering to a multi-layered social structure that combines elements of cosmopolitanism and nationality with a strong desire and courage to confront the truth, as Connolly affirms: “identity requires difference in order to be, it converts difference into otherness in order to secure its own self-certainty.”¹⁶⁹

Transitional Jewish identity as a political identity set amidst “multiplicitous” hybrid *glocal* interaction, mingles with a range of inter-cultural contexts through its inside-outsiders i.e. the non-Polish Jews and non-Jewish Poles, religious and non-religious Polish-Jews and *Polish* Polish-Jews to neutralize if at all, the complex articulation of differences. Consciously or subconsciously the next generation of Polish-Polish-Jews embrace multiple principles designed to create stability in transition, but also to move the community in question from one regime whose norms/impressions are supposedly bad to the understanding of a community

¹⁶⁹ Connolly, William E. *Identity/Difference: Democratic Negotiations of Political Paradox*, 1991, p. 64.

whose norms are good, so as to correct past injustices. The possibility of cosmopolitical change can however ultimately be quite rigid as they are often caught up between the rationalising the past and working towards a redemptive vision as an evolving political contemplation (Teitel, 2000). The retributive renewal of Polish-Jewish identity is difficult, for many it may even seem like promise of the unrealizable, certainly still far from Adam Michnik's view of a civil society but nonetheless the identitarian acknowledgment has begun in due process to overcome the dark shade of past and work towards participatory citizenship. Such stories of cosmopolitical renewal however is not merely restricted to those who are practicing and accepting this revival in their lives, but also for those who are leading the services have travelling tales to share, like, Rabbi Tanya Segal, the first female Rabbi in Poland. Here is an interview excerpt:¹⁷⁰

Living between cultures with troubled histories is not easy – repressed memory, exilic-consciousness and the realisation that all cannot be reduced to any simple reconciliation becomes an obvious consequential overlap. However, when the recollection of what's left behind is understood through art against the counter-point of the current experience, it enriches factuality – as the facts interact with the veneer of the performative to help interpret cultural, political or religious questioning and reinstate ideas of common concern. Such questioning about enduring time with a deep awareness of historicization of the circumstances evokes a renewed contestation for knowledge, imagination and identity in relation to the present condition.

¹⁷⁰ Full interview published in Gender Forum: Gender and Jewish Culture Volume 21 (2008). www.genderforum.uni-koeln.de/ *Of Cultural Deference: A Conversation with Rabbi Tanya Segal, Poland's First Female Rabbi* - Warsaw, 12 July 2008

In Poland, Segal shares her story of living cultural humanism through her own Jewish identity and work in her attempt to merge art and religion in order to revitalize the politics of identity by replenishing the literary inside out as a reflection of life. Tanya made Aliyah¹⁷¹ to Israel together with her son Benyamin in 1990. There she primarily worked in three areas – culture, the translation of books on Jewish themes from Russian to Hebrew, and teaching theatre. In 1997-8 she appeared in a one-woman show entitled “The Dybbuk.” The play reflected her ongoing search for Jewish identity in a multidisciplinary context. Following this, Tanya went to Riga, Latvia to work as an emissary, teaching Jewish history at the Dubnow Jewish School. After returning to Israel she began to study at the Israeli Rabbinical Programme based in Hebrew Union College (HUC), Jerusalem. Her decision to begin rabbinical studies was a profound process of addressing the religious dimension of her Jewish life. Through her years of experiences in the college she came to recognise the strength of Jewish prayer and ritual in their progressive form. Tanya gradually became a rabbi. Alongside her studies at HUC Jerusalem, Tanya studied both in the department of philosophy and the department of theatre at Tel-Aviv University. Her master’s thesis is entitled “From Zoharic Text to Liturgical Performance: The Role of Weeping in the Performance of Eikha.” Her thesis combines three fields: a Midrash¹⁷² on the Zohar, Jewish liturgy, and theatre – an apt complement to her interdisciplinary interests. The same theme continues in the foundation of Tanya’s rabbinical thesis in which she composed a play entitled “And Her Name Was Heather,” which blends a creative Midrash on the Book of Ruth with the story of Tamar (Heather) Havilio, an American

¹⁷¹ Aliyah (plural Aliyot) in Hebrew means ascent and refers to Jewish immigration to the Land of Israel (and since its establishment in 1948, as the State of Israel). Aliyah is regarded as an important Jewish cultural concept and a fundamental concept of Zionism, enshrined in Israel’s Law of Return, which accords any Jew (and some non-Jews with Jewish relatives) the legal right to assisted immigration and settlement in Israel, and entitles them to Israeli citizenship. In Zionist discourse, Aliyah refers to voluntary immigration of Jews for ideological, emotional, or practical reasons as well as mass flight of persecuted Jews to Israel.

¹⁷² Midrash is a Hebrew word meaning commentary.

convert; the play was first staged as part of HUC's *Tikkun Leil Shavuot* programme in 2006. Since 2007 December, Tanya has been working as a full-time Rabbi at Beit Warszawa reformed Jewish congregation in Poland together with Rabbi Burt Shuman, the chief rabbi of the congregation. Rabbi Tanya is helping rebuild the infrastructure for the renewal of progressive Judaism in Poland and is also developing communities in Krakow, and other cities in Poland. Here is an extract of the interview¹⁷³:

RD: *How did you get in touch with Beit Warszawa and what made you want to work here?*

R'T: I went to the Hebrew Union College (HUC) in Jerusalem; we have four Hebrew departments - three in the US and one in Jerusalem, all offering different programmes. While studying in Jerusalem, I took an exchange semester in the US. In my second year of rabbinical practice, I did one semester in Westchester Temple in New York – though it was a part of the HUC curriculum, the method and perspectives were different so it was worth gaining the experience. When I came back, I took part in a foundation project sponsored by the Israeli Ministry of Education enabling rabbinical students to go to Russia, Ukraine or Belarus to support reformed progressive Jewish communities. I chose to work in Ukraine and travelled from Kharkov to Poltava, then to L'viv. As L'viv is Galicia, I decided I wanted to visit Warsaw on my way back. I was very excited being here, I travelled around the streets; I went to the Nożyk synagogue. I felt something, it influenced me so deeply that I wanted to live and work here. Obviously in Twarda¹⁷⁴ services are restricted only to the Torah text and women sit

¹⁷³ Complete interview published in: Gender Forum: Gender and Jewish Culture Volume 21 (2008). www.genderforum.uni-koeln.de/ *Of Cultural Deference: A Conversation with Rabbi Tanya Segal, Poland's First Female Rabbi* - Warsaw, 12 July 2008

¹⁷⁴ The Nożyk Synagogue (Polish: Synagoga Nożyków) is Warsaw's only surviving pre-war synagogue on Ulicia Twarda (Twarda Street). It was erected prior to 1902 and rebuilt after World War II. The synagogue is still operational and currently houses the Warsaw Orthodox Jewish Commune, offices of the Chief Rabbi of Poland and American Jewish Joint Distribution committee.

