

# *The Katyn Massacres of 1940*

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## **Decision-Makers, Organizers and Actors**

The instigators of the Katyn Massacres were the members of the All-[Soviet] Union Communist Party Central Committee Politburo, and the chief instigator was Lavrentii Beria, People's Commissar for Internal Affairs. Beria authored the NKVD orders establishing camps for Polish officers and functionaries. These documents suggest that his original plan was to prosecute all of the prisoners, beginning with the 6,200 at Ostashkov, under Article 58-13 of the Soviet Penal Code, that is, for having "taken up arms against the international workers' movement" (Paczkowski, 1997: 428). Given the professions of the internees – all had sworn loyalty to the Polish State – convictions would have been virtually guaranteed, followed by five to eight years in penal labor camps.

Nonetheless, Beria opted instead on March 5, 1940 to draft a proposal to the Politburo that its members approved in full (Materski, 1993: 10-11). In his introduction, drafted as a note to Stalin, Beria repeated again and again that the Polish officers, functionaries, and prisoners were "counter-revolutionary" agents attempting to "continue their c-r (*counter-revolutionary*) activity, and are conducting anti-Soviet agitation." According to Beria, "All of them are bitter enemies of the Soviet power, filled with enmity for the Soviet system." Beria went on to list the total number of prisoners for each category before recommending that the NKVD USSR "apply towards them the punishment of the highest order – shooting. [...] The matter is to be looked at without summoning the arrested and without the presentation of evidence." The proposal charged three high-ranking officers of the NKVD with direct supervision of the action: deputy commissars Bogdan Kobulov and Vsevolod Merkulov, as well as Leonid Bashtakov, head of the NKVD's 1st Special Section (Materski, 1993: 23-25) (in the original proposal, Kobulov's name appears in Stalin's handwriting over the crossed-out name of Beria himself, indicating that Stalin made this substitution personally).

Below the proposal is Beria's signature; the first page of the recommendation features the signatures of Stalin, Kliment Voroshilov, Vyacheslav Molotov, and Anastas Mikoyan, with additional notes indicating that Mikhail Kalinin and Lazar Kaganovich – both of whom were absent that day – were nonetheless "for" Beria's proposal. This extraordinary document identifies both instigators and perpetrators, as well as the manner in which instigators delivered orders to perpetrators: through the NKVD troika of Kobulov, Merkulov, and Bashtakov, who reviewed and authorized each execution in advance of the massacres themselves (cf. Zawodny, 1962: 146).

Scholars have attempted to profile the NKVD functionaries who carried out the massacres. In the early 1990s, Polish and Russian historians debated the implications of a list of 125 NKVD functionaries from the *oblasts* of Kalinin, Kharkiv, and Smolensk who received special recognition and an 800-ruble bonus pursuant to

Beria's NKVD directive 01365 (October 26, 1940). Since the Katyń Massacres had taken place in these very *oblasts*, several Polish scholars suggested that the listed individuals had been the executioners (e.g. Trznadel, 1994). At the same time, the list was of only limited use in establishing the alleged perpetrators' identities, for most recipients of the 800 rubles were listed only by surname and first initial of given name. Historians could thus identify only a select few, such as Vasili Blokhin, infamous as an NKVD executioner elsewhere during World War II.

In July 2008, Nikita Petrov of the Russian *Memorial* NGO announced that a decade of work in the archives had enabled him to decode about 2/3 of the list of names and to supplement the names with data on age and position within the NKVD. Petrov's records are complete for over 80 of the 125 names on Beria's list (2008). According to Petrov, the profile of the functionaries on this list – prison guards, transport convoy guards, and archivists – corroborates historians' early suspicion that these were the functionaries who carried out the Katyń Massacres. It is important to underscore, however, that the list of names in NKVD directive 01365 may be far from complete: there may have been many other perpetrators.

Two former high-ranking NKVD officers – Petr Soprunenko, NKVD director of POW affairs, and Dmitri Tokarev, NKVD chief for the Kalinin region – have also provided testimonials of how the March 5, 1940 order was carried out. The emergent picture is one of a rigidly disciplined command structure with a fairly predictable system of punishments and rewards. This system furnished NKVD officers with both ideological and practical justifications for a daily *modus operandi* of generating psychological terror among the people they encountered as well as being prepared to carry out systematic violence against those people. In the specific case of the Katyń Massacres, it is clear what NKVD functionaries did and how they did it. One must use the term "massacres" in the plural, not only because there was more than one site of killing, but also because the killings were spaced out over five or six weeks according to a precisely premeditated plan.

Kozelsk, 250 kilometers east of Smolensk, held 4750 Polish officers. The winter of 1939-40 was long and harsh, with frosts beginning at the end of September, and the Kozelsk POWs spent it in the ruins of a monastery. Beginning April 3, 1940, they were removed in groups from the camp. Small cars carrying 14-16 prisoners each were attached to regularly scheduled trains, with anywhere from 20 to several hundred prisoners transported on one train to the Gnezdovo station. There, NKVD functionaries loaded the officers 30 at a time into prison transport buses that, every 30 minutes, carried the prisoners 1.5 kilometers to an NKVD recreational facility in the Katyń Forest.

