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ŻYDZI W EUROPIE W PIERWSZYCH LATACH PO HOLOKAUŚCIE

Materiały z konferencji naukowej (Warszawa, 5–7 grudnia 2011)

TO STAY OR GO?
JEWS IN EUROPE IN THE IMMEDIATE AFTERMATH OF THE HOLOCAUST

Publication of papers presented at an international conference held in Warsaw, 5–7 December 2011

WARSZAWA 2013

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Kateřina Čapková

GERMANS OR JEWS? GERMAN-SPEAKING JEWS IN POLAND AND CZECHOSLOVAKIA AFTER WORLD WAR II

In both Czechoslovakia and Poland after World War II, Germans were depicted as the sworn enemies of the re-established Polish and Czechoslovak states and indeed of the Polish, Czech, and Slovak peoples. They were collectively associated with Nazism (or, in Communist rhetoric, Fascism), and thus stripped of their property, and designated for expulsion. In both countries attempts were made to take measures against the Germans, some of which were almost as humiliating as those taken against the Jews by the Nazis before their deportation to concentration camps: they had to wear special white armbands and, in Czechoslovakia, their food-ration coupons were allocated according to the limited rations that Jews had received in the Protectorate of Bohemia and Moravia.[1] These measures were generally claimed by the Czechs and Poles to be legitimate revenge for what the Germans had done to their Jewish fellow-citizens. However, since the German-speaking Jews of both countries after the war were themselves often considered Germans, or at least treated as such, and were subjected to the same humiliating measures as the Germans, the rhetoric justifying the post-war discrimination against Germans was only misusing the Shoah for the nationalist aims of the dominant society. This had nothing to do with empathy or sorrow or a desire to seek justice for Jewish suffering during the war.

In neither country did German-speaking Jews fit neatly into the constructed black--and-white categories of national enemies on the one hand and patriots (the 'nationally reliable') on the other. We have evidence from the local administrations in both countries indicating that there was general uncertainty about how to deal with these people. Politicians and bureaucrats in both countries employed various kinds of argument.

Starting from the official legal position of German-speaking Jews, their status differed in the two countries according to citizenship laws. In Czechoslovakia, the Košice Programme issued by the National Front of the Czechs and Slovaks in April 1945 stated that Czechoslovak citizens who were of either German or Magyar "nationality" (*národnost*, that is, ethnicity, depending on their mother tongue) would be deprived of their Czechoslovak citizenship. Among the exceptions were "anti-fascists", people who had actively opposed Konrad Henlein's pro-Nazi party in the 1930s, people who had suffered in concentration camps, or people who had fled abroad

[1] This is explicitly stated in several documents and decrees from July 1945. For these documents, see Adrian von Arburg and Tomáš Staněk (eds), *Vysídlení Němců a proměny českého pohraničí 1945–1951: Dokumenty z českých archivů.* Vol. II, Pt 1 (Středokluky 2011), Docs 86, 95, 263, 295E, 328, 347A, and 364B. Some include the formulation "Jewish rations" for Germans.

and been active in the military resistance to Nazism.[2] Jews were not explicitly mentioned.[3] The Constitutional Decree about the modification of citizenship of people with German or Magyar nationality, which was issued by President Edvard Beneš on 2 August 1945, stated in Article 2, Section 1: "Persons [Czechoslovak citizens of German or Magyar nationality] who can prove that they had remained faithful to the Czechoslovak Republic, who have never committed an offence against the Czech and Slovak nations, and either actively participated in the liberation of Czechoslovakia or suffered under the Nazi or Fascist terror, shall be permitted to retain their Czechoslovak citizenship."[4] An application for the decision on whether a person met the requirements for this exemption had to be made to a district national committee (*okresní národní výbor*) within six months. The Interior Ministry was the sole authority which could make the definitive decision. In the meantime these people would have been regarded as Czechoslovak citizens on the precondition that a district national committee provided them with proof that they belonged to the group of people listed in Article 2, Section 1.[5]

In Poland, the legal framework for German-speaking Jews was different from that in Czechoslovakia. The Polish government acknowledged Jews as a national minority with the right to Polish citizenship. As early as July 1944, the Manifesto of the Polish Committee of National Liberation (*Polski Komitet Wyzwolenia Narodowego* – PKWN) stated: "The Jews, whom the occupier had so brutally oppressed, will now be guaranteed the right to rebuild their existence and have equal rights *de jure* and *de facto*."[6] The Jews' collective right to Polish citizenship was also clearly expressed in the agreements between the Polish government (PKWN) and the Ukrainian, Lithuanian, and Belorussian republics of the Soviet Union regarding the resettlement of populations as a result of border changes. Under these agreements, Poles and Jews who had been Polish citizens until 17 September 1939 were to be exchanged for Ukrainians, Belorussians, and Lithuanians in Poland.[7] Instructions from the Polish Ministry of Public Administration, from July 1945, state that the Polish citizenship of people who had suffered Nazi persecution because of their nationality or their marriage to a person discriminated against because of his or her nationality should be confirmed. Two groups were explicitly mentioned – people who had been persecuted because of their Jewish nationality and

[2] Jan Kuklík, et al., *Vývoj československého práva 1945–1989* (Praha 2009), pp. 11–14.

[3] The Czechoslovak government-in-exile discussed the terms and conditions for the expulsion of the Germans from post-war Czechoslovakia and it was obvious that Edvard Beneš as well as other members of the State Council were not willing to make an official exception for all German-speaking Jews. For a detailed analysis of this discussion, see Jan Láníček, *The Czechoslovak Government-in-Exile and the Jews during World War 2 (1938–1948)*, PhD dissertation, University of Southampton, 2010, pp. 206–217.

[4] "Osobám, [...], které prokáží, že zůstaly věrny Československé republice, nikdy se neprovinily proti národům českému a slovenskému a buď se činně zúčastnily boje za její osvobození, nebo trpěly pod nacistickým nebo fašistickým terorem, zachovává se československé státní občanství." In Karel Jech and Karel Kaplan (eds), *Dekrety Prezidenta republiky: Dokumenty,* (Brno 2002), Doc. 21, 'Ústavní dekret prezidenta republiky č. 33/1945 Sb., o úpravě československého státního občanství osob národnosti německé a maďarské', p. 345.

[5] *Ibidem.*

[6] „Żydom po bestialsku tępionym przez okupanta zapewniona zostanie odbudowa ich egzystencji oraz prawne i faktyczne równouprawnienie", in *Konstytucja i podstawowe akty ustawodawcze Polskiej Rzeczypospolitej Ludowej* (Warszawa 1968), p. 8.

[7] For the texts of these agreements, see Stanisław Ciesielski, *Umsiedlung der Polen aus den ehemaligen polnischen Ostgebieten nach Polen in den Jahren 1944–1947* (Marburg and Wrocław, 2006), Docs 3 and 4.

Germans who had refused to divorce Jewish spouses.[8] On 27 June 1945, the ministry had already exempted German-speaking Jews from wearing white armbands, doing forced labour, from the expropriation of property as well as forced resettlement.[9]

Despite these instructions and decrees regarding Jews and anti-fascists, the position of German-speaking Jews in both countries remained uncertain. In Czechoslovakia, the question of whether German-speaking Jews should be included in the "anti-fascist" category or not was unresolved. In Poland, it was unclear whether German-speaking Jews who were former citizens of the Reich and lived on territories that were now part of Poland should also have the right to obtain Polish citizenship.