separately on the balcony in Nożyk. In Israel we all are allowed in the congregation I started to look for progressive Jewish congregation and found Beit Warszawa, they identified themselves as a religious reform Jewish community. When I went back to Israel from this trip, I started corresponding with them as a rabbinical student; I came here in 2007 during Rosh Hashanah, it was the last year of college and did the last five months of my rabbinical practice here. I really enjoyed working in Beit, it was specifically about Beit Warszawa and more generally about Poland. It's very important to have such communities here. I remember, when I went back to Israel everyone was curious and started asking questions because many people have their roots in Poland. They just don't speak about it openly because in Israel we have an emotionally hard connection with Poland. Israelis come to Poland, but only to visit the concentration camps. It's hard for them to accept that Poland has a thriving Jewish culture. However, stereotypical approaches are slowly changing. What can I say... I felt an urge to come and work here, and I followed my intuitions.

RD: *Obviously when you took up this role you knew it would be a very significant step – you are the first female Rabbi in the entire history of Poland. How do you feel about it? Do you find your role contested within and outside the reformed Jewish community?*

R'T: To be honest, I really did not think about it, I really wanted to come because of my religious and cultural interests. I must add that my son supported my decision – they study the history of Holocaust in high school. When I asked him whether I should work in Poland as he joined the Israeli army, he said “It is Warsaw, you have to go.” So I really didn't think about it as “I'm going to be the first female Rabbi in Poland,” because in Israel, in the circle and college I was in, the reform movement is the central cause, and we have many female rabbis in

the congregations who take leading roles; so to begin with it was a very common experience for me. I know that even in Conservative Judaism in Israel they ordinate women rabbis, but they don't take the sole leading part. The Maram¹⁷⁵, the Israel Council of Progressive Rabbis, has women rabbis and the gender issue is not really a big question there – so I didn't think that way. It was only when I came and settled to work here that all the publicity started. Everyone started speaking about it and I realised it was perceived as a very strong statement in Poland. I'm happy about it, the moment people see me, they learn something about the reform movement – which among many things stands for equality in gender.

Beit Warszawa is a very dynamic place; it is developing and growing very fast. People knew about Beit Warszawa earlier, but it was more a Jewish cultural organization to begin with, where people came with a bit of curiosity and without religious needs or questioning or any expectations. Rabbi Schumann came in 2006 and now I also lead the congregation, so things have definitely changed. It has become a strong religious statement with the cultural rather than a question. We get interesting feedback from people through our cultural and religious projects; you saw the interest in the Jewish festival during Sabbath.

So the reform movement will make an impact; it's certainly not a fight with anyone, but we want to impart the religion, education and culture from our perspective, which is rooted deeply in the Halakhic¹⁷⁶ point of view. In the liturgical perspective, we differ from the orthodox

¹⁷⁵ It is interesting to note that etymologically the word Maram is of Arabic origin meaning wish or desire and is both masculine and feminine in gender.

¹⁷⁶ Halakhah (Hebrew; means the way of walking) is the collective body of Jewish religious law, including biblical law (the 613 mitzvot) Talmudic and rabbinic law, as well as customs and traditions. Judaism classically draws no distinction in its laws between religious and non-religious life. Hence, Halakhah guides not only religious practices and beliefs, but numerous aspects of day-to-day social life. Historically Halakhah served many Jewish communities as an enforceable avenue of civil and religious law, now however Jews are bound to Halakhah only by voluntary consent. Among Ashkenazi Jews, there are various disagreements over Halakhah, which resulted in the emergence of the Reform, Conservative, and Reconstructionist movements within Judaism.

community. It's crucial for us to build the reform movement firmly now. Often I meet people from the orthodox community who know me on a personal level; these encounters are always normal – first people, then religion. They say “Oh, so it's you who is leading the programme; I'll definitely come to your lecture” – it's natural, I think, but again it's obvious that as a reform movement, we have some serious ideological considerations that differ from other conservative communities. Beit has to live up to the liturgical position – we are working on it. On the other hand, my being here is not much of a contestation but I would say it's a very strong statement, and that comes with a lot of responsibility as historically - even in the liberal tradition - Poland had only male rabbis.

RD: *Do you travel a lot in Poland as you practice?*

R'T: Yes, I am a travelling rabbi for Beit Warszawa. My role is to go to different towns and try to build the same or different models of progressive reform Jewish communities. I travel to Lublin, Chelm, Kraków, Częstochowa and try to work there. I am also involved in the Midrash theatre project, which is an obvious endeavour on my part, having started with the artistic approach to religion. The cultural approach is the first point of interest for most people. Many people in Poland choose to live Judaism through culture or study but not through any religious or liturgical events. But I always smilingly start with Sabbath (laughs aloud). Sabbath as you know is a religious ritual but the people don't realise this, for them it is a yet another cultural affair in Judaism. Many people come to Sabbath without actually knowing that it is actually from the Torah. So we start by celebrating the Torah and celebrate Sabbath on Friday; in Krakow sometimes we have additional discussion lessons. These discussions led us on to the Midrash theatre project. Studying the torah through performance has a lot to do with negotiations of Jewish identity.

I remember the first people who came and approached me during the festival; their first - almost warning - statement was “We are not religious.” I said, okay, welcome, but we can try to study a bit from the classical text and discuss themes – what it means to be Jewish and its related meanings, but most importantly we are going to check how this text belongs and relates to our lives today. People say they are not Jews at all but it is very interesting how discussion unfolds and questions give rise to relations, Jewish relations and indeed Polish-Jewish relations.

What I find different about Jews in Poland from the Jews in my earlier circle in Russia is that many people don't know about their Jewish identity here – most people are repressed about it and keep it as a distant past, but as it happens with these intensive discussion sessions, memories from the past come back. Something that they can relate to, which connects them to a forgotten part of their lives through family backgrounds or some personal stories that they remember and say “there was Jewish for me.” Though the common feeling is about rebuilding or revival of Jewish identity, I say it is about *building* Jewish identity. I remember a person from Israeli TV who came to interview a Polish-Jewish person in Beit – while talking generally he commented: “You will understand as you are Jewish,” and the interviewee was shocked. For an Israeli it is an obvious thing, but for a Polish-Jew being Jewish doesn't come as an easy acknowledgement. I had to tell the Israeli interviewer that in Poland we don't express it so explicitly. He was very surprised and I had to explain the difficulties in the best possible cultural translation.

In contrast, in Russia we all knew that we were Jewish; we had Jewish friends and it was a clear fact for us. We were not religious, didn't go to the synagogue regularly, but still we had a very strong Jewish identity. In Poland, most people come to know about their roots in mid-life

or some even earlier on, but many families don't want to speak about it; they are Polish Catholics with Jewish roots – they are very confused. Many were raised as Catholics but remember things that had been different in their childhood. We are thinking about writing a community book based on these stories.