The NKVD had been digging eight separate ditches in preparation for mass graves since the promulgation of the March 5 Politburo decision. Officials carrying bayonets subjected each set of prisoners, freshly arrived at the forest, to a bodily search, checked their identification, and then led each of the prisoners individually at gunpoint to one of the eight ditches. NKVD officers killed the Poles with shots to the back of the head from German revolvers. The transports and killings continued until the entire Kozelsk camp had been liquidated, by May 12, 1940, and the NKVD filled in the mass graves and planted young pine seedlings on the ground above them.

The fate of those killed at Katyn was exceptional in the sense that the killing took place at the intended burial site. The Polish officers held in a ruined monastery at Starobelsk, 230 km southeast of Kharkiv, were taken in groups ranging from a handful to 260 to NKVD regional headquarters in Kharkiv, first by train through Voroshilovgrad (present Lugansk) and Valuyka to Kharkiv's southern train station, finally by prison transport bus to the NKVD headquarters on Dzierzhinski Street. The transports ran under cover of night, and the NKVD liquidated each set of prisoners on arrival, with shots to the back of the head from Russian "Nagan" revolvers. NKVD officers then used freight trucks to transport the bodies to a forest just outside the Piatichatka neighborhood of Kharkiv. The bodies were dumped into ditches surrounded by a tall, wooden fence. On May 12, 1940, the NKVD filled in the graves.

Beginning April 4, 1940, the prisoners kept outside Ostashkov – 180 km west of Kalinin (present-day Tver), on the island Nilova Pustyn on the lake Seliger – were driven on foot seven kilometers over the frozen lake to the Soroga train station, whence trains accompanied by an armed escort carried them through Likhoslavl to Kalinin. The prisoners then went to NKVD regional headquarters on Sovietskaya Street, where they were briefly detained. By night, a 30-person NKVD execution crew processed the prisoners: first, confirming the identity of each, then killing with a shot to the back of the head from a German "Walter" pistol. The killing squad averaged 250 dead per night, and the executions continued until May 19. Following each night of executions, the NKVD transported corpses by freight truck 32 km along the Moscow-Leningrad road to the town of Mednoye, where the bodies were deposited in ditches 4-6 meters deep on the site of a regional NKVD recreational facility.

The most difficult of the "massacres" to reconstruct is that of the Poles kept in prisons rather than camps. Beria followed the March 5 Politburo decision with NKVD order 0350 on March 22, ordering the NKVD of the Ukrainian Soviet Socialist Republic to move 3000 prisoners (chosen, as in the camps, based on information from interviews conducted by the NKVD) from prisons at Lviv, Rivne, Volodimir Volinskii, Ternopil, Drohobych, and Stanislaviv to Kiev, Kharkiv, and Kherson. The order also instructed the NKVD of the Belorussian Soviet Socialist Republic to remove the same total number of prisoners (3000) from Brest, Vileika, Pinsk, and Baranavich to Minsk. The respective republican NKVD divisions carried out their orders, as in the other massacres, after verifying each intended victim's identity and killing him with a shot to the back of the head. However, it is not clear where the prisoners were killed and where they were buried. In September 2007, Polish researchers recovered several artifacts (including dog tags) from what appears to be a mass grave outside **the town of Bykivnia near Kiev identifying at least four of the prisoners killed by the Ukrainian NKVD (Radziwinowicz, 2007).**

### **Victims**

There are two sources of information on victims of the Katyn Massacres: NKVD and Politburo archival documentation as well as artifacts found during exhumation of mass graves. From the former, it is possible to glean aggregate information – at least, according to the official version – about the total number of victims as well as the numbers for each burial site. Beria's recommendation to the Politburo provides

a detailed profile of POWs and political prisoners. According to Beria, "All together 14.736 people are being kept in the POW camps (excluding soldiers and non commissioned officers)," and Beria claims that "over 97% of them are Poles." He breaks the prisoners down into the following categories:

- generals, colonels, lieutenant colonels – 295;
- majors and captains – 2,080;
- lieutenants, second lieutenants and chief warrant officers – 6,049;
- officers and lower ranking commanders of police, frontier guards and provosts – 1,030;
- privates of police, provosts, prison guards and intelligence agents – 5,138;
- clerks, landlords, priests and (*army*) colonists – 144.

Similarly, Beria classifies all of the 18,632 detainees kept in Ukrainian and Belorussian prisons, of which 10,685 were Poles:

- former officers – 1,207;
- former policemen, intelligence agents and provosts – 5,141;
- spies and infiltrators – 347;
- former landlords, manufacturers and clerks – 465;
- members of various c-r (*counter-revolutionary*) and resistance organizations; and various c-r (*counter-revolutionary*) elements – 5,345;
- refugees – 6,127,  
(Materski, 1993: 20-21).