This is well illustrated by government policy in Lower Silesia. From July to October 1945, local institutions discussed the question of German Jews who had formerly been citizens of the Reich. Their surviving correspondence reveals the confusion on this matter (as late as in October 1945) and illustrates how the fate of German Jews in each locality depended on either the empathy of local officials or the lack of it. The participants in this correspondence were the Jewish Committee in Wrocław, the Central Committee of Polish Jews (*Centralny Komitet Żydów w Polsce* – CKŻP) in Warsaw, and the representatives of the Polish Government at either the district level of Lower Silesia (in Legnica) or the local level in Jelenia Góra. The Jewish Committee in Wrocław sent instructions regarding the legal position of the German Jews, the "former citizens" in Lower Silesia, to Stanisław Piaskowski, the Polish Government representative for Lower Silesia in July 1945. The Jewish Committee informed Piaskowski about the talks regarding the German Jews, which this committee had had with the Central Committee of Polish Jews in Warsaw on 27 June 1945. The Committee was the highest political institution representing the Jewish minority in Poland until 1949. As a result of the discussion, the Committee asked Piaskowski to provide the same rights to German Jews as those enjoyed by Polish Jews in every aspect of the law.[10] In August 1945, Piaskowski received a letter from the local representative of the Polish Government in Jelenia Góra. The local official asked his superior how to deal with Jews who were, or had been, citizens of a country other than Poland. From this letter it is clear that most of these Jews were German.[11] Even though Piaskowski already had instructions from the Jewish Committee in Wrocław, he decided – to be on the safe side – to consult first with the Ministry for Public Administration first. In his letter to the Ministry, dated 23 August 1945, he mentioned that Jewish committees in Lower Silesia were offering help not only to Jews with Polish citizenship, but to Jews of other citizenship as well. Piaskowski asked whether the latter should not be treated as foreigners.[12] The formulation of his question clearly shows that he assumed German Jews were foreigners and that the Jewish committees in Lower Silesia were acting against the law. The official in Jelenia Góra, however, saw the matter differently. In his letter to Piaskowski, written in September

[8] Anna Cichopek-Gajraj, *Jews, Poles, and Slovaks: A Story of Encounters, 1944–48*, PhD dissertation, University of Michigan, 2008, p. 303; Andreas R. Hofmann, *Die Nachkriegszeit in Schlesien: Gesellschafts- und Bevölkerungspolitik in den polnischen Siedlungsgebieten 1945–1948* (Köln, Weimar, and Wien, 2000), pp. 373 and 375.

[9] Helga Hirsch, *Gehen oder bleiben? Deutsche und polnische Juden in Schlesien und Pommern 1945–1957* (Göttingen, 2011), p. 36.

[10] Archiwum Państwowe we Wrocławiu, UWW, VI/269, letter of the Jewish Committee in Wrocław to the government representative for Lower Silesia (pełnomocnik Rządu R. P. na Okręg Administracyjny Dolnego Śląska), received 30 VII 1945.

[11] *Ibidem*, letter of the representative of the government of the Polish Republic in Jelenia Góra to the representative for Lower Silesia in Legnica, 2 VIII 1945.

[12] *Ibidem*, letter of 23 VIII 1945.

1945, he asks whether the local Jewish Committee in Jelenia Góra was permitted to accept German Jews as members.[13] If not, this official suggests providing German Jews with documents that would protect them, and he concludes: "I am confident that it would be unjust to treat these people one and all as being equal to Germans."[14]

Whereas Piaskowski complains in his August 1945 letter to the Ministry of Public Administration that the Jewish committees were treating German Jews too generously, another picture is presented by the CKŻP. In a report from July 1945, CKŻP delegates from Warsaw who had visited Lower Silesia complained about the situation of Jews in the Rychbach, Wałbrzych, and Kłodzko districts. In Rychbach, the mayor threatened the local Jews with resettlement or imprisonment in Ludwigsdorf (Ludwikowice Kłodzkie), a former subcamp of Gross-Rosen. In contrast to local Germans who still lived in their flats, Jews had trouble finding accommodation. They also experienced difficulties in finding employment, as they often refused to work for a German employer on a point of principle. In addition to this, most Jews were undernourished.[15]

In Poland, the legal status of German-speaking Jews who were former citizens of the Reich was contentious. German-speaking Jews who before September 1939 had Polish citizenship had after the war – at least in theory – the right to retain it. In Czechoslovakia, by contrast, German-speaking Jews who were Czechoslovak citizens were in danger of losing their citizenship. Moreover, even at the level of the Czechoslovak government the different ministries applied different policies towards German-speaking Jews. The surviving inter-ministerial correspondence reflects this inconsistency. On 12 July 1945, the Ministry of Foreign Affairs asked the Ministry of the Interior for clarification on the matter. According to an official at the Foreign Ministry, the presidential decree of 19 May 1945 clearly showed that for Czechoslovak Jews who had declared German or Magyar nationality in the 1930 census racial persecution was an insufficient argument for retaining Czechoslovak citizenship. In addition to demonstrating that they had been persecuted, these Jews were supposed to prove their "loyalty to the democratic republican idea of the Czechoslovak Republic" ("věrnost demokraticko-republikánské státní myšlence Československé republiky"). How, the official asks, should this loyalty be defined?[16] We do not have the reply from the Interior Ministry. What we do know is that the Czechoslovak government was unwilling to issue an unambiguous statement that would have helped the district national committees to decide whether German-speaking Jews should be given temporary protection before receiving final notification about their citizenship. This is also evident from the instructions concerning the classification of the German-speaking population, which were written by Klement Gottwald, then Deputy Prime Minister and Chairman of the National Front. These regulations, which he first made public in a speech given at the Moravian National Committee, in Brno, in May 1945, divided the German-speaking population into four categories. The first comprised Germans who

[13] Jewish committees in different localities of Lower Silesia adopted different policies regarding the acceptance of German-speaking Jews, see H. Hirsch, *Gehen oder bleiben?*, pp. 40–41; Bożena Szaynok, *Ludność żydowska na Dolnym Śląsku 1945–1950* (Wrocław 2000), p. 28.

[14] "Jestem przekonany, że bezwzględnie jednakowe traktowanie takich osób z niemcami byłoby dla nich krzywdzące." Archiwum Państwowe we Wrocławiu, UWW, VI/269, letter of the representative of the Government of the Polish Republic in Jelenia Góra, 2 X 1945.

[15] *Ibidem*, report of the CKŻP delegation for the representative of the Polish government in Lower Silesia Stanisław Piaskowski, June 1945.