To be Jewish really means to feel you are a part of some group, that you have some common knowledge. In Poland it is hard to raise that feeling spontaneously. Jews were always together through all these years of the political divide, but the last trauma of '68 left a strong impact on people. They prefer to remain at a distance and just show interest in cultural Judaism, to confess they are Jewish only much later, when they are “confident” enough. In Israel, on the other hand, there's always a place for Jewish identity – of course, the contradictions between reformed and orthodox movements are another story (laughs). But here acknowledging identity as Jewish is really a complicated matter. In real life many Polish-Jewish stories blur the boundary between truth and deception, and some stories have no ending – but reflection through art helps to search life again for those overlooked ideas and reconsider things “differently.”

7.4. Concluding Remarks

Reflexivity with field data enables perspicacious translation and exploration of societal functions and transitions, through this chapter; I have drawn upon the many ways of Jewish belonging and identity. Through the verbatim and narratives of my interviewees, I explored the importance of different approaches towards being Polish-Jewish. Within this analysis I have demonstrated that the recognition of Jewishness is diverse and with different affiliations, that identity still remains plural, not fixed to categories or structures as what I largely state

presents an intersection between personal autonomy and communal commitment invoked by civil strategies and legislative enactment of rights. There are many works that stand out in Polish-Jewish relations after WWII, it'll probably be an audacity to tread there, but I hope this study will add to the on-going dialogue between law and society and contribute to the understanding of transformations of identity and its ways of recognition in a transitional society.



Lighting of Sabbath Candles at Beit Warszawa, Warsaw, 5th July 2008

Chapter 7: Conclusion: Cosmopolitics and Identities in Transition

“The Jew is the man of the world. This desire for alterity and this desire for justice are, in my view, characteristic of a Jewish way of relating to the world that still has strongly religious elements, without punctilious observance of commandments. I see it as a Judaism which, though secularized, remains Jewish. It is that in Judaism which guides me an awareness of being Jewish. It is that in Judaism which guides me and still gives me an awareness of being Jewish, as well as the desire to remain Jewish. With that primacy given to life, proclaimed at every moment.”

– Esther Benbassa, 2004:129

8.1. Introduction: Rekindled Identities in Transition

From the introductory assessment of the name of the project, to discussing the key strands within the thesis I have argued that the renewal of Polish-Jewish identity has been a revealing phenomenon in Poland today. The thesis assessed the political, social, legal processes of reconstruction of Polish Jewish identity. I have probed into the overlaps of transition of Jewish identities in Poland on a historical template since 1945 to structure the problems surrounding state condemnation of Jewishness to ultimately the reconsideration and recognition of Jewish minority identity. Through interviewee experiences I brought out the reflective element of this identity revival to assert the many ways in which Jewish identity is mapped today. I linked concepts of Jewishness and corrective justice while discussing Jewish identity and heritage renewal. I discussed my research methodology and strategies in the field while understanding the rekindling identities in the transitional state of Poland. I identified the political and intergenerational divides between Polish-Jewish identities as a parallel process to the identitarian engagement of the state and the diaspora.

The above quote engages with the primacy of Jewish identity to be acknowledged in the moment with considerations of community and the nation. Beyond examining the politics of Jewishness through history, I gave an account of Jewish religious and life rituals for better

cultural understanding the ethos and eidos of being a Jew. I mapped the literature of identity relevant in the thesis as well as gave an account of past works on Polish-Jewish relations and those that engaged with Jewish identity discourse after the Shoah to assess the epistemological value of studying transitional identities. In doing so, I claimed the importance to recognise Jewish identity contestation which yields to a plural narrative of ascription and belonging.

Gauging through the political and historical transition of the state of Poland I assessed the authoritative orders, norms and regimes that resulted in the changes in Polish society. Keeping in mind that there is no single correct response to a state's repressive past (Teitel, 2000:219), I looked at the problems of anti-Semitism and the different perceptions of Jewishness in the post-war years triggered by political events. The three generational divides in Polish-Jewishness – 1956, 1968 and 1989 represent three very different approach to Jewishness and to the state of Poland. I provided an account of organisational networks and institutions which influence revival of Jewish identity in Poland today. It is important to note that not one organisation emulates the methods or processes of engagement of the other. Each organisation works uniquely towards this identity and culture revival while maintaining their constituent agenda and avenues of membership and participation. I have argued that this transitional narrative in Poland has been most vivid in the post-communist years. While assessing processes of identity renewal, I reflected on the legal recognition of identity. I explained while the law implies a process, it is not always fair and compelling as it should be for corrective measures. I argued for a greater re-distribution and legal recognition of *all* sections of the Jewish community since Jewishness is not a unified construct of identity (Dasgupta, 2008). The evident legal patterns discerned in the preceding chapters evoke a political passage for

rekindling Jewish identities in transition, notwithstanding the ways in which they evolve and are perceived.

Finally with an empirical focus, I identified the revival of Jewish life in Poland through interconnected awareness and the many ways of negotiating Jewish selves. From my interviewee reflections I explored typologies of Jewish identity. Through an assessment of the 1997 Act concerning relations of Jewish communities and the state of Poland, ECRI and CERD reports I suggested an autonomous sanction of identity that would preserve a sense of continuity in reconciliation and renewal, thereby satisfying the spiritual and political evolution of the individual in accordance with the transitional norms/impressions of the state. Accordingly the need for interpreting cosmopolitical renewal of Jewishness I suggest would offer a newfound basis for reinstating just appropriations of minority claim, as indeed for the rule of law.

8.2. Processes of Renewal: The conscious reclaim of the unconscious past

In the thesis, I identified my interviewees as Orthodox Jews, Progressive Jews and Jews who are just ‘culturally curious’ with little or no religious affiliation. An interesting sub-category of the Progressive Jews is the Polish-Polish-Jews, i.e. the Poles who are non-Jews now converted to Judaism through the Beth Din. In the context, to trace the conscious reclaiming of identity, I shall summarise the key influences on the above mentioned identities as argued in the thesis.

As evidenced through the historical setting in chapter 3, Jewish identity revival in Poland has operated through with and through the foreign ‘others’ including the American and Israeli philanthropists, American-Jewish Joint distribution committee as well as the World Congress of Reformed Jews to name but a few international organisations which in turn facilitate and recreate the normative order of transitional continuity of Jewish identity.