Beria's classification scheme is, however, somewhat confusing because, although he distinguished clearly between Poles and non-Poles in overall numbers, he failed to do so within categories. Thus, while we know that Beria recommended 14,700 POWs and 11,000 political prisoners for summary execution, it is unclear if Beria was primarily interested in eliminating Poles along strictly ethnic lines or rather according to certain ideologically defined sub-categories. For POWs, since virtually all of the officers were Poles, the figures would be nearly identical. Nonetheless, if we add together the figures for the different categories enumerated by Beria for execution, the total is over 13,000, i.e. 2,000 more than Beria's total number of prisoners to be executed. Indeed, the 11,000 prisoner total for execution is a considerably closer approximation of 10,685, i.e. the number of Polish prisoners. It is therefore possible to conjecture that Beria's primary aim was to kill ethnic Poles – whom propaganda portrayed collectively as "bourgeois lords" – rather than members of certain social or occupational categories.

Whereas Beria recommended an overall total of 25,000 for execution, subsequent Soviet documentation and the results of exhumation at the gravesites provide a basis for comparison. On March 9, 1959, KGB chief Aleksandr Shelepin submitted a report to Soviet leader Nikita Khrushchev summarizing figures "kept at the Committee of the State Security of the Council of Ministers USSR." According to these figures, a total of 21,857 prisoners were killed in the Katyń Massacres: 4,421

at Katyń; 3,820 at Kharkiv; 6,311 at Mednoye; and 7,305 at the hands of Belorussian and Ukrainian NKVD prison officials (Materski, 1993: 26-29). Exhumations have yielded figures that are useful for comparison in the cases of Katyń and Kharkiv: 4,243 corpses identified at the former, 3,809 at the latter (on reasons for variations of these numbers within the literature, see Cieniala, 2006; Sanford, 2005). These figures correspond closely enough to the NKVD's own paperwork to suggest accuracy.

The NKVD's files were extremely detailed, yet, according to documentation of the Communist Party of the Soviet Union, the Central Committee Presidium ordered them destroyed in 1959 (Materski, 1993: 30-31). Indeed, that order was a response to Shelepin's report, which recommended to Khrushchev that "it seems advisable to destroy all files of the persons shot in 1940 within the framework of the operation mentioned above."

Exhumations have yielded partial information. Those performed at Katyń in the 1940s and again in the 1990s confirmed the identities of Generals Bronisław Bohaterewicz and Mieczysław Smorawiński. The Kharkiv exhumations even yielded a still-legible sheet of paper listing lieutenant colonels and colonels of the Polish army who had been at Starobelsk. Both sites – as well as the Mednoye site – also turned up numerous letters, identity cards, birth certificates, photographs, and personal items bearing names as well as rank and insignia. At Bykivnia, artifacts already exhumed have allowed researchers to confirm the identities of at least four Polish prisoners buried there.

Among the largely unanswered questions about the victims remains that of gender. Given the nature of the groups sought by the NKVD, virtually all of their captives were men. Nonetheless, among the remains at Katyń was discovered the skull of Janina Lewandowska, a second lieutenant and also daughter of the former commander of the Polish Army First Corps (General Józef Dowbór-Muśnicki), as well as the remains of her attire. Her death at Katyń suggests that the NKVD were willing to liquidate women as well as men.

In the eyes of the Soviet instigators and perpetrators, the people killed and buried were "hardened enemies of the Soviet power with little expectation of their reform." They were Poles, primarily – though not exclusively – male. Although they came from a variety of occupations – soldiers and officers, police, clerks, landlords, manufacturers – most shared the common experience of service in Polish armed forces, and the rest had either sworn oaths of loyalty to the Polish State or formed part of its socioeconomic elite. In other words, they embodied the category of the "bourgeois Pole" enemy as defined by the Soviet Union according to both ethnic and ideological criteria.

### **Witnesses**

Two broadly defined sets of testimony bear witness to what took place in the Katyń Massacres: the testimony of the few survivors of the Kozelsk, Starobelsk, and Ostashkov camps and the artifacts recovered at those sites.

Between December 1939 and March 1940 (Michułka, 1945), transfers out of the three camps more or less ceased. The 395 who did leave – 205 from Kozelsk, 78 from Starobelsk, and 112 from Ostashkov – went to other internment camps and thereby “survived.” Earlier works on Katyń cite higher numbers of survivors – J.K. Zawodny (1962: 117) gives a total of 448 based on figures of the wartime Polish government-in-exile while others cite 432 (Peszkowski, 1989; Tucholski, 1991), but Natalia Lebedeva’s publication and analysis of a May 25, 1940 NKVD report with the lower figures has been widely accepted as authoritative (1994).