[16] A. von Arburg and T. Staněk, *Vysídlení Němců a proměny českého pohraničí*. Vol. II, Pt 1, Doc. 290B, 12 VII 1945.

had moved to Czechoslovakia before 1938 but were not Czechoslovak citizens; providing they had not committed crimes against Czech interests, they were to be expelled from the country and their property confiscated. If they had committed such crimes, they would first be judged by "people's courts".[17] The other three categories concerned "our Germans", that is, Czechoslovak citizens whose mother tongue was German. Those found guilty of having committed crimes against Czech interests were to be sentenced and punished. Those who were not found explicitly guilty ("jež se zvláště neprovinili") were to be sent to do forced labour and "would have to be put on the level of the Jews under the Nazi regime" ("je nutno je postaviti na úroveň židů v nacistickém režimu"); their property was to be confiscated. Only the last category included local Germans who had not supported the Hitler regime and had been active in the resistance or suffered Nazi imprisonment. Those people could be accepted as Czechoslovak citizens, "but had to prove what they had been doing" before and during the war. A special section was devoted to Jews. "The Jews, if they had [in the census] declared their nationality as Czech and acted as such, will be accepted as members of the Czech nation. Those Jews who had declared German nationality will be included in the groups of Germans according to their actions."[18] German-speaking Jews could therefore easily fall into the category of people who were not explicitly guilty, and should be treated as the Jews had been treated under the Nazi regime. Though not expressed explicitly, Gottwald most probably meant the treatment of the Jews before their deportations, the part of the Shoah which Czechs had witnessed. The Polish authorities, to my knowledge, made no such statement that the Germans in post-war Poland were to be treated like the Jews during the war. Some of the discriminatory measures against the post-war German population in Poland were clearly inspired by the Nazi discrimination of the Jews.[19] Still, in Poland a statement like the one in Gottwald's speech would not have been politically acceptable. Since the Poles knew very well what the final aim of the Nazi treatment of the Jews was, and since many Poles had witnessed the mass killings, words suggesting comparative treatment of Germans would have been understood as a call for genocide.

It appears that in the first days and weeks after the end of the war there was so much chaos involved in the granting of Czechoslovak or Polish citizenship to German-speaking Jews that local authorities, or even individual officials, were able to decide on the fate of these people. It was during these first weeks that probably the greatest tragedies of the period took place. In the Gdańsk Voivodeship, the Jewish Committee sent a memorandum to the voivode (governor of the province), on 2 July 1945, complaining that German Jews were being treated as Germans with all the attendant consequences, including confiscation of their property, forced labour, and being singled out for resettlement.[20] On the other hand, some Shoah survivors who managed to get home immediately after the war benefited from the general sense of euphoria brought about by liberation as well as empathy on the part of some officials given the fact that they had not yet been given clear instructions on how to deal with survivors. This is well demonstrated by the example of two sisters, Edita and Doris Elsner of Prague (born 1921

[17] For the retribution against Nazi collaborators see Benjamin Frommer, *National Cleansing. Retribution against Nazi Collaborators in Postwar Czechoslovakia* (Cambridge 2005).

[18] For the full text of Gottwald's instructions, see *ibidem*, Doc. 67, 22 V 1945.

[19] See Zenon Romanow, *Ludność niemiecka na ziemiach zachodnich i północnych w latach 1945–1947* (Słupsk 1992), pp. 48–49; Bernard Linek, *Polityka antyniemiecka na Górnym Śląsku w latach 1945–1950* (Opole 2000), pp. 188–195.

[20] Grzegorz Berendt, *Żydzi na gdańskim rozdrożu 1945–1950* (Gdańsk 2000), pp. 41–42.

and 1924 respectively), whose mother was a German Christian. Edita survived the Shoah in Theresienstadt[21] and came to Prague immediately after being liberated in early May 1945. She regained her Czechoslovak citizenship without any problem, became a member of the Association of Political Prisoners, and received a disability pension. Doris got married in Theresienstadt, and voluntarily joined her husband on a transport to Auschwitz. She survived not only Auschwitz, but also several labour camps, and returned from Bergen-Belsen as a young widow a few weeks after the war. Her papers had already been thoroughly checked by the authorities. Her German nationality (as recorded in the 1930 census form that had been filled in by her parents) was an obstacle to membership of the Association of Political Prisoners, and the reason why she had to wait several months for a final decision on her citizenship. Before it was granted, she had to struggle to keep her and her mother's flat, which, on one occasion, after coming home from the cinema, she found sealed up and designated as German property.[22]

Vague formulations about Czechoslovak citizenship for German-speaking Jews permitted different interpretations at different levels of government and in different localities. In Moravia, for instance, the police were instructed, on 26 May 1945, to differentiate between German-speaking Jews who had declared Jewish nationality in the 1930 census and those who had declared German nationality. If the former were not Germans, they could later be exempted from the decrees relating to Germans, provided they met three criteria: they had to demonstrate sound knowledge of Czech, show that they had not committed crimes against the interests of the Czech nation, and demonstrate that they had been loyal to the Czechoslovak state before the German invasion on 15 March 1939.[23]

For many German-speaking Jews, regaining Czechoslovak citizenship was a struggle. Kurt Wehle, Secretary of the Council of the Jewish Communities of Bohemia, Moravia, and Silesia (*Rada židovských náboženských obcí v zemi české a moravskoslezské*), estimated that there were about 2,000 such cases[24] (out of a population of approximately 20,000 Jews in the Bohemian Lands). The unique collection of interviews with Shoah survivors at the Jewish Museum in Prague includes eight testimonies by German-speaking Jews who had to wait months for the decision on whether they would be granted Czechoslovak citizenship.[25] All of these Jews describe their anger, shock, and despair at learning that they had been included in the category of German enemies, despite their enormous suffering at the hands of Nazi regime. Moreover, there were some German-

[21] Both sisters were deported to Theresienstadt in September 1942 (transport Bg 864). See the database of the Shoah victims compiled by the Terezín Initiative Institute, Prague.

[22] "Doris Donovalová", [in:] *Československu věrni zůstali: Životopisné rozhovory s německými antifašisty*, ed. Barbora Čermáková and David Weber (Prague, 2008), pp. 235–267. See also the interview with Doris Donovalová, née Elsner, in the collections of the Jewish Museum in Prague, conducted on 21 VIII 1997, No. 580.

[23] A. von Arburg and T. Staněk, *Vysídlení Němců a proměny českého pohraničí.* Vol. II, Pt 1, Doc. 89C, 26 V 1945.

[24] Archiv bezpečnostních složek, Prague, call no. 425–226–1, speech of Kurt Wehle, p. 10 of his speech. The speech is undated, but it is stated at the beginning that it was written for the second conference of the delegates of the Jewish communities in the Bohemian Lands, which took place on 26 X 1947.