According to a persistent stereotype (Krajewski, 2005), Poland is an anti-Semitic country. Evidently, to change that stereotype, one has to fight through the manifestations of anti-Semitism. Today the crux of the problem lies much less in the relationship between Jews and Catholics in Poland, and much more in the relationship between non-Polish (primarily American) Jews and Polish non-Jews. The geography which separates them is emblematic of a paradox preventing a major leap forward in communications. The former continue to stress the negative side of the Polish Jewish and Polish Catholic relationship – one that has always been there and which has contributed to the diminishing of the Polish Jewish community in the past. The latter continue to stress the positive side of the relationship –and which maintains to succour and support the Polish Jewish community as well as preserve and maintain the Jewish heritage in the present (Gebert, 2008; Krajewski, 2005). There is a Jewish renaissance in the Republic of Poland but, these signs of a renewal faces formidable obstacles. Jews around the world are unaware of Poland’s central role in the historic diaspora, which can only be possible with the rebirth of a Jewish presence in Poland. Instead of celebrating Jewish death the ‘others’ has led a continuous focus on Jewish life indeed a step forward from the persistent

view of Poland being regarded principally as a vast Jewish cemetery “despite the fact that too many Jewish visitors are inclined to limit their Polish experience to a visit to Auschwitz.”¹⁷⁷

As evidenced through the thesis, Jewish museums, Jewish publishing houses, and Holocaust education courses are all being subsidized by the government. Paradoxically there’s also an increase in anti-Semitism, but most importantly the exponential increase of interest in Jewish history and culture by Jews abroad and non-Jewish support to Poland’s Judaica is where the promise of corrective justice lies. From the data gathered in the field, I gave an understanding that young Poles are much open to learning about their country’s past and the absence of ‘others’ make them curious to learn more about Jewish or Yiddish cultures.

The consideration of ‘others’ within the group gets provoked through the state law and the Jewish law’s engagement with identity in the thesis. I have shown how ECRI and CERD serve towards checks and balances of racial tolerance, hence answering all questions set out in the introduction of the thesis. Considering my conviction towards the re-materialization of identity of a controversial minority, I argue that recognition of all kinds of Polish-Jewishness is a reparatory engagement and should be regarded as a multidimensional process for distribution of its social, cultural and political rights. Accordingly through chapters 5 and 6, I have argued for the need greater autonomy in the understanding Jewish identity renewal in Poland today.

As the language of law imbues new order with legitimacy and authority (Teitel, 2000:220), I have argued that the need for retributive change that would evoke conceptual, operative and symbolic dimensions of Jewish identity to the extent new collective understanding of minority citizenship. The ritualised legal forces of the state law as perceived by the 1997 law enables

¹⁷⁷ Orla-Bukowska interview taken by me, at Jagiellonian University in Kraków, August, 2008

only gradual and controlled change. Through the autonomous legal recognition of the various factions of Polish-Jewish identities within the state, I assert could lead to further self-determination of rights, contribute holistically towards corrective justice and pave way for the possibility of a more inclusive and liberal political order. As Stanisław Krajewski (2005:235) aptly points out: “Poland can have a role in the historic development of Christian-Jewish dialogue. After all, this is a most important place in Jewish history and a very important country for the world-wide Catholic Church, ...[and] the home of so many Jews over the centuries; and today is still the home of some Polish Polish Jews.”

8.3. Concluding Remarks

The thesis has reflected on the evolution and the processes of reconstruction of Jewish identity through history, politics and the law. I have identified that Polish-Jewishness as well as Polish and Jewish relations are a multi-layered process with a complex set of ideological and circumstantial ties that is centuries old. I have shown the need to derive identity providing a greater capacity of de-differentiation for the others thus distributing the idea of corrective justice from the state to the individual (Krishnadas, 2007). My legal analysis demonstrated how the state creates and re-creates divisions within minority identity which ultimately are partial. Thus, I argue for identity to be effectively processed in capacity so as to relate to state transitions. I therefore assert the need for an autonomous cosmopolitical renewal of Polish-Jewish identity considering the impactful existence of the ‘interiority’ of the *Halakhah* in order to gain a just and appropriate reconciliation of belonging in Poland today.



Inside the Łódź Synagogue, July 2008

Appendix: A

A1. Information Sheet for interviewees

The interview is designed for research thesis purposes. The project is an inquiry into the political identity and human rights issues (e.g.: restitution) of Jews (Poles) in contemporary Poland who are renewing Judaism in their lives.

In order to understand the varied responses towards renewing Jewish Culture, the interview will be a life-history taking session, an oral testimony where you are requested to share your personal comments, views and/or responses about your socio-cultural background, your conscious religious/cultural transition in life to Judaism and adopting Jewish culture in Poland.

Your name will be changed during case study analysis in the thesis to respect privacy and confidentiality – an agreed pseudonym will be used throughout. Depending on the context of analysis quotes from the interview may be used in the research.

The interview is targeted towards an ethnographic study and will be audio recorded for facilitating case-study data collection but will be produced only in writing. The purpose of the interview is to obtain a life-history narrative to understand the transitional social realities of renewing Jewishness in Poland. The research intends to offer a perspective on cultural identitarian engagement and examine how one copes as a renewed autonomous “other” in a nation torn between paradoxes of secular vision and anti-Semitism. Participants will receive an opportunity for approving the findings before the publication of the thesis.

The interviewer will take care not to make the interview too overwhelming. Teachers and social workers from the Jewish Cultural Associations (Julia Mykovec from Beit Warszawa) and organizations (Helise Liebermann of the Lauder Foundation) will stand as intermediaries should there be any need for clarification with language and/or emotional support. The interview will last for 35-40 minutes depending on the respondent.

A2. Interviewee Detail

Original Jewish family name:.....

Place of birth:.....

Date of Birth:.....

Adopted Jewish name (if applicable):.....

Name of the affiliate Religious/Cultural NGO:.....

Time:.....

Place:

A3. Interviewee Consent Form

Surname:

Name:.....

I have read and fully understood the information sheet given to me. I am aware that my name will be kept anonymous for the purposes of the study. Whatever I share in the interview are personal truths and the experiences are best to my knowledge. I understand the verbatim quotes from this interview might be used in the research. I can choose to withdraw consent for the use of data shared prior to the publication of the research results. I consent to the interview session with Rohee Dasgupta from Keele University, U.K.