The most comprehensive of the accounts left by these survivors are the 1976 memoir *In the Shadow of Katyń* by Stanisław Świaniewicz and the many texts and interviews published by Józef Czapski. Świaniewicz survived Kozelsk, and Czapski survived Starobelsk. Świaniewicz – who, after the war, lived in exile as an internationally recognized economics professor – was in the unique position of having reached the Katyń Forest before being pulled out. All of the people with whom he rode in a train ended with bullets in the backs of their heads; although he did not witness their demise, he described a somber atmosphere shrouded in secrecy: “The clearing was encircled by a tight cordon of NKVD units, bayonets set. [...] Even at the front, immediately after having taken us prisoner, the escort had not set its bayonets. [...] We asked ourselves for what reason these windows [in the train car] had been blackened” (Świaniewicz, 1976; cf. Paczkowski, 1997: 430).

With respect to Starobelsk, Czapski gave detailed accounts beginning soon after his release in the amnesty of 1941. In 1943, Czapski described in an interview the conditions under which he left Starobelsk in May 1940. He was one of the last remaining prisoners of the camp: as he explained, the NKVD had been removing groups of POWs by night and spreading rumors, first, that “we would be surrendered to the Germans,” then, that “we would be transported through Romania and Greece to join the Polish army in France.” The NKVD went so far as to “wake us in the middle of the night and ask who knew the languages of the Balkan countries” (Czapski 1943).

Czapski did not know when giving the interview that most of his fellow prisoners had been massacred. Nonetheless, he sensed that those who had been transferred away from the camp had a privileged fate, and he sought to understand why he was among them. When he looked around and saw who remained with him, he could conclude only a confusing arbitrariness: “There was a full gamut of ranks and convictions, from General Wołkowicki to privates, from people who constructed for themselves a ‘Red Corner’ [to hold ideological discussions] to extreme partisans of the ONR [pre-war fascist organization]. From Starobelsk we were taken [...] to Pavlishchev Bor, by Smolensk, and then to Grazovec, where we met several hundred colleagues from Kozelsk and Ostashkov. From Grazovec we were freed after the ‘amnesty.’”

Czapski’s testimony regarding “colleagues from Kozelsk and Ostashkov” is corroborated by other survivors. The unpublished diary of Stanisław Michułka, interned at Ostashkov, describes his relocation to Pavlishchev Bor on April 29, 1940 and his subsequent transfer to Grazovec on June 18, 1940 (1945). The testimony of the “survivors” Świaniewicz, Czapski, and Michułka raises one question above all others: why were they and their fellow 392 survivors spared execution?

Czapski's testimony about the NKVD's conscious efforts to sow disinformation and to leave an arbitrary selection of prisoners points to one possible conclusion. The premeditated selection of a seemingly random (but in fact carefully selected) assortment of prisoners from the three camps who would survive – a cross-section of ranks, ages, and political profiles – could have served the Soviets as insurance against potential future accusations that they had wiped out all of the prisoners of these three camps, or just the generals, or just the anti-communists.

J.K. Zawodny corroborates this conclusion, indeed making a more aggressive claim based on testimonies gathered after the amnesty from survivors by the Polish government-in-exile in London. According to Zawodny, the six months of internment featured regular NKVD interrogations of all prisoners in an attempt to see if their formal loyalties could be broken down and new loyalties established to the Soviet Union. For the most part, these attempts failed, with the exception of 50 men who formed a Communist political circle within the camp (Zawodny, 1962: 120). The rest of the men isolated themselves from these perceived turncoats, yet ultimately the NKVD widened the pool of "potential Communist leaders of a future 'Red Polish Army'" beyond 50 to 245 from Starobelsk alone. Those who were too loyal to Poland were "marked to die," while the rest were "marked to live."

If Zawodny is correct, the selection process was clearly not arbitrary. Nonetheless, the accounts of Czapski and Zawodny are not contradictory: it is possible that NKVD functionaries aimed for a calculated appearance of arbitrariness in the men they selected as survivors, selecting a cross-section of the ideological profiles they had developed of the prisoners over months of interrogation. Zawodny's argument raises the additional question of what during these interrogations so distinguished the survivors from the victims in the eyes of the NKVD, especially since only 13 of the survivors subsequently became Communists (Zawodny, 1962: 146).

Unfortunately, no similar testimonials are available for the political prisoners sent to Kiev, Kharkiv, Kherson, and Minsk.

One should also remember that the numerous artifacts found during exhumation of the mass graves provide details about life in the camps prior to their liquidation. These include detailed correspondence between prisoners and families back in occupied Poland, honors and insignia, and everyday objects. The correspondence is especially illuminating if one pays attention to the fact of its interruption in March 1940 before the deportation of prisoners' families into the Soviet hinterland. The Soviet Council of People's Commissars decided on this deportation a mere three days (March 2, 1940) before the Politburo's affirmation of Beria's recommendation to kill the prisoners. A secondary benefit of the deportations, from the point of view of the instigators, was that they would make it more difficult for prisoners' families to note a break in correspondence with their imprisoned fathers, husbands, and sons. Nonetheless, many families did, in fact, report a sudden silence from their loved ones to Polish authorities in exile. The combined testimony of "survivors" and material culture thus suggests a premeditated – if unsuccessful – plan that, barring the discovery of the mass graves, could have shielded the Soviets from accountability for the disappearance of the massacred prisoners.

