

THE INTERNATIONAL NETWORKS
AND JEWISH EFFORTS FOR POST-
HOLOCAUST JUSTICE IN POLAND,
1942–1950

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In January 1942, at the Inter-Allied Conference on German Atrocities in London, Jewish organizations urged Allied governments to explicitly name Jews as victims and to commit to prosecuting anti-Jewish crimes. The proposal was dismissed as politically “delicate.” Officials maintained that crimes against Jews were already implicitly included and cautioned that singling out Jews might appear to validate Nazi racial categories.

A similar position emerged two years later in a different political setting. In the summer of 1944, during the investigation of the Majdanek concentration camp by the Joint Polish–Soviet Commission, the Zionist politician Emil Sommerstein pressed for Jewish victims to be recorded as a separate category rather than subsumed within a general tally. This proposal was likewise rejected. Soviet representatives stated that they were “not interested in dividing people into distinct nationalities.”

London, 1942 (Inter-Allied Conference)

“Explicitly mentioning Jews might suggest tacit recognition of racial theories.”

Majdanek, 1944 (Joint Polish–Soviet Commission)

“Not interested in dividing people into distinct nationalities.”

These two moments, situated in distinct political contexts, reveal a shared structural constraint. Across both Allied and Soviet frameworks, the legal and political languages of states resisted recognizing Jews as a distinct collective subject of justice. The problem was not confined to a single ideological system but reflected deeper features of a state-centered international order.

This dissertation examines how Jewish actors attempted to pursue justice within these constraints in the immediate aftermath of the Holocaust. It focuses on Jewish legal and political networks that operated across national and institutional boundaries and asks under what conditions justice could be pursued by a population entering the postwar order without sovereign representation. Rather than approaching postwar justice as a rupture, the project situates it within longer trajectories of Jewish legal activism. It argues that the initiatives of the 1940s developed out of earlier forms of minority politics, legal advocacy, and transnational coordination, even as the postwar environment altered the terms under which these strategies could function.

THE POSTWAR LEGAL PROBLEM

- Preparation of postwar trials (IMT, UNWCC)
- Jewish demands for collective recognition
- Rejection within a state-centered legal framework
- Jews treated as individual, not collective victims

Main problem:

- **How to pursue justice without sovereign representation?**

By 1944–1945, Allied governments were constructing institutional frameworks for prosecuting Nazi crimes, most notably through the International Military Tribunal (IMT) and the United Nations War Crimes Commission (UNWCC). These bodies defined the procedures through which evidence would be collected, classified, and translated into indictments.

Jewish organizations, including the World Jewish Congress (WJC), sought to intervene in these processes. They argued that the persecution of Jews constituted a distinct category of crime and that Jewish representatives should participate directly in shaping prosecutorial strategies, evidentiary standards, and legal definitions. They also pressed for recognition of Jews not merely as individual victims but as a collective subject of persecution.

These demands were largely rejected. The emerging legal framework remained firmly state-centered. Crimes were categorized according to the nationality of victims, and Jews appeared primarily as members of national populations rather than as a distinct legal category. Even where Jewish suffering was acknowledged, it was subsumed within broader national or civilian

classifications. This produced a dilemma that lies at the center of this study: how could Jewish actors pursue justice within a system that recognized states, but not stateless collectives? The problem was not only of access but of legal intelligibility. Jewish claims had to be translated into forms that existing institutions could process, often at the cost of their collective specificity.

INTERWAR CONTINUITIES

- Interwar Jewish legal activism and diaspora diplomacy
- Documentation as a legal and political practice
- “Destruction research” ([Dubnow](#))
- Continuity of methods and personnel
- Crisis of legal viability (starting in the late 1930s)

Jewish responses to this exclusion drew on earlier forms of political and legal practice developed in the interwar period. These practices, often described as diaspora diplomacy, were shaped by the conditions of minority life in East Central Europe and by efforts to secure protection through international institutions such as the League of Nations.

A central element of this tradition was the use of documentation as both a historical and a legal instrument. Figures such as Simon Dubnow conceptualized “destruction research” as a systematic effort to collect evidence of violence and persecution, not only to preserve memory

but to prepare for future claims to rights, recognition, and protection. Documentation functioned as a form of legal anticipation.

The dissertation traces continuities in both methods and personnel across the interwar, wartime, and postwar periods. Many individuals involved in documenting Nazi crimes after 1945 had previously participated in minority-rights advocacy, legal activism, and international lobbying following the First World War. The networks, practices, and conceptual frameworks developed in the interwar period were carried forward into the context of postwar justice.

By the end of the Second World War the collapse of minority-rights regimes, the rise of state sovereignty as the dominant organizing principle of international law, and the geopolitical restructuring of Europe significantly narrowed the range of available avenues for Jewish claims.

TWO POSTWAR TRAJECTORIES

The Sovereign Turn

- Jewish Agency (Political Department)
- Haifa Investigations Office
- Justice through intelligence capacity
- Political instrumentalization

Mediated Justice in Poland

- Conditional access within a socialist state
- Central Committee of Jews in Poland (CKŻP), Central Jewish Historical Commission, Legal Department
- Legal mediation and institutional substitution

The Sovereign Turn: The Jewish Agency

One response to this constraint took the form of a shift toward sovereignty in Jewish approaches to justice, reflected in the activities of the Jewish Agency. This trajectory, which Rotem Giladi has described as a “sovereign turn,” involved an effort to approximate the functions of a state in the absence of formal sovereignty.