Signature:

A4. Life history questionnaire for the interviewees –

1. What is your name?
2. Where do you stay?
3. What is your occupation?
4. How did you get in touch with _____(name of the NGO/organization)?
5. Where were you educated (school/college etc.)?
6. Does your family originally come from _____(name of the city in Poland) or elsewhere?
7. What were/are their occupations?
8. What kind of community did you grow up?
9. Did you grow up as a catholic or ascribe to any other faith? If yes, were you always culturally/socially/religiously inclined?
10. When and how did you come to know that you are Jewish?
11. How did you respond to knowing that you are Jewish?
12. What made you choose this Jewish way of life?
13. Do you still practice any aspect of _____(previous faith)? If yes, what do you practice/observe? Does _____(previous faith) have a lasting significance in your life despite your renewed ‘new’ practice? If no, why did you choose to disengage – how was it difficult or easy?
14. Do you want your siblings or your next generation to practice Judaism as well, maintain a Jewish life, or engage with the Jewish community?
15. Do you still interact with your previous _____community as you did before? Are there any changes in your mutual perceptions of each other?
16. How do you conduct your religious prayers?
17. How did you feel while adopting the new religious apparatuses/clothing during practice?
18. Do you have family connections in other parts of the world or in Israel? Did you always know about them or was it only after conversion?
19. What has influenced your feeling about Israel?
20. Jewish can be defined in various contexts, Ultra-orthodox, Orthodox, Conservative, Reformed, Progressive, Liberal and Secular...if you belong to the latter three there has often been a reaction from your ‘elders’ or ‘old’ Jews who consider you as imaginary Jews maintaining an ‘authentic gap’. How do you work-up to the conflicting pressures within the community?
21. There so many anti-Semitic graffiti on the walls in Polish Cities, what do you feel about them?
22. Do you think it’s still dangerous to be a Jew in Poland today?
23. This might be a very sensitive question, but have you experienced any form of anti-Semitism? Where and how?

Case-dependant questions:

24. You are undergoing a legal case to get back your Jewish name, how important is this for you? Why do you want it?
25. Given your family background, do you feel the need for compensation in any form to yourself or your family? If given an opportunity, would you legally claim property back in Poland?

Appendix: B

Act: Dated February 20, 1997

Concerning relations with Jewish religious communes in the Republic of Poland

Chapter 1

General Provisions

Art. 1. 1. This act constitutes the relations between the State and Jewish religious communes in Poland ("Jewish communes") and their legal and property status.

2. In the matters which are not provided for in this act, concerning Jewish communes, general legislation in force is applicable.

3. All changes in the act require an approval of the board of the Association of Jewish Religious Communes [Zwiazek Gmin Wyznaniowych Zydowskich].

Art. 2. 1. Members of Jewish communes are full of age, of Jewish faith, citizens of Poland, residents of the Republic of Poland.

2. Jewish communes are organized as the Association of Jewish Religious Communes [Zwiazek Gmin Wyznaniowych Zydowskich] in the Republic of Poland, subsequently called "The Association of Communes"

Art. 3. 1. Jewish communes freely practice Jewish faith and manage their own affairs.

2. Jewish communes are guided in their own affairs by their own interior law, describing in detail the system of Jewish communes, determined by a general meeting of the Association of Communes in agreement with the Religious Council of Jewish Communes.

Art. 4. Jewish communes and the Association of Communes are independent organizations from any foreign religious or state authorities.

Chapter 2

Art. 5. 1. The legal status possess:

1. Jewish communes,
2. Association of Communes.

2. The bodies of legal entities described in position 1, are:

1. for a Jewish commune - a board of a commune,
2. for the Association of Communes - the board of the Association of Communes

3. To make official statements on behalf of legal entities described in position 1, are entitled acting together two member of the board and one of them has to be the President.

Art. 6. Other organization units might be legalized, following the petition of the board of the Association of Communes, by way of a decree signed by the Minister of Interior Affairs and Administration.

Art. 7. 1. Forming new Jewish communes, terminating or modifying the existing ones, proceeds according to the provisions of the interior legislation.

2. About the occurrences described in position 1, the board of the Association of Communes advises immediately a leader of a province corresponding with the commune's seat.

3. Newly established Jewish communes obtain legal status following immediately a written advice to an appropriate leader of province. A copy of an advice containing a confirmed receipt thereof, is a certificate of obtaining a legal status.

4. An advice should contain information such as commune's seat, its territorial boundary and the list of members of the commune's board.

5. The following have to be advised as follows:

1. the Minister of Interior Affairs and Administration - in the event of appointing or recalling a member of the board of the Association of Communes.
2. an appropriate leader of province - in the event of appointing or recalling a member of the board of a commune.

Art. 8. The legal entities described in article 5, position 1, are not responsible for obligations of other legal entities.

Chapter 3

Activities of Jewish communes

Art. 9. 1. Jewish communes, according to their interior laws, institute the cult, perform public cult and fulfill religious services.

2. Jewish communes provide kosher food, eateries, ritual baths and kosher butchering in order to exercise the right to perform ceremonies and other ritual activities connected with religious cult.

Art. 10. Religious funerals and mourning services can be performed in the communal cemeteries while following general order regulations.

Art. 11. Individuals - members of Jewish communes have a right to get off work or studies for the period of the following religious holidays, which are not official days off work:

1. New Year - 2 days,
2. Day of Reconciliation - 1 day,
3. Feast of Tabernacles - 1 day,
4. Shmini atzeres (last day of feast of Tabernacles) - 1 day,
5. Joy of Torah - 1 day,
6. Pesach - 4 days,
7. Szawout - 2 days.

2. The time periods for the holidays described in position 1, are determined on the basis of Jewish calendar.

3. Individuals - members of Jewish communes have a right to be exempt from work or studies for Shabos, starting from the sun set on Friday and lasting until the sun set on Saturday and for the holidays described in position 1, according to regulations contained in separate provisions.

Art. 12. 1. Jewish communes have a right to conduct catechesis and teach religion according to regulations contained in separate provisions.

2. Marks for religion given by Jewish communes are recorded on certificates issued by public schools.

Art. 13. Jewish communes have a right to open and be in charge of schools and other cultural-educational establishments and care-educational establishments according to regulations contained in separate provisions.

Art. 14. Soldiers doing military service have a right to participate, outside of the military units, in the services and religious activities during the holidays, if next to the quarters of the military unit, there is a synagogue or prayers' house and if it does not interfere with the professional duties.

Art. 15. Provisions concerning postponement of active service in the military, due to studies are also applicable for the persons studding in rabbinat schools in the State and foreign countries.

2. Rabbis and assistants [podrabini] are moved to the reserve. They are not required to perform military exercises during peace, except of training, upon consent of a Jewish commune, to perform the duty of an army chaplain.

3. In case of mobilization and during war, persons described in positions 1 and 2, are required to perform the following duties, according to the needs of Armed Forces:

1. ministers - to perform duties of army chaplain,
2. persons studying in rabbinat schools - to the health service or service in the civil defense.

4. In the event of mobilization and during war appropriate military bodies, upon consent of the board of the Association of Communes, make sure to make available sufficient number of ministers among those, subject to mobilization.

Art. 16. Ministers, according to provisions of internal legislation, can perform religious services to coreligionists, who are in care and reformatory institutions, institutions of health care, social welfare houses and penitentiary institutions.

Art. 17. 1. On the basis of decisions made by the board of the Association of Communes and boards of Jewish communes religious Jewish organizations can be formed to perform activities complying with their mission, such as religious, educational and raising activities, charitable-caring and social-cultural activities, particularly activities protecting traditional and cultural Jewish heritage in Poland as well as activities spreading the knowledge of history and principles of Jewish religion.