A brief note on the Soviet side – no direct witnesses to the killings have come forward, though the Soviet-Russian investigation of 1990-94 yielded the above-

cited detailed testimony of the former high-ranking NKVD officers Soprunenko and Tokarev. According to their testimony, they themselves did not participate in the killings, but they were intimately involved in organization. One of the primary objectives of the Russian NGO *Memorial* has been to win access to any NKVD documentation that might have survived KGB director Shelepin's 1959 campaign to destroy records of the massacres in hopes that such documentation might include eyewitness-perpetrator testimony.

### Memory

It is useful to look at the resonance of the Katyń Massacres in public memory and – following Marianne Hirsch (1997) – post-memory. There is one core principle unifying all of the “sites” of collective and historical memory of Katyń: the Polish Nation.

The public memory of the Katyń Massacres was, from its inception, deeply embedded in pre-existing Polish-German and Polish-Russian memory. The ethnic-class enemy status applied to Poles by Soviets derived in part at least from memory of the Polish victory over the Soviet Union in the war of 1920-21, which stood behind Beria's assessment of the Polish POWs as “hardened enemies of the Soviet power.” Ideological training transmitted this understanding of the bourgeois Pole to Red Army soldiers as well as NKVD.

It is thus both paradoxical and perfectly consistent that the massacre of Polish officers by Soviet NKVD, reframed by Soviet leaders as a German “crime against humanity,” was used to justify the Soviet decision in 1943 to break diplomatic ties with the Polish government-in-exile. Stalin had told the Polish Prime Minister Władysław Sikorski that the POWs had all been released in 1941. When the Poles reacted positively to the German call for an International Red Cross investigation of the mass graves discovered in 1943, Stalin made a show of indignation, implying that the Polish exiles were thereby supporting the Nazis, and then immediately broke diplomatic ties (Drozdowski, 1996). This Soviet play on Polish national memory – caught between distrust of Germans and distrust of Russians – weakened the exile government's position. As Allied leaders successively accepted Stalin's position on Poland, agreeing to forgo an open inquiry into Katyń, the Soviet Union installed a new, pro-Soviet Polish government based in Lublin, which soon received international sanction and secured postwar Poland's place in the Soviet bloc.

Until 1956, the post-war Polish State – first simply as the Polish Republic and then as the People's Republic of Poland – located its public memory of Katyń in tightly controlled ceremony and pedagogy. On January 30, 1944, the Polish First Army celebrated the “memory of victims of Hitlerite terror” at the Katyń Forest with a funereal mass, a speech by the army's commander General Zygmunt Berling, and wreaths. Two years later, a memorial obelisk was erected at the site with plaques in Polish and Russian.

Schoolteachers instructed students that the Germans had perpetrated the massacre. A 1952 book entitled *Prawda o Katyniu* (*The Truth about Katyń*) ignored survivor testimony and asserted that the Germans had staged the gravesite in an attempt to turn international opinion against the Soviet Union (Wójcicki, 1952). The party-state press organ *Trybuna Ludu* (*People's Tribune*) ardently endorsed this

account (*Trybuna Ludu*, June 1952: 3). *Prawda o Katyniu* was the only book about Katyń to appear openly in the Polish People's Republic, and all public discussion of Katyń was closely monitored by the security apparatus. Indeed, the security forces frequently intimidated victims' families as part of a campaign to silence all but the officially sponsored channel of public memory.

De-Stalinization and October 1956, which brought to power in Poland the reform-promising Polish United Workers' Party (PUWP) first-secretary Władysław Gomułka, only complicated the matter. Petr Kostikov, longtime director of the Polish affairs section of the CPSU CC, has recounted a conversation purported to have taken place in the fall of 1956 between Gomułka and Khrushchev. Although no archival documentation has yet emerged to verify Kostikov's account, the account itself is worthy of attention: Khrushchev was to have proposed that the Polish first secretary reveal the truth about Katyń, to which Gomułka reputedly replied, "You don't understand what kind of echo that might have within our Nation [...] It could trigger a chain reaction. It's not enough to blame everything on Stalin" (Osęka, 2007). Indeed, following de-Stalinization, there was less mention of Katyń than previously: it disappeared from school textbooks and encyclopedias. Fear of the revenge of historical memory led Polish Communists, beginning with Gomułka, to repress Katyń completely.

In the meantime, across Poland, a generation came of age that had lost countless family members during World War II under unexplained circumstances. At the time, Kharkiv, Mednoye, and Bykivnia were still unknown, but whispers circulated. The growing community of Poles in exile lobbied unsuccessfully for international legal inquiries into Katyń, deploying Raphael Lemkin's term "genocide" and the "crimes against humanity" category successfully inaugurated at the Nuremberg Trials. Indeed, it is thanks in part to their efforts that public memory of Katyń grew strong in the West, especially among academic and political elites.