The Agency’s involvement in the pursuit of justice emerged initially within a wartime intelligence framework. Over time, it developed into a systematic project aimed at documenting atrocities and identifying perpetrators. At the center of this effort was the Haifa Investigations Office, headed by Gideon Ruffer and supported by figures such as Teddy Kollek and Moshe Shertok. The office collected testimonies from Jewish refugees across multiple locations, including Palestine, Austria, the United Kingdom, Hungary, Slovakia, and Germany, and assembled extensive dossiers on hundreds of Nazi perpetrators. This initiative was both ambitious and methodologically sophisticated. It relied on the corroboration of testimonies, the

cross-referencing of evidence, and the construction of detailed case files intended for use in future prosecutions. At the same time, it was shaped by the constraints of operating outside recognized legal frameworks.

Efforts to integrate this material into Allied legal processes encountered persistent obstacles. The Jewish Agency lacked formal standing and could not directly influence prosecutorial priorities or procedures. Attempts to establish sustained cooperation with institutions such as the UNWCC remained limited. Bureaucratic barriers, political considerations, and the absence of recognized jurisdiction constrained the effectiveness of these efforts.

At the same time, the Agency's work cannot be understood solely in instrumental terms. The investigative project also functioned as a political statement. By collecting evidence, coordinating transnational networks, and pursuing perpetrators, the Agency sought to demonstrate its capacity to act as a representative authority for Jewish survivors. The production of legal knowledge was closely tied to claims of political legitimacy.

In practice, the transmission of Jewish documentation into Allied legal frameworks depended on mediation through actors embedded within recognized state structures. The most consistent channel was provided by Jewish officials operating within the Polish government-in-exile, who were able to submit materials to the UNWCC and other institutions. This arrangement underscored the extent to which legal access remained contingent on state sponsorship.

The pursuit of perpetrators, including figures such as Adolf Eichmann, thus operated on multiple levels. It sought legal accountability for crimes committed against Jews in Poland, while also serving as a demonstration of emerging political capacity. These efforts revealed both the possibilities and the limits of attempting to pursue justice without sovereign authority.

Mediated Justice in Postwar Poland

A second trajectory developed under the markedly different conditions of postwar Poland. Here, Jewish actors operated within a socialist political order that formally endorsed equality while imposing constraints on independent organization and political expression. Jewish survivors and activists faced a range of urgent and interconnected challenges: securing recognition as distinct victims, participating in the prosecution and documentation of Nazi crimes, ensuring physical safety amid continued violence, reclaiming property, and reconstituting communal structures. These efforts unfolded in a context in which the interwar framework of minority rights had collapsed, and independent international representation was no longer available.

In this setting, Jewish agency depended on conditional access to state institutions and on the construction of institutional mechanisms that could operate within, alongside, or in place of state structures. The Central Committee of Jews in Poland (CKŻP), together with its Central Jewish Historical Commission and Legal Department, became the primary institutional framework through which these efforts were organized.

Through this infrastructure, Jewish actors translated Polish legal procedures, gathered and transmitted evidence, arranged witnesses, mediated with ministries, and coordinated legal assistance. The CKŻP functioned as an institutional “address” for survivors both within Poland and abroad, providing a point of contact between individuals and the state. This system enabled participation in legal processes, but it did not confer control over them. Jewish actors operated within parameters defined by the state and adjusted their strategies accordingly. Their access to legal and political arenas depended on the extent to which their activities aligned with state priorities.

A dual pattern emerges across these domains. Where Jewish objectives coincided with state interests, most notably in the prosecution and documentation of Nazi crimes, Jewish participation was facilitated. Jewish historians, jurists, and investigators contributed to domestic and international proceedings, and Jewish evidence circulated through official channels. In these contexts, Jewish institutions were valued for their expertise, their access to survivors, and their capacity to produce documentation. Where Jewish priorities diverged from those of the state, particularly in matters of physical safety, accountability for Polish collaborators, and restitution, Jewish institutions encountered significant limitations. In response, they developed alternative mechanisms of justice. Bodies such as the Special Commission for self-defense and the Jewish Civic Court sought to address issues that remained unresolved or unacknowledged within the state system. These institutions functioned as forms of institutional substitution, compensating for gaps in state provision.

Across these arenas, a consistent pattern can be observed. Jewish actors could participate in legal and political processes only insofar as their involvement served broader state objectives, whether administrative, ideological, or international. Equality and representation were conditional, and Jewish institutions were integrated into the system primarily as providers of information, labor, and mediation.

As the socialist state consolidated power in the late 1940s, these conditional openings narrowed further. The dissolution of the CKŻP marked not only an administrative endpoint but also the collapse of a particular model of mediated participation. It signaled the end of one of the last institutional frameworks through which Jewish claims could be articulated within the socialist system.

CONCLUSION

- Limits of the postwar political and legal order to perform justice on Jewish terms
- Dependence on sovereignty or state sponsorship
- Closure of diasporic legal strategies

The trajectories examined in this dissertation reflect responses to exclusion. Jewish actors operated within a legal and political order that did not recognize them as a collective subject of law. Under these conditions, access to justice depended on forms of authority that they did not possess. Legal recognition required either sovereign status or sustained incorporation into state structures capable of translating Jewish claims into admissible form. In the absence of such recognition, Jewish actors relied on strategies of mediation, substitution, and institutional adaptation. The postwar period therefore did not establish a universally accessible framework of justice. Instead, it redefined the conditions under which claims could be made and recognized. Within this configuration, earlier forms of diaspora-based legal activism lost much of their practical viability. What remained was a narrowing field of possibilities: participation within state-centered systems under constrained conditions, or the pursuit of justice through emerging sovereign and transnational frameworks.