2. Laws concerning associations are applicable to Jewish religious organizations, inclusive with the following:

1. the board of the Association of Communes or a board of a Jewish commune have a right to revoke a decision, described in position 1, providing they simultaneously petition to court to deactivate the organization.
2. an appropriate body - according to the legislation concerning associations - can petition the court to deactivate organization providing, it has an evaluation of the board of the Association of Communes.
3. in the event of terminating a Jewish religious organization, its assets are transferred to the Association of Communes or an appropriate Jewish commune.

Art. 18. Jewish communes and other legal entities, active based on the law herewith, can perform charitable activities, particularly, manage reformatories, care and health care institutions.

Art. 19. There are no fees connected with perpetual usufruct grounds assigned for the needs of charitable-care institutions and sites engaged in religious upbringing of the youth.

Art. 20. 1. The Association of Communes has a right to broadcast through public media religious services and religious-social programs, religious-ethical and cultural programs.

2. Ways of acting on rights described in position 1, are governed by agreements between appropriate units of public radio and tv and the Association of Communes.

Art. 21. State, self-governmental and religious establishments are cooperating to preserve, conserve, make accessible and spread knowledge concerning monuments of architecture and art, their documentation, museums and archives owned by Jewish communes, as well as works of art containing religious motives by ways described in provisions included in separate laws.

Chapter 4

Matters concerning assets

Art. 21. 1. Religious Jewish legal entities, described in Art. 5, have a right to purchase, possess and dispose of movable possessions and real estate properties, acquire and dispose of other rights and independent administering of their own assets.

2. Jewish communes and the Association of Communes can act on rights, described in position 1, unaided, as well as through a foundation formed for that purpose with participation of other interior legal entities or individuals and foreign organizations consisting of Polish Jews and World Jewish Restitution Organization.

Art. 23. 1. Religious Jewish cemeteries owned by Jewish communes or the Association of Communes cannot be subject to expropriation.

2. Cemeteries owned by the State Treasury or regional self-governmental units are protected, in particular, as far as their transfer to third parties is concerned and a ban on their assignment for other purposes.

Art. 24. In the event of dissolving a Jewish commune or other legal entity, activated on basis of the act herewith, its assets are acquired by the Association of Communes.

Art. 25. 1. Assets and income of Jewish communes and the Association of Communes are subject to general tax regulations, except as described in positions 2 to 5.

2. Jewish communes and the Association of Communes are exempt from paying real estate taxes - fully or partially, only if the properties or their parts are assigned for non-residential purposes, except of commercial purposes.

3. Exemption from real estate taxes pertain to real estate properties or their parts, if they are assigned for residential purposes of ministers, and:

1. they are registered as monuments of art,
2. operate as boarding-schools managed by legal entities operating based on the law herewith,
3. are located in the buildings which are seats of:
 - A. boards of Jewish communes, which existed on the date of becoming this act effective,
 - B. of the Association of Communes.

5. Purchasing and selling of items and property rights, described in position 4, are exempt from court expenses, except of recording fees [oplaty kancelaryjne].

Art. 26. The following donations sent from abroad to Jewish communes and the Association of Communes are duty free:

1. for cultural and ritual purposes, charitable-care purposes and cultural-raising purposes, except of excise products and cars,
2. polygraphic machines, appliances and materials as well as paper.

Art. 27. 1. Jewish communes and the Association of Communes have a right to collect donations for religious purposes, charitable-caring purposes, science, cultural-raising purposes and ministers' upkeep.

2. Donations described in position 1 do not require a permit from the regional unit of governmental administration [terenowy organ rządowej administracji], if they take place on the sites of religious cult and in the places and under circumstances customary accepted as such or traditionally instituted.

Chapter 5

Transitional and final provisions

Art. 28. 1. Jewish communes and the Association of Jewish Religious Communes [Związek Gmin Wyznaniowych Żydowskich], which

existed on the date of becoming this law effective and active

according to provisions current up to that date, become according to the law herewith, Jewish communes and the Association of Communes, respectively.

2. A list of Jewish communes, described in position 1, is attached to the act as an exhibit.

Art. 29. 1. Real estate properties or parts thereof, which were owned on the date of becoming this law effective by Jewish communes or the Association of Communes, become, in accordance with the law, their possessions.

2. Confirmation of acquiring properties or parts thereof, described in position 1, is issued by an appropriate local leader of province upon application of a Jewish commune or the Association of Communes.

Art. 30. 1. Upon an application of a Jewish commune or the Association of Communes, a proceeding is instituted, subsequently called "adjusting proceeding" [postępowanie regulujące], concerning transfer to a Jewish commune or the Association of Communes the ownership rights to real estate properties or parts thereof, seized by the State, and which on September 1, 1939, belonged to them or other religious Jewish legal entities, active on the territory of the Republic of Poland, if:

1. on that day, synagogues or cemeteries were situated on those properties,
2. on the day of becoming this act effective, there are buildings situated on them, where previously offices of Jewish communes were located and the buildings were utilized for the purposes of religious cult and cultural-raising,

2. Upon an application, described in position 1, an adjusting proceeding is instituted to also transfer the ownership rights of real estate properties or parts thereof, owned on January 30, 1933, by synagogue communes, functioning according to title II of the act of July 23, 1847, concerning relations with Jews (Collection of Prussian laws No. 30) and by other religious Jewish legal entities or real estate properties or parts thereof, legal status of which has not yet been established:

1. properties on which, on January 30, 1933, Jewish cemeteries and synagogues were situated,
2. properties, which previously were occupied by offices of synagogue communes in the localities which on the day of becoming this law effective, were abodes of Jewish communes,

3) properties utilized to bring back religion believes, and for educational-raising and charitable-caring functions.

3. Real estate properties transferred to communes based on the act of May 10, 1990, are a subject to proceedings described in positions 1 and 2. The following are executive provisions implementing an act concerning regional self-governments and an act concerning employees of self-governments (Dz.U. - Dziennik Ustaw -Journal of Laws - No. 32, position 191, No. 43, position 253 and No. 92, position 541, of 1991 - No. 34, position 151 of 1992, No. 6, position 20, of 1993 - No. 40, position 180, of 1994 - No. 1, position 3 and No. 65, position 285, of 1996 - No. 23, position 102 and 106, position 496 and of 1997 - No. 9, position 43).

4. Regulations described in positions 1 and 2 cannot affect the rights obtained by third parties.

Art. 31. In respect to properties described in art. 30, position 1, the following adjustments can be made (with an exception of position 2 of this article):

1. transferring ownership rights to the whole property or part thereof,
2. awarding an suitable property as substitution, if transfer of ownership rights encountered obstacles difficult to eliminate,
3. awarding restitution determined according to provisions concerning dispossession of properties, when it is not possible to make adjustments described in subsections 1 and 2.