News of their efforts reached Poles in Poland through the distorted lens of PUWP propaganda, which condemned the accusations as fascist confabulation. However, as the post-Katyń generation grew up, and a select few artists, intellectuals, and scientists were permitted to travel abroad after 1956, they began to learn more. As filmmaker Andrzej Wajda, whose father Jakub Wajda had never returned from Starobelsk – having been killed at Kharkiv – recalled, "We never learned how and where my father was murdered, his body was never recovered. [...] Only when I started traveling abroad [...] did I learn how things looked" (Wajda, 2007). Katyń thus became the locus of a deep, troubled post-memory of an uninvestigated, unavenged crime (Dostakowska, 2007; Kaczorowska, 2006; Nazar, Skąpska, Spanily, 1999).

Katyń took its place within a long-standing *sub rosa* canon celebrating Polish national heroism. The private post-memory of victims' children – whose lives were colored by the suppressed memories and active forgetting of their parents' generation – became a generational phenomenon, an integral part of a counterculture fueled by celebration of Polish collective memory. As Józef Czapski foretold in 1950, "All of us, independently of whether or not we want it to be so, are bound together by an invisible chain, of which one of the final links is Katyń" (cf. Sobolewski, 2007).

This chain, however, was not always invisible: it periodically took material form. On November 1-2, 1959, a makeshift memorial appeared by cover of night at Warsaw's

military Powązki Cemetery, a wooden cross labeled as a "symbolic grave" commemorating the Katyn victims. Although officers of the State security service removed the cross the subsequent night and initiated an exhaustive investigation into its appearance, the site became a focal point of Katyn commemorations, with flowers accumulating even after the cross's removal (Sawicki, 2007). Two decades later, in July 1981, representatives of the *Solidarity* movement erected a 4-meter, 8-ton cross at the same site (also dismantled the next night). Following the suppression of *Solidarity* and the introduction of martial law four months later, publications on Katyn began to appear through underground presses, especially in the month of April. At least four editions appeared of Swianiewicz's *In the Shadow of Katyn* between 1981 and 1986.

In 1989, *Solidarity* and the Round Table talks brought free elections and the rapid collapse of Communism in Poland. Families who had met privately for years, risking harassment or even imprisonment, formally constituted the Families of Katyn in 1989, a network of 35 regional organizations throughout Poland that in December 1992 came together as the Federation of Katyn Families. After Soviet president Mikhail Gorbachev provided Polish president Wojciech Jaruzelski on April 13, 1990 with a list of the victims, exhumations were undertaken at Katyn, Kharkiv, and Mednoye. The Polish director Marcel Łoziński made the widely seen and well received documentary film *Las Katynski* about the massacre and the victims' families.

In 1991-92, the Polish Military Museum organized the exhibits "Not just Katyn" and "Ostashkov, Mednoye, Starobelsk-Kharkiv – Evidence of War Crimes." In March 1992, on the initiative of the Federation of Katyn Families, the Military Museum agreed to open a separate museum devoted to Katyn. This museum opened on June 29, 1993 in Warsaw, with a ceremony attended by the deputy minister of defense and the field bishop of the Polish army. Curatorial responsibilities were entrusted to retired Colonel Zdzisław Sawicki, a member of the exhumation teams.

And yet public memory and post-memory never fully harmonized. The budget of the Katyn Museum is so small that it has no chance of growing beyond the five rooms with which it began. Although it is a frequent destination for school trips from around Warsaw, it receives little or no media attention, and, since its opening, no public officials have visited it. The contrast could not be more striking with the Museum of the Warsaw Uprising, whose 2004 opening – under the personal patronage of Warsaw mayor Lech Kaczyński – was a national event, covered extensively by mainstream media and timed to coincide with the Polish-language publication of Norman Davies's study *Rising '44*. That museum has become a tremendously successful pedagogical and political enterprise, with large-scale multimedia displays that draw enormous crowds.

The status of memory of Katyn in post-1989 Poland has received more critical attention following the announcement of Andrzej Wajda's feature film *Katyn*, which premiered September 17, 2007. For Wajda, the film was both a performative act of post-memory transference onto Polish society at large and a serious artistic undertaking. However, the film's release has also occasioned extensive academic and popular debates, in turn begging the question why these debates are taking place only now. Polish sociologist Barbara Szacka has suggested that memory of Katyn may be an intrinsically "elite memory." Although the victims of the massacres were patriotic Poles – and are widely remembered as such – they were also

primarily members of the sociopolitical elite, and that fact limits their appeal in Polish collective memory (Szacka, 2007).

Although dissident activities and *Solidarity* seemed to facilitate the transfer of post-memory of Katyń from families to society at large, the freedom that followed 1989 ultimately detached Polish society from the historical memory of Katyń. There are several memorials to Katyń in Poland, but – with the exception of a large memorial erected in Warsaw's Powązki military cemetery – the most significant are in capital cities of regions populated by families of the pre-war eastern territories, i.e. Lublin and Wrocław. The most publicly visible memorials are outside Poland, funded by Polish émigré communities, for example, in London, Jersey City, Adelaide, Johannesburg, and Baltimore (Siomkajło, 2004).