[25] See the collection of the Shoah History Department, the Jewish Museum in Prague, interviews nos. 266, 374, 382, 404, 435, 580, 707, and 1005. For a detailed description of the post-war discrimination faced by a German-speaking Jew from Karlsbad, see Monika Hanková, "Klara Fischer-Pollak (1899–1970): (Po)válečné osudy židovské lékařky z Karlových Varů," [in:] Vlastimila Hamáčková, Monika Hanková, and Markéta Lhotová (eds), *Židé v Čechách 2: Sborník příspěvků ze semináře konaného v září 2008 v Nýrsku* (Praha 2009), pp. 50–70.

speaking Jews who had to wear the white armband designated for Germans and were allocated the paltry "Jewish rations" of food for Germans after the war. This was officially stated by Wehle at a Prague conference for the delegates of all Jewish communities in the Bohemian Lands in October 1947.[26]

The denial of Czechoslovak citizenship had far-reaching consequences for German-speaking Jews, one being the refusal of the State to pay out pensions to these people, many of whom were already old or unable to work after the Shoah. As a June 1946 letter from the Council of the Jewish Communities of Bohemia, Moravia, and Silesia to the Office of the Government Presidium makes clear, many former state employees – Jews, who had declared German nationality in the 1930 census – did not receive state financial support, since they were still awaiting the Interior Ministry's decision on their citizenship. Most of these Jews were survivors of Nazi concentration camps and most of them had lost their homes. In order to support their request, the Council officials took up the cases of renowned professors who had taught at the German University of Prague before the war. They listed six of them, including Alfred Kohn (1867–1959), Head of the Institute of Histology at the Medical Faculty before the war and a pioneer of research on the parathyroid glands. Another scholar on the list was Emil Utitz (1883–1956), a Prague-born philosopher and psychologist, a professor at Rostock, Halle, and Prague before the war, and a leading figure of intellectual life and the arts in Theresienstadt ghetto, where he had been in charge of the library. These individuals, along with others such as German-speaking Jews who had been employees of the post office and railway (which were owned by the Czechoslovak State) were now without any financial support and were left waiting for the decision on their citizenship.[27]

The "mixed marriages" between Jews and Germans were another area that caused officials of both Czechoslovakia and Poland a lot of bureaucratic trouble. There was uncertainty about the German-speaking Jews, but the children of a Jew and a German, or the German partner of a Jew, presented greater problems. It seems that such relationships were even more questionable than a marriage between a Pole and a German or between a Czech and a German. As a November 1946 letter from the Council of the Jewish Religious Communities in Bohemia, Moravia, and Silesia suggests, only cases where a Jewish man had married a German woman qualified for Czechoslovak citizenship. If a German man was married to a Jewess, the application was turned down. In their letter to the Interior Ministry, the members of the Council expressed their surprise at this established practice. They argued that a German husband who had refused to divorce a Jew under the Nazi regime had thus clearly shown his disagreement with Nazi ideology. The letter mentions two such married couples by name, both from the Pilsen district, whose citizenship applications were turned down.[28] In some cases, however, German

[26] Archiv bezpečnostních složek, Prague, call no. 425-226-1, speech of Kurt Wehle, p. 9 of his speech, [26 X 1947]. It was only in November 1945 that German-speaking Czechoslovak Jews were officially exempted from wearing the white armbands required of Czechoslovak Germans. See A. von Arburg and T. Staněk (eds), *Vysídlení Němců a proměny českého pohraničí.* Vol. II, Pt 1, p. 170.

[27] National Archives, Prague, record group Úřad předsednictva vlády – běžná spisovna 1945–59, inv. no. 2405, call no. 406, box 181, letter of the Council of the Jewish Communities in Bohemia, Moravia, and Silesia, to the Office of the Presidium of the Government, 20 VI 1946. Similarly, in his letter to Czechoslovak Prime Minister Zdeněk Fierlinger, Harald Trobe, Director of the Joint in Czechoslovakia, complained that the Czechoslovak state was refusing financial support to Czechoslovak Jews of German nationality (that is, the nationality they had declared in the 1930 census). See Archiv bezpečnostních složek, call no. 425–212–1, 16 I 1946.

[28] National Archives, Prague, Úřad předsednictva vlády, běžná spisovna 1945–59, inv. no. 4752, call no. 1364, letter of 15 XI 1946.

wives of Jewish husbands who applied for Czechoslovak citizenship after the war were also refused by the Supreme Administrative Court in Prague. In November 1947, a German wife received notification that her application for citizenship had been turned down even though during the war she had refused to divorce her Jewish husband, had lost her flat, and her husband and two sons had been interned in concentration camps from 1943 to 1945.[29]

In Poland, a similar debate arose over those who had a German and a Jewish parent. They could apply for Polish citizenship, only if they were categorized as Jews. As the case of Jelenia Góra suggests, some Polish authorities were reluctant to acknowledge these people as Jews, arguing that Poland did not accept the racist Nuremberg Laws.[30] A unique example of the difficulties that the partners in such marriages had to face is provided by the testimony of Emma Grünpeter, born in Katowice in 1909.[31] She converted to Judaism in 1931 and married a Jewish man. They had a daughter. With the outbreak of war, Emma came under repeated pressure to divorce. In 1943, she was faced with the decision either to divorce or to go to the ghetto with her daughter. She still refused to get divorced, and did everything possible to save her husband's life. She was cursed as a "Jewish cow", a "Geltungsjüdin", and "szmata żydowska" (Jewish prostitute). Her husband died in Flossenbürg. Emma was liberated by the Soviet Army in Będzin, Upper Silesia. Local Poles immediately denounced her as a German. She and her daughter were ordered to do hard labour. In reply to her claim to be Jewish, she was told: "taka Żydówka, a jednak nie poszła pani z mężem Żydem" (what a Jewess, but she did not go with her husband, a Jew).[32]

As this example shows, everyday experience often greatly contrasted with official state policy. Even though some of the German-speaking Jews had a legal right to remain in Poland and Czechoslovakia, their daily experiences often led them to conclude that emigration was the only possible solution to their plight. One of the major obstacles they faced was language. Karla Wolff, a Shoah survivor, recalls, for example, how once when addressed by two male strangers in Wrocław after the war she tried to use biblical Hebrew from the Passover liturgy rather than endanger herself by speaking German. By coincidence the two men were also Jews who had just arrived by train from the Soviet Union.[33] Jews from Prague and the Czechoslovak border regions could testify to similar experiences. Some German-speaking Jews who had no knowledge of Czech went through the streets of Prague or of cities in the border regions as if mute. Speaking German in public, especially in the first months after the war, was dangerous and could be interpreted as a provocation.[34] In a letter to Fritz Ullmann, a Zionist leader from North Bohemia who had escaped abroad before the war, Arnošt Frischer, the head of the Council of the Jewish

[29] "Zákon je tvrdý, leč jeho vykladači jej ještě tvrdším činí", *Věstník židovských náboženských obcí*, X, 1948, no. 5, p. 51.

[30] Archiwum Państwowe we Wrocławiu, UWW, VI/269, letter from the district police station in Jelenia Góra to the Jewish Committee in Jelenia Góra, 15 IX 1945.

[31] I express my deepest thanks to Natalia Aleksiun, who found this testimony while working in the archives of the Holocaust Memorial Museum in Washington, D.C., and generously sent it to me.

[32] United States Holocaust Memorial Museum, record group Archiwum ŻIH, Relacje. Zeznania Ocalałych Żydów, call no. 301/1560, Emma Grünpeter.

[33] Karla Wolff, *Ich blieb zurück: Die Überlebensgeschichte der Tochter einer christlichen Mutter und eines jüdischen Vaters im Nazideutschland und ihr Neuanfang in Israel* (Heppenheim 1990), p. 27.