2. As far as Jewish cemeteries are concerned as well as properties described in art. 30, position 2, adjustment can only be limited to transferring the property or of a part thereof. If this kind of adjustment is not possible, the proceeding is dismissed.

Art. 32. 1. In charge of an "adjusting proceeding" [postepowanie regulujace], described in art. 30, is the Adjustment Committee for Jewish Religious Communes [Komisja Regulacyjna do Spraw Gmin Wyznaniowych Zydowskich], subsequently called "Committee" [Komisja], which consists of representatives appointed by the Minister of Interior Affairs and Administration and the Board of the Association of Communes, in equal numbers.

2. Parties to an adjustment proceeding are, in addition to an applicant, all interested state, self-governmental and religious units.
3. Applications to initiate adjustment proceedings can be filed within five years from the date of becoming this law effective. Claims not filed within that period will expire.
4. A court or administration proceeding concerning properties described in art. 30, is adjourned, and courts and units of administration and self-governments transfer the files to the Adjustment Committee.
5. The matters are examined by the Committee within adjudgment assembly [zespol orzekajacy], which consist of two members appointed by each, the Ministry of Interior Affairs and Administration and the Board of the Association of Jewish Communes.
6. Adjustment proceeding is exempt from fees.
7. The Minister of Interior Affairs and Administration in agreement with the Board of the Association of Jewish Communes will determine the number of members in the Committee, detailed procedure concerning adjustment proceedings and wages of Committee's members.

Art. 33. 1. Upon receipt of an application adjudgment assembly [zespol orzekajacy] decides to constitute an adjustment proceeding, if an application is admissible, and dismisses application which is not admissible.

2. Parties to a proceeding can reach an agreement in front an of adjudgment assembly [zespol orzekajacy]. If no agreement is reached, adjudgment assembly issues judgment. Settlements and judgements are enforceable the same way as courts' executory documents.
3. Judgments issued based on applications and settlements reached in front of adjudgment assembly, should include the following:
 1. legal status of property,
 2. duties resulting from that status, pertaining to the parties of the proceeding, particularly a duty to release the property, if its not in the possession of an applicant, within specified period of time,
 3. in case of awarding restitution, duty and dead-line to pay the required sum of money.
4. Judgment as well as settlement are grounds to make entries into land and mortgage registers and land registrations.
5. There is no possibility to appeal a decision of adjudgment assembly.
6. The Ministry Council, by way of a separate regulation, will determine from the assets of which state organization unit or regional self-governmental unit a property can be separated in order to reward it as a substitution property or which state organization units can be burdened with the duty to pay restitutions.

Art. 34. 1. If an adjudgment assembly or the entire Committee are not able to issue a judgment, the parties of that adjustment proceeding are notified by them in writing.

2. Parties of an adjustment proceeding can within six months from the date of receipt of an advice, described in position 1, institute a suspended court proceeding [zawieszone postepowanie sadowe] or an administration proceeding, and if it is not instituted, to start a court proceeding, otherwise the claim will terminate. While examining the claim, court applies provisions contained in art. 31.

Art. 35. Transfers of properties or parts thereof, described in art. 29 and 30, as well as resulting from them entries into land and mortgage registers and commencement thereof, are exempt from taxes and fees connected with the transition.

Art. 36. The regulation of the President of the Republic of Poland, dated October 14, 1927, concerning adjustments of legal status while organizing Jewish religious communes on the territory of the Republic of Poland, except of Slaskie Province (Dz.U. - Dziennik Ustaw - Journal of Laws - of 1928 - No. 52, position 500 and of 1945 - No. 48, position 271) is obsolete. Obsolete are also all other provisions concerning matters regulated by that act.

Art. 37. This act becomes valid after 14 days from the date of its promulgation.

President of the Republic of Poland: A. Kwasniewski

LIST OF JEWISH RELIGIOUS COMMUNES WITH LEGAL STATUS

- Jewish Religious Commune in Bielsko-Biala
- Jewish Religious Commune in Gdansk
- Jewish Religious Commune in Katowice
- Jewish Religious Commune in Krakow
- Jewish Religious Commune in Legnica
- Jewish Religious Commune in Lodz
- Jewish Religious Commune in Szczecin
- Jewish Religious Commune in Warszawa
- Jewish Religious Commune in Wroclaw

Source: http://www.holocaustrestitution.net/communal_property_stature.htm

Appendix: C

C. Reports on Anti-Semitic activities in Poland

Anti-Semitic incidents in 2006 reported to the Public Prosecutor's Office or the Police by the Foundation for the Preservation of Jewish Heritage in Poland www.fodz.pl

Locality	Date of incident	Description	Stage of Investigation
Swidnica	December 15 th , 2004 – February 6 th , 2006	Anti-Semitic leaflets published by the NOP (a neo-nazi organization)	Investigation is being made by the District Court.
Radom	January 16 th , 2006	Devastation of the Jewish cemetery: anti-Semitic graffiti on the fence	Investigation made by the Public Prosecutor's Office was discontinued on March 6 th 2006; no perpetrators were identified
Hrubieszow	January 19 th , 2006	Anti-Semitic leaflets published by the NOP	Investigation against the NOP activist is being made by the District Court, Crimes Dept. in Hrubieszow
Tomaszow Mazowiecki	April 2006	Devastation of the Jewish cemetery: anti-Semitic graffiti	Investigation made by the Public Prosecutor's Office was discontinued; no perpetrators were identified
Lezajsk	April 15 th - April 18 th , 2006	Devastation of the Jewish cemetery: matzevot were damaged	Investigation discontinued - no perpetrators were identified
Swidwin	April 25 th , 2006	Devastation of the Jewish cemetery: three matzevot were destroyed	Investigation is being made by District Prosecutor's Office in Swidwin
Sandomierz	July 9 th , 2006	Devastation of the synagogue: anti-Semitic graffiti	The case was reported by FODZ to the Landmark Preservation Authorities in Sandomierz
Warsaw	August 2006	Devastation of the Jewish cemetery in Bródno district: anti-Semitic graffiti	The graffiti occurred on August 7 th 2006 and were removed on August 8 th 2006
Czeladz	August 7 th , 2006	Devastation of the Jewish cemetery: 15 matzevot were destroyed	Investigation discontinued; no perpetrators were identified
Warsaw	August 13 th , 2006	Anti-Semitic e-mail calling for the annihilation of Israel, propagating hatred against Jews. The e-mail was	Investigation is being made by the District Public Prosecutor's Office in Warsaw

		sent to FODZ by the President of NOP, Andrzej G.	
Augustow	August 2006	Anti-Semitic slogans were shouted by a group of 200 neo-Nazis	Investigation discontinued by the District Public Prosecutor's Office on October 11 th 2006
Kalisz	October 1 st - October 5 th , 2006 and November 12 th , 2006	Devastation of the Jewish cemetery: a matzevah and a commemorative plaque were damaged	Investigation discontinued; no perpetrators were identified
Brzeziny	January 4 th , 2007	Devastation of the Jewish cemetery: a commemorative plaque was damaged	Investigation is being made by the Police in Brzeziny