Szacka's thesis is provocative, yet the very event that occasioned it – the critical and popular success of Wajda's film – seems to contradict it. Although the film is historical fiction, it has already marked academic, popular, and political discourse. The film's release coincided with the opening of a campaign for early parliamentary elections. Polish president Lech Kaczyński – whose twin brother Jarosław was running to maintain his majority government – journeyed to the Katyń Forest on September 17, the anniversary of the Soviet invasion of Poland, accompanied by a 200-person delegation that included members of Wajda's cast and crew. Subsequently, as one of its first acts, the newly elected Polish parliament, on November 14, 2007, enacted a resolution stating that April 13 would henceforth be an official "Day of Remembrance of Victims of the Katyń Crime," encompassing Katyń, Kharkiv, Mednoye, and even Bykivnia.

Beyond its domestic political influence, the film *Katyń* received a nomination for the 2008 Best Foreign Film award by the Academy of Motion Picture Arts and Sciences (though not the award itself). The nomination drew more mainstream audiences worldwide to the film, thereby directing increased international attention to the Katyń Massacres (for an early assessment of the film's international reception, see Applebaum, 2008). The combination of film and politics may yet revitalize historical memory of Katyń, placing it back at the center of the discourse of the Polish Nation, together with the Warsaw Uprising.

### **Interpretations**

The key issue for understanding both legal and scholarly interpretations of the Katyń Massacres is language. In English and French, the accepted noun for Katyń is "massacre." In Polish and Russian, meanwhile, it is "crime." Originally, the term "Katyń crime" was deployed by Stalin and Molotov during World War II.

The Soviet usage of the term "crime" had not only a moral-political valence but also a legal one: at the Nuremberg Trials in 1946, Soviet prosecutors charged Nazi defendants with committing "a crime against humanity" in having perpetrated the massacre in the Katyń Forest (Basak, 1993). A Soviet exhumation commission led by Nikolai Burdienko had reported on January 26, 1944 that the corpses dated from late 1941 – while the Germans occupied the territory. However, subsequent exhumations have suggested that Burdienko's group contaminated its work by adding newspapers from 1941 (Sawicki, 2004: 19). Only the Burdienko findings – none from the German exhumation – were presented by the Soviet prosecutors,

whose charges were dropped by the American presiding judge after only three days at trial on grounds of insufficient evidence (Sanford, 2005: 140-41).

Meanwhile, the Polish exile community in the United States and Great Britain lobbied for international legal claims against the Soviet Union (for documentation gathered as part of the earliest attempts, see Stahl, 1948). These lobbyists, especially Stanisław Mikołajczyk, former Prime Minister of the exile government, in his capacity as an officer of the multinational émigré Assembly of Captive European Nations, facilitated the application of Raphael Lemkin's term "genocide" to Katyń. One of the results was a 1951-52 investigation by a Select Committee of the US Congress under Indiana representative Ray J. Madden. The committee heard numerous testimonies in both the United States and Europe, including those of 26 former prisoners of Kozelsk, Starobelsk, and Ostashkov, and it gave significant weight to the findings of the Red Cross investigation of 1943. On December 22, 1952, the committee circulated House Report No. 2505: "This committee unanimously agrees that evidence dealing with the first phase of its investigation proves conclusively and irrevocably the Soviet NKVD (People's Commissariat of Internal Affairs) committed the massacre of Polish Army officers in the Katyń Forest near Smolensk, Russia, not later than the spring of 1940." The committee attributed this action to a larger Soviet plotting of "criminal extermination of Poland's intellectual leadership."

The US Congress report did not lead to legal action, yet its findings induced academic and political elites in the West – many already inclined against the USSR by the preliminary findings of the 1943 Red Cross investigation at Katyń – to accept more or less universally that the Soviet Union had perpetrated the massacre. Although the legal dimension remained crucial to the Poles in exile – Mikołajczyk prepared a report in 1954 on "Genocide of Poles" that cited, in addition to Katyń, mass deportations, Warsaw Communist policies, and other measures aimed at the "liquidation of elements hostile to the regime" – the Cold War necessarily politicized the discussion. The Polish People's Republic officially condemned the congressional inquiry, and *Trybuna Ludu* declared that "the Polish Nation with indignation receives the cynical provocations of the American imperialists, taking advantage of the tragic death of thousands of Polish citizens at Katyń" (March, 1952: 1). Once Katyń had on the level of international discourse become above all an issue of "American imperialists" and "Soviet communists," Mikołajczyk's legal case had been lost.

In the final years of the Cold War, the public silence in Poland was broken when, following the signing of an April 1987 agreement with Mikhail Gorbachev on Polish-Soviet academic and cultural cooperation, PUWP first secretary Wojciech Jaruzelski set up a joint Polish-Soviet commission to investigate the "blank spots" in contemporary Polish history, including Katyń. Soviet commission members maintained total silence on the massacres, and the commission failed to produce documents for public consumption, yet the commission made the word itself – "Katyń" – less taboo.