[34] For police report from Brno, written for the Interior Ministry, in which the police describe the Czech public's indignation at Brno Jews speaking German in the street, see A. von Arburg and T. Staněk, *Vysídlení Němců a proměny českého pohraničí.* Vol. II, Pt 1, Doc. 144, 6 VI 1945.

Communities of Bohemia, Moravia, and Silesia, wrote in July 1945 that he would have no trouble finding a job for Ullmann in the administration of the Jewish Community in Prague. However, he had one reservation: "One difficulty for you and perhaps also for your family has to do with language. You must therefore be aware that the mood here today is not conducive to German."[35] The only places where German-speaking Jews were safe in Czechoslovakia were Karlovy Vary (Karlsbad) and Mariánské Lázně (Marienbad), where, thanks to the return of an international clientele to these well-known spas, it was still common to hear various languages on the street. Frischer also writes how glad he was that Ullmann's sister, who survived Theresienstadt, had decided to settle in Karlsbad where she would probably be safe. This is also the reason the Jewish Community of Prague planned to open a home in Karlsbad for elderly Prague Jews (among whom there were also German-speaking Jews).[36] Such a home was eventually opened in Marienbad.

The other chief obstacle to the inclusion of the German-speaking Jews in post-war Polish and Czechoslovak societies was the question of property.[37] Few members of the pre-war German-Jewish population returned to their homes, since most had not survived the Shoah. Many of those fortunate enough to leave Europe in time did not return from exile. Despite the fact that the number of Jews who applied for the return of their property was small, few succeeded in getting it back. In comparing the two countries, we again have to mention that in Poland the position of German-speaking Jews who were Polish citizens before September 1939 was much more favourable, especially for those who had been deported or had fled to the Soviet Union during the war and returned to Poland afterwards. Thanks to the agreements between the Polish Committee of National Liberation and the governments of the Soviet republics, these German-speaking Jews regained their Polish citizenship automatically and could request the return of their property immediately upon arrival in Poland.[38] In contrast, many German-speaking Jews in Czechoslovakia were presented with obstacles when trying to get their property back, because the authorities questioned their Czechoslovak citizenship and their loyalty to Czech interests. The absurdity of the legislative procedure for the restitution of the property of the German-speaking Jews is well illustrated by a case from the north Bohemian town of Liberec (Reichenberg). On 17 June 1945, Anna Picková, née Krausová, still in Theresienstadt (Terezín) wrote a letter to the Liberec municipal authorities. Her sister, Emilie Löfflerová, was part owner of a house there, at Flurgasse 3 (today Květinová). Emilie was deported to Auschwitz in October 1944, and was immediately sent to the gas chamber.[39] Anna asks in her letter, written in Czech, whether she, the sole heir, could get this property back. Apparently, Anna had no flat of her own. In June she was still kept in quarantine in Theresienstadt because of the typhus epidemic.

[35] „Eine Schwierigkeit für Dich und vielleicht auch für Deine Familie besteht in der Sprachenfrage. Du musst Dir dessen bewusst sein, dass die heutige Stimmung hier die deutsche Sprache nicht verträgt." Central Zionist Archives, Jerusalem, record group C3/1111, 22 VII 1945.

[36] *Ibidem*.

[37] For Poland, this is also stated by A. R. Hofmann, *Die Nachkriegszeit in Schlesien*, p. 374, for Czechoslovakia, see Peter Meyer, "Czechoslovakia", [in:] Peter Meyer et al (eds), *The Jews in the Soviet Satellites* (Westport, Connecticut, 1971), pp. 49–206, here pp. 78–84.

[38] This was the experience, for example, of Professor Frank Golczewski's father. I am indebted to Professor Golczewski for sharing this personal information with me and also for drawing my attention to the different circumstances of German-speaking Jews in Katowice.

[39] This also corresponds to the database of the Shoah victims compiled by the Terezín Initiative Institute. According to this database, Emilie Löfflerová, born 1884, was deported to Theresienstadt on 27 IX 1942 (transport AAu) and from there to Auschwitz on 23 X 1944 (transport Et). Anna Picková, born 1903, was deported to Theresienstadt on 12 IX 1942, and was liberated there.

In her letter, she gives her address in one of the barracks in Theresienstadt. From 1 July onwards, she hoped to be in the Prague flat of her friend, a Mrs Bienenfeld. In their reply of 18 August 1945, the officials of the resettlement department of the Liberec local authority instruct Anna Picková to submit proof – within two weeks – not only of her sister's ownership of a quarter of the Liberec house, but also that Emilie Löfflerová and herself had been "nationally reliable" during the war, together with information from the Interior Ministry about what nationality Löfflerová had declared in the 1930 census. Picková, still in Theresienstadt, replied on 4 September. She hoped to be released from the former ghetto by late September, and asked for an extension to the deadline for submission of the requested information. Though the clerks gave her more time, she never submitted the requested documents and therefore the case was closed.[40]

Many examples can be found demonstrating that the "national reliability" of a person was questioned especially when that person had been the owner of substantial property, like a large house or a factory.[41] The most important example of this in the Bohemian Lands after the war had to do with the restitution of property in Varnsdorf, north Bohemia. In this case Emil Beer, who had spent the war in British exile, had actually regained his Czechoslovak citizenship and was entitled to put in a claim for the restitution of his factory. But, even though he had been a supporter of the Czech-language minority in the border region before the war and had employed mostly Czech workers in his factory, the Varnsdorf district national committee accused Beer of being a "Germanizer" and an "antisocial factory owner". After the Communists instigated a series of strikes in his factory and elsewhere in the region to protest the restitution, Beer ultimately returned to British exile.[42] Not only did he fail to get his property back, but the constructed image of Beer as a national enemy helped to spread anti-Semitic prejudices against the remaining Jews in the country.

Because of the language barrier and other obstacles to restitution, German-speaking Jews often decided to go abroad. For example, Schmuel Gurewitsch, a tailor, wrote in 1947, already from the Soviet zone of Germany, about his experience in Wałbrzych after the war: "I decided to leave the Polish sector because I do not speak Polish, and consequently there was no opportunity for me to earn a living. Furthermore, they did not want to let me keep my movable property, since I am not a Polish citizen."[43] In a letter of February 1948, the families of Moritz Caspary and Rudolf Laurin, of Legnica, asked the Legal Department of the Central Committee of Polish Jews in Warsaw for help, explaining: "We want to go to Germany, since we cannot remain here. We can't speak Polish, nor do we have any way of making a living here."[44]

Walter Freund, a doctor from Duszniki Zdrój, managed to get his property back after returning from the Buchenwald concentration camp, but was robbed of it again in April

[40] Státní okresní archiv v Liberci, Okresní národní výbor Liberec, inv. no. 160, box 251, file titled "Žádost paní Anna Picková roz. Krausová o vrácení ¼ domu č. 3 v Liberci Na humnech".

[41] Several such cases are described by Peter Meyer who used the journal *Věstník židovských náboženských obcí v Čechách, na Moravě a ve Slezsku* as his main source, see P. Meyer, "Czechoslovakia", [in:] P. Meyer et al, *The Jews in the Soviet Satellites*, pp. 82–84.