Anti-Semitic incidents reported to the Public Prosecutor's Office or the Police by the Foundation for the Preservation of Jewish Heritage in Poland in 2007 www.fodz.pl

	Place of Incident	Date of Incident	Description	Stage of Investigation
1.	Warsaw	January 22 nd , 2002 - present	Propagating of anti-Semitic contents and calling for hatred towards Jewish people on the Internet website www.polonica.net .	Investigation made by the Public Prosecutor's Office was discontinued on September 20 th , 2007 as no perpetrators were identified.
2.	Świdnica	September 1 st , 2003 - present	Propagating of anti-Semitic contents on the website www.historianiebezpieczna.kgb.pl/syjon/klinika.html , established by Mariusz R.	Investigation made by the Public Prosecutor's Office was discontinued on June 28 th , 2007 as the case was not classified as an offense.
3.	Brzeziny	December 14 th , 2006	Devastation of the Jewish cemetery: a commemorative plaque was damaged.	Investigation made by the Public Prosecutor's Office was discontinued on March 14 th , 2007 as no perpetrators were identified.
4.	Świdwin	February 26 th -28 th , 2007	Devastation of the Jewish cemetery: a commemorative plaque and matzevot were damaged.	Investigation made by the Public Prosecutor's Office was discontinued on June 9 th , 2007 as no perpetrators were identified.
5.	Suwałki	March 2007 (exact date unknown)	Devastation of the Jewish cemetery: swastikas were painted on matzevot.	Investigation made by the Public Prosecutor's Office was discontinued on May 8 th , 2007 as no perpetrators were identified.
6.	Warsaw	March 19 th , 2007	Anti-Semitic graffiti were painted on the monument of the Warsaw Ghetto Heroes.	Investigation is being made by the District Police.
7.	Augustów	Probably April 8 th , 2007	Devastation of the Jewish cemetery: a commemorative plaque was damaged and matzevot were covered with swastikas.	Investigation made by the Public Prosecutor's Office was discontinued on September 20 th , 2007 as no perpetrators were identified.
8.	Kraków	April 14 th , 2007	Anti-Semitic slogans were shouted and Fascist gestures made by the participants of the NOP (a neo-Nazi organization) demonstration.	Investigation made by the Public Prosecutor's Office was discontinued on November 26 th , 2007 as no perpetrators were identified and the case was not classified as an offense.

9.	Warsaw	May 18 th , 2007	Participation of David Irving, author of works denying the Holocaust during the 52 nd International Book Fair.	After the complaint filed to the organizer of the Fair by the Foundation for the Preservation of Jewish Heritage in Poland and other institutions, a meeting with D. Irving was cancelled and he was asked to leave the Fair.
10.	Tuliszków	Probably June 22 nd , 2007	Devastation of the Jewish cemetery: a commemorative plaque was torn off from the wall and swastikas were painted on a matzeva.	Investigation made by the Public Prosecutor's Office.
11.	Białystok	August 18 th , 2007	Devastation of the Jewish cemetery: swastikas and anti-Semitic slogans were painted on the fence and on matzevot. Devastation of the monument of the Białystok Ghetto Heroes: it was covered with paint and an obelisk was damaged.	An ill of indictment against three suspects was filed the District Court. They were all members of an organized group called "The Fourth Edition". They may be sentenced to five years of prison. The case was separated from another one, concerning eleven youths (to youngest are 15 years old), it was transferred to the Family and Youth Court.
12.	Białystok	August 19 th , 2007	Anti-Semitic symbols and slogans were painted on houses in Zamenhofa St. and Sienkiewicza St.	
13.	Białystok	August 26 th , 2007	Anti-Semitic symbols and slogans were painted on a building in Zamenhofa St., below the plaque commemorating Ludwik Zamenhof.	
14.	Suwałki	October 25 th -27 th , 2007	Devastation of the Jewish cemetery: swastikas were painted on the Wailing Wall and on matzevot.	Investigation made by the Public Prosecutor's Office was discontinued on November 27 th , 2007 as no perpetrators were identified.

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Audio Resources:

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Field Interviews: as listed in Footnotes

Polonsky, Antony, Massacre in Jedwabne: Poles, Jews and the Problem of a Divided Memory, Keele University Public Lecture, Department of History, Wednesday, December 14, 2004

(Recording courtesy: Dr. Hannes R. Stephan, Keele and Lund University)

Report from Poland: The Hidden Jews from Poland Conference Krakow, 2007, Shavei Israel, www.shavei.org

Visual sources:

All photos taken by Rohee Dasgupta during field-work in Poland.

Selected videos for further information:

(All accessed 10th November 2008)

Yiddish song at Beit Warszawa Parts 1-4

www.youtube.com/watch?v=EqymTEv_w28

Passover at Beit Warszawa Parts 1-5

www.youtube.com/watch?v=xNBPbwz9KVI

Introduction Beit Warszawa

www.youtube.com/watch?v=HY56irtOz3Y

Shabbath evening at Beit Warszawa

www.youtube.com/watch?v=PzJTpt4OPoo

www.youtube.com/watch?v=neyqTPgCOR0&feature=related

Nozyk Synagogue in Warsaw

www.youtube.com/watch?v=ASsEkjrLq-c&feature=related

Jewish Revival - Poland

www.youtube.com/watch?v=LdRtXmEPgck&feature=fvw

Contemporary Jewish Life in Czestochowa, Poland

www.youtube.com/watch?v=vswIfIMpoeI

Piotr Palgan, a young Jewish resident of Czestochowa tells of the effort to clean the Jewish cemetery in this very important Catholic town.

American Jewish Committee: Life changing experience Beit Warszawa

www.youtube.com/watch?v=DQXoBVAkIIY

Jewish in Poland: Daniela and Kuba

www.youtube.com/watch?v=ntizAnFWBxU&feature=related

Two Polish students describe how they came to be interested in Jewish life and culture. Presentation takes place before an audience.

Poland's Hidden Jews of the Holocaust - Lodz

www.youtube.com/watch?v=hPKF5UGeC90&feature=related

(Programme sponsored by Shavei Yisrael excerpts from the Hidden Jews conference)

Dzialoszyce, Poland Celebrates its Jewish Heritage

www.youtube.com/watch?v=c077M3sDVx8

History of the Polish Jews –Introduced by Prof Shevah Weiss

www.youtube.com/watch?v=wwA6Ug3OTpU