This development created a discursive space within which Polish State and society could react when, on April 13, 1990, the Soviet TASS news agency announced, "The whole of the released archival materials permits one to conclude the direct responsibility of Beria, Merkulov, and people responsible to them for the crime committed." Curiously, the Soviet government resurrected the word crime from its wartime anti-German discourse. Furthermore, its successor Russian government

appeared prepared for legal consequences when president Boris Yeltsin transmitted to Polish president Lech Wałęsa on October 14, 1992 a set of photocopies of Beria's orders and the surviving NKVD documentation.

Indeed, Gorbachev had instructed the Military Prosecutor's Office to form a committee of experts. The investigation ran from August 1990 to June 1994, and its August 1993 report – co-authored by the historian Natalia Lebedeva, whose subsequent publications remain the most intrepid Russian-language analysis of the massacres – reached a dramatic conclusion (Lebedeva, 1994; Iazhborovskaia, Iablokov, Parsadanova, 2001). The report assessed the massacres to have been an act of genocide, a war crime, and a crime against humanity per article 6 of the Nuremberg International Military Tribunal Charter. Its authors recognized that these were not crimes under Soviet or Russian law, so they demanded that the Russian Duma criminalize them retroactively.

Although the Duma did reform the Russian Criminal Code in 1997, the changes were not retroactive, and the Military Prosecutor rejected the report. "Criminal Case No. 159" sat on the Russian Prosecutor General's desk for a decade before the investigation was closed, unofficially in September 2004, officially in March 2005, on grounds that the massacre victims had been condemned under Soviet criminal law of the time, so "the crime came under the statute of limitations" (Cienciala, 2006: 120). And when Poland's Institute of National Remembrance opened its own Katyń investigation in November 2004, it found that Russian investigators had classified as secret all but 67 of the 183 volumes of their investigation, and Russia refused permission for verified copies to be made even of those 67.

In 1994, the Russian Federation, Ukraine, and Poland signed a series of international agreements establishing rights of exhumation, cemeteries, and memorials. Although these agreements have proven difficult to enforce, war cemeteries were dedicated at Kharkiv, Katyń, and Mednoye between June and September 2000 (Sanford, 2005: 226-33).

And yet the release of Wajda's film has provoked renewed polemics in Russia. On September 19, 2007, *Rossiiskaia Gazieta* – a newspaper close to the Kremlin – raised questions about the authenticity of the Politburo and NKVD documents released by Yeltsin ("Kommentarii", 2007). Copiously verified and annotated documentary studies published over the past decade or more – corroborated by photographs of the original documents in Soviet archives – suggest to the greatest degree possible that the documents are, in fact, authentic (Lebedeva, 1994; Materski *et al*, 1995-2006; Skrzyńska-Pławińska, 1995-97; Cienciala, Lebedeva, Materski, 2007). Russian voices like those in *Rossiiskaia Gazieta* – irrespective of whether their primary motivation is political or scholarly – suggest the persistence of a traumatic memory that binds Poland and Russia in an aggressor-victim relationship that eludes "closure." (Iazhborovskaia, Iablokov, Parsadanova, 2001; Mikke, 1998; Sanford, 2005: 227).

Must the Polish and Russian positions persist in falling back on battle lines drawn around national memory? Despite the legal roadblocks to the Katyń case in Russia, the answer is an unequivocal no. The August 1993 Russian experts' report and the persistent efforts of Natalia Lebedeva and others in the scholarly realm have been matched by the Russian NGO *Memorial's* efforts dating back to 1987 to force Russian State and society to confront the Katyń Massacres (Mitzner, 1994: 5).

In November 2007, Aleksandr Gurianov of *Memorial* spearheaded an appeal of the Russian prosecutor general's decision to the European Court of Human Rights in Strasbourg ("Skarga w Strasburgu o Katyń", 2007). *Memorial* has campaigned for judicial verdicts that would enable the Polish families of the massacre victims to receive at least symbolic reparations. In February 2007, the District Court in Moscow rejected the claim, and in May the Municipal Court of Moscow seconded that verdict. The goal before the European Court of Human Rights is to force the adjudication of the matter according to presently existing evidence.

The road of legal interpretation may thus yet lead to recognition (though likely not restitution) for the victims' families. Barring the discovery of new documents, the fate of the Katyń Massacres remains largely within the realm of the political: *Memorial* lobbies for recognition of the massacres as war crimes, while the Polish State insists that they be recognized as acts of genocide. Paradoxically, the Russians themselves during World War II initiated the discourse of Katyń *qua* "crime." Andrzej Wajda's film *Katyń* has sparked renewed academic, journalistic, and popular interest. Although legal adjudication of the massacres as "crimes against humanity" or "genocide" remains in doubt, their historical status as massacres committed against Polish patriots is recognized both internationally and within Polish collective memory.

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