[42] Šárka Nepalová, „Die jüdische Minderheit in Böhmen und Mähren in den Jahren 1945–1948", *Theresienstädter Studien und Dokumente* (1999), pp. 341–42. For Yishuv reactions to the Varnsdorf events, see Central Zionist Archives, Jerusalem, C3/1110.

[43] „Mein Entschluss den polnischen Sektor zu verlassen, erfolgte deshalb, weil ich der polnischen Sprache nicht mächtig bin, und demzufolge gab es für mich keine Möglichkeit, mir einen Erwerb zu verschaffen, und ausserdem wollten sie mir die Möbel nicht überlassen, weil ich nicht polnischer Bürger bin." Archiv der Stiftung Neue Synagoge Berlin – Centrum Judaicum, 5 B1, no. 58, pp. 13–14.

1946 when a new mayor took office in Duszniki Zdrój. In a February 1948 letter to the members of the CKŻP, Freund explains that not only was he unable to get his property back, but his application for Polish citizenship, which he had submitted in October 1945, still had not been considered, after two and half years, leaving him vulnerable to repeated threats of deportation.[45]

Such a threat was commonly made to German-speaking Jews in Czechoslovakia as well. The explicit prohibition of the deportation of anyone of Jewish origin came as late as September 1946 – at the end of the organized expulsion of the Germans of Czechoslovakia.[46] However, German-speaking Jews were frequently asked to prepare for "resettlement", a euphemism for expulsion. In August 1946, the Jewish Community in Brno officially protested against the frequent inclusion of German-speaking Jews in groups of people designated for resettlement. The officials of the Jewish Community objected to the local national committee's interpretation of the presidential decree, according to which all Jews who had registered for German nationality in 1930 were automatically considered Germans.[47] Jan Sinaiberger of Brno was asked to prepare for "resettlement" as late as 25 June 1947, nine months after the Interior Ministry exempted Jews from the resettlement.[48]

There are also recorded testimonies of Jews who were designated for resettlement and were allowed to stay thanks only to the intervention of an influential person.[49] Wehle, the Secretary of the Council of the Jewish Communities, stated that many German-speaking Jews had been designated for resettlement and were already sent to a collection camp. He had claimed that all such Jews who asked the Council for help were rescued.[50] It is highly likely, however, that several German-speaking Jews did not turn to the Council or lacked influential contacts or both, and were subsequently expelled. A letter from the Council of the Jewish Communities of Bohemia, Moravia, and Silesia to the Communist mayor of Prague, Václav Vacek, refers to German-speaking Jews being sent to resettlement camps, after having just returned from German concentration camps. In the same letter, the Council asks the mayor to take steps against this practice. It also expresses amazement that applications for provisional Czechoslovak citizenship, made by several German-speaking Jews who had been in concentration camps, were refused by the Prague city council.[51]

[44] „Wir wollen nach Deutschland fahren, da wir hier nicht bleiben können. Wir können nicht polnisch sprechen, auch haben wir hier keine Existenz." AŻIH, CKŻP, Wydział prawny, 303/XVI/123, 1 II 1948.

[45] AŻIH, Warsaw, CKŻP, Wydział prawny, 303/XVI/116, pp. 1– 8. Moreover, since he had been baptized before the war, Walter Freund was not eligible for support from the Jewish Committee in Glatz. See A. R. Hofmann, *Die Nachkriegszeit in Schlesien*, p. 374.

[46] A. von Arburg, "Problematika návratu «neprávem odsunutých» osob v projednávání ústředních státních orgánů', [in:] *Německy mluvící obyvatelstvo v Československu po roce 1945*, ed. A. von Arburg et al. (Brno 2010), p. 288.

[47] Radovan Kolbaba, "Osoby vyjmuté z nařízeních o Němcích po druhé světové válce ve městě Brně." Extended essay for a B.A., Masaryk University, Brno, 2007, 16. Kolbaba is quoting from the City Archives of Brno.

[48] *Ibidem*, p. 16.

[49] See the collection of the Shoah History Department at the Jewish Museum in Prague, interviews nos. 404 and 707.

[50] Archiv bezpečnostních složek, Prague, call no. 425–226–1, p. 9 of Wehle's speech [26 X 1947]. See also P/ Meyer, "Czechoslovakia", p. 80.

[51] I am very grateful to Marek Lašťovka, who found this letter and generously shared it with me. The document is from the National Archives, Prague, file "Václav Vacek", call no. 241, box 20, 12 V 1946.

We also have evidence that the Czechoslovak government planned to "resettle" all German-speaking Jews in Germany. This is clear from documents of the Office of the Government Presidium (*Úřad předsednictva vlády*) in the National Archives, Prague, and from the correspondence of the Czechoslovak Government with the *Zentralamt für deutsche Umsiedler*, Berlin, in the Soviet Zone, which is deposited in the *Bundesarchiv* in Berlin.

In a memorandum dated 4 September 1946, the Ministry of the Interior informed all district national committees in Bohemia, Moravia, and Silesia, as well as all police headquarters in the Bohemian Lands, about the planned deportation of "German people of Jewish origin and religion". This group was to include those who either had not asked for Czechoslovak citizenship or whose applications had been turned down. Since all of those Jews had been persecuted under the Nazi regime, the Czechoslovak state offered them a special "transfer" organized by the Council of the Jewish Communities and the United Nations Relief and Rehabilitation Administration (UNRRA). Jewish communities were supposed to compile lists of eligible people. These lists were to be submitted to the local district national committee for authorization. The district national committee was supposed to verify whether they really were of Jewish origin or religion. Those who did not meet the criteria were excluded. People in these UNRRA-organized transports could each take up to 100 kg of luggage (in contrast to the 30 kg in the other transports of the Germans).[52] Even though this memorandum tries to evoke the humanist intention of these transports, the parallel with the Jewish deportations during the war, for which the Jewish communities were required to make lists of the deportees, is unavoidable.

Six days later the Czechoslovak Ministry of the Interior withdrew all plans for the "resettlement" of the German-speaking Jews, with the following explanation: "Because of many inquiries, the Ministry of the Interior announces that Jews or people of Jewish origin shall not be included in resettlement, even if they had declared their nationality as German in the 1930 census." Consequently, the 4 September memorandum was rescinded.[53] It is unclear who sent the many inquiries that led the Interior Ministry to reverse its decision. All that can be said with certainty is that the Council was among the opponents. In the addendum to the official instruction for the cancellation of the resettlement plans for German-speaking Jews, issued three days later, the Ministry of the Interior made it clear that exclusion from resettlement does not mean that those Jews would automatically regain Czechoslovak citizenship or that their property would not be confiscated.[54]

The unsigned final report of the Czechoslovak authorities on the "anti-fascist transports" from Czechoslovakia, dated 15 November 1946, and sent to the Soviet military administration in Berlin, states that the Czechoslovak government expected the further transfer of about half a million Germans from Czechoslovakia, including 8,000 Czechoslovak Jews of German nationality.[55] Although an obvious overestimation of the number of German-speaking Czechoslovak Jews after the war, it provides clear evidence that the Czechoslovak government still hoped that these Jews would leave the country.

Although the plan for the collective resettlement of German-speaking Jews was withdrawn, most of the Jews concerned left anyway. The same was true of German-speaking Jews of Poland. Most of them favoured the Western zones of occupation,

[52] National Archives, Prague, Ministerstvo vnitra – dodatky, box 215, file "Odsun němců 1945–1946", 4 IX 1946, no. B–300/9753–46-Ref. B.

[53] "Vzhledem k četným dotazům upozorňuje ministerstvo vnitra, že není dovoleno do odsunu zařazovati židy nebo osoby židovského původu i když se v roce 1930 hlásili za Němce." *Ibidem*, 10 IX 1946, no. B–300/10690–Ref. B.

[54] Matěj Spurný, *Nejsou jako my: Česká společnost a menšiny v pohraničí (1945–1960)* (Praha 2011), p. 127.

[55] Bundesarchiv, Berlin, DO 2/52, 15 XI 1946.

especially the American zone, since many saw Germany only as a place of transit on their way to the USA or Palestine. Most German-speaking Jews in both countries left on an individual basis. There were, however, cases of collective resettlement. German Jews from Wrocław seized the opportunity and asked an Erfurt bus company, which was helping to bring liberated prisoners from several concentration camps back to Wrocław, to take them to Germany.[56] Several hundred Wrocław Jews thus arrived in Erfurt in early autumn 1945.[57] Trains with German Jews also departed from Wrocław in November 1945[58] and June 1946.[59]

During their incarceration in concentration camps most Jews had hoped that the pre-war democracy would be re-established with liberation, for many survivors it had actually been this hope for a just post-war society which gave them the strength to endure the Nazi persecution. World War Two and the Holocaust, however, would change Europe in such a way that made a return to the pre-war status quo completely impossible.

The new political leaders in Czechoslovakia and Poland did not want to restore the pre-war order, but rather to build a new one. In his book about post-war Belgian, Dutch, and French societies, Pieter Lagrou argues that the war was not understood "as an intermezzo in the national political life". It was rather assumed that the war had exposed some of the weaknesses of the pre-war democracies and that lessons remained to be learned.[60] This is even more true of Poland and Czechoslovakia, where most post-war politicians were pro-Soviet and therefore highly critical of the pre-war bourgeois and multiethnic democracies. As in Western Europe, so too in Czechoslovakia and Poland, the underground resistance became the symbol of national rebirth. By far the greater part of the population of Western Europe as well as of the Bohemian Lands and Poland had not actively fought against the Nazis. What was common to all of these countries was the shock of the rapidity of the advance of the Wehrmacht and the subsequent German occupation. Nevertheless, it would appear that the frustration from military defeat led post-war European societies to adopt an even more explicit adoration of their national resistance heroes, especially the fighting elite. Jewish survivors were often seen as merely arbitrary victims of a Nazi genocide, their national loyalty was often questioned and they did not achieve national recognition.[61]

[56] Ken Arkwright, 'Without Regret'. http://www.aufrichtigs.com/02–Breslau_Aufrichtigs/Without_Regret.htm, accessed on 17 XI 2011. Buses from Wrocław to Germany are mentioned also by Henry Bodlander, interview code 5627, videotaped interview by the University of Southern California, Shoah Foundation – Institute for Visual History and Education. According to Bodlander, the bus he was on managed to pass through the Russian Zone of Germany directly into the American Zone.

[57] Katharina Friedla, „Von Breslau nach Erfurt: Deutsche Juden in Breslau und Niederschlesien nach dem Zweiten Weltkrieg", *Münchner Beiträge zu jüdischen Geschichte und Kultur*, 4 (2010), pp. 43–56, here p. 54.

[58] Archiwum Państwowe we Wrocławiu, UWW, VI/401, letter of the government representative for Lower Silesia (pełnomocnik Rządu R. P. na Okręg Administracyjny Dolnego Śląska), 25 XI 1945, p. 12.

[59] Those Jews were originally from the Kłodzko region, See Archiwum Akt Nowych, MZO, sygn. 1028, Sprawozdanie z repatriacji 187 obywateli niemieckich pochodzenia żydowskiego z Kłodzka, 5 VII 1946, pp. 59–61.

[60] Pieter Lagrou, *The Legacy of Nazi Occupation: Patriotic Memory and National Recovery in Western Europe, 1945–1965* (Cambridge 2000), p. 22.

[61] P. Lagrou, "Return to a Vanished World: European Societies and the Remnants of their Jewish Communities, 1945–1947", [in:] David Bankier (ed.), *The Jews are Coming Back: The Return of the Jews to Their Countries of Origin after WW II* (Jerusalem 2005), pp. 1–24, here p. 16.

The heroism of the resistance fighters was contrasted with the hatred for the collaborators and national enemies in the post-war period. This polarity has had deep roots in nationalist narratives since the nineteenth century. Nevertheless, the intensity and frightening unanimity of hatred for all things German reached its peak during the last phase of World War II when the defeat of Nazi Germany was inevitable. Hatred for Germans was clearly a result of the experience of fear, discrimination, and suffering during the war. As Chad Bryant notes, however, hating Germans also served another important purpose: "it promised to unite a nation atomized by Gestapo informants and divided by economic disparities, the black market, mobilization, and political beliefs."[62] Though Bryant focuses on the Bohemian Lands, his statement is equally applicable to Poland. Terms like "ethnic purification" and "national cleansing" dominated the public and political discourse in post-war Poland and Czechoslovakia,[63] and created the illusion that the boundary between victims and collaborators was a line between Poles and Germans or Czechs and Germans.[64] This simplistic view survived until at least the end of the Communist regimes in central Europe and often even beyond that date. As Claudia Koonz wrote in 1994: "Outside Germany, concentration camps and memorials recall an unproblematic narrative of national martyrs killed by a foreign enemy. German atrocities can be remembered and collaborators forgotten. National resisters can be enshrined while other victims (including Jews) are easily forgotten. A wall-photomontage at Auschwitz proclaims, for example, «6,000,000 Poles slaughtered by German Fascists!»"[65]

In the years just after World War II, the position of the Jews in this black-and-white setting was unclear. In Poland, Jews themselves repeatedly emphasized that they, as the foremost victims of the Nazi regime, can and should be included in the re-polonization of Lower Silesia.[66] Dominant public discourse in both countries stated, however, that the Jews' loyalty had first to be demonstrated and their post-war behaviour and their ability to assimilate would reveal their credibility. A typical statement of that sort of argumentation was: 'It depends on [the Jews] how they merge with us and how they solve their participation in our common life.'[67]

[62] Chad Bryant, *Prague in Black, Nazi Rule and Czech Nationalism* (Cambridge – London 2007), p. 220.

[63] See, for example, Philipp Ther and Ana Siljak (eds), *Redrawing Nations: Ethnic Cleansing in East-Central Europe, 1944–1948* (Lanham 2001); B. Frommer, *National Cleansing*; Hugo Service, "Reinterpreting the Expulsion of Germans from Poland, 1945–49", *Journal of Contemporary History* 47 (2012), no. 3, pp. 528–550.

[64] For the overwhelming ignorance of Jewish suffering and the exaltation of Polish heroism and suffering during World War II, which exists in the post-war political discourse, see Robert Traba, "Symbole pamięci. II wojna światowa w świadomości zbiorowej Polaków. Szkic do tematu", *Przegląd Zachodni* 1 (2000), pp. 52–67, here p. 62; Katrin Steffen, „Disputed Memory. Jewish Past, Polish Remembrance", [in:] *Impulses for Europe. Tradition and Modernity in East European Jewry* (= Osteuropa, 2008), pp. 199–217; for the Czech context, see Derek Paton, "Immediate Czech Reactions to the Shoah, 1945–49", [in:] Robert Pynsent (ed.), *The Phoney Peace* (London 2000), pp. 71–86, here 79–81.

[65] Claudia Koonz, "Between Memory and Oblivion. Concentration Camps in German Memory", [in:] John R. Gillis (ed.), *Commemorations: The Politics of National Identity* (Princeton 1994), pp. 258–80, here p. 260.

[66] See Frank Golczewski, „Die Ansiedlung von Juden in den ehemaligen deutschen Ostgebieten Polens 1945–1951", [in:] Micha Brumlik and Karol Sauerland (eds), *Umdeuten, verschweigen, erinnern: Die späte Aufarbeitung des Holocaust in Osteuropa* (Frankfurt am Main, 2010), pp. 91–114, here p. 94; B. Szaynok, *Ludność żydowska na Dolnym Śląsku 1945–1950*, p. 20.

[67] Quoted by Petr Bednařík, „Židé na stránkách českého tisku v roce 1945", [in:] Zdeňka Kokošková, Jiří Kocian, and Stanislav Kokoška (eds), *Československo na rozhraní dvou epoch*

The German-speaking Jews were in an even more disadvantageous position than the Jews who knew the official state language. Language was taken as the primary marker of national identity. Since the Germans as a whole were accused of being responsible for the war and the sufferings of the people of occupied Bohemia and Poland, German-speaking Jews in the post-war years were, as we have seen, often discriminated against together with their wartime oppressors.

In Czechoslovakia, the daily mistreatment of German-speaking Jews was worsened by the chaotic and primarily discriminatory legal position of these Jews, whose Czechoslovak citizenship was questioned and often withdrawn. In Poland, the rights of German-speaking Jews who were inhabitants of regions annexed to Poland and were former German citizens remained ambiguous. On the other hand, Poland, at least in theory, presented no obstacles to German-speaking Jews' having Polish citizenship if they had formerly been Polish citizens.

Though I certainly do not wish to relativize this important distinction of policies towards German-speaking Jews, I would argue that the daily life of most German-speaking Jews was practically the same in both Czechoslovakia and Poland. This was not solely due to chaos and ambiguity in local administration policy towards these Jews and even more towards their spouses or children. In both countries, nationalist rhetoric dominated not only politics and the mass media, but also social relations. As a consequence of their uncertain legal status, as well as of their daily-life experiences, most German-speaking Jews in Poland and Czechoslovakia decided to leave their native lands.

Kateřina Čapková - ***Germans or Jews? German-Speaking Jews in Poland and Czechoslovakia after World War II***

The German-speaking Jewish citizens of post-war Poland as well as post-war Czechoslovakia did not fit neatly into the black-and-white categories of "national enemies" on the one hand or "patriots" (the "nationally reliable") on the other. We have evidence from records of the local administrations in both countries, which indicate that there was general uncertainty about how to deal with these people. Politicians and bureaucrats in both countries employed various kinds of argument. The article analyzes the differences and similarities within the legal framework for German-speaking Jews of both countries, revealing inconsistencies regarding their treatment. Drawing on testimonies and personal documents discovered in Polish, Czech, German, Israeli, and American archives, the article discusses the consequences and impact of this discriminatory policy on the daily lives of these victims of Nazi persecution, whose personal stories and linguistic preferences did not fit neatly, if at all, into the nationalist narratives of post-war Czech and Polish societies. Research for this article was made possible thanks to a Humboldt Research Fellowship.

Keywords: Jews, Poland, Czechoslovakia, nationalism, postwar, German, anti-Semitism, migration

nesvobody (Praha 2005), pp. 197–203, here p. 199. The original quotation: „Bude jen na nich, jak splynou s námi a rozřeší svou účast na společném životě." In "Židovský problém?", *Lidová demokracie*, no. 135, 19 X 1945, p. 3.

Matthias Barelkowski

ZAGADNIENIE WŁASNOŚCI JAKO NIEROZWIĄZANY PROBLEM PRAWNY I POLITYCZNY. O PODEJŚCIU DO KWESTII MIENIA ŻYDOWSKIEGO W POLSCE PO 1945 ROKU

Po II wojnie światowej przed konstytuującym się w nowych granicach państwem polskim stanął problem, co zrobić z własnością zamordowanych Żydów i wypędzonych Niemców. Niniejszy artykuł skupia się na kwestii własności żydowskiej i analizuje próby rozwiązań legislacyjnych, zwłaszcza ogłoszonych bezpośrednio po wojnie; zestawiając je z praktyką prawną poszczególnych urzędów, nierzadko naznaczoną chaosem, objawami „gorączki złota", nieudolnością i przeciążeniem. Następnie prześledzono, jakie aspekty zagadnień własnościowych pojawiły się na nowo w związku z reprywatyzacją po 1990 roku. W artykule przedstawione zostały wyniki przeprowadzonych po raz pierwszy badań nad dokumentami Głównego Urzędu Likwidacyjnego oraz Okręgowego Urzędu Likwidacyjnego we Wrocławiu, a także odnośną literaturą wspomnieniową.

Artykuł pomyślany jest jako przyczynek do jak dotąd mocno zaniedbanych badań nad rozwiązaniami legislacyjnymi dotyczącymi kwestii własności w powojennej Polsce w kontekście przełomów społecznopolitycznych, przesunięcia granic i czystek etnicznych, a także swoisty rekonesans pozwalający wskazać zagadnienia warte głębszego przebadania.

Wprowadzenie. Stan badań

W słynnym Manifeście Polskiego Komitetu Wyzwolenia Narodowego z 22 lipca 1944 r. znajduje się również akapit na temat własności: „Własność, rabowana przez Niemców poszczególnym obywatelom, chłopom, kupcom, rzemieślnikom, drobnym i średnim przemysłowcom, instytucjom i kościołowi, będzie zwrócona prawowitym właścicielom. Majątki niemieckie zostaną skonfiskowane. Żydom po bestialsku tępionym przez okupanta zapewniona zostanie odbudowa ich egzystencji oraz prawne i faktyczne równouprawnienie"[1].

O ile stan badań poświęconych przymusowym migracjom i przeobrażeniom demograficznym można określić jako dobry, to brakuje jak dotąd szczegółowych studiów na temat zagadnienia poruszonego w zacytowanym fragmencie Manifestu PKWN, to znaczy kwestii jak konkretnie przebiegały działania kończące się odebraniem własności, a zwłaszcza jak wyglądała jej redystrybucja na tle procesów integracji i dezintegracji

[1] Tekst *Manifestu* ogłoszony dnia 22 VII 1944 r. Dz.U.R.P. nr 1 z 1944 r., załącznik.