

**FROM KATYN TO “KATYNISM”:
THE U.S. CONGRESSIONAL INVESTIGATION OF THE KATYN MASSACRE, 1951-52**

BY

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An Unprecedented Venture

On September 18, 1951, the United States House of Representatives passed House Resolution 390. This resolution permitted the establishment of the Select Committee to Conduct an Investigation and Study of the Facts, Evidence, and Circumstances of the Katyn Forest Massacre – an event that had happened eleven years prior in a place roughly 5,000 miles away from the Committee’s home in Washington, D.C. The purpose of the committee was twofold: to determine which nation was responsible for the mass murder of nearly 22,000 Polish prisoners of war in the Katyn Forest and whether any American government or military officials played a part in its cover-up and the resulting conspiracy during World War II.

At the time of the committee’s formation, six years had passed since the close of the Second World War. It had been five years since the International Military Tribunal (IMT) in Nuremberg had found various architects of the Nazi-led German government guilty of crimes against humanity and crimes against peace. It had been three years since the United Nations (UN) – the new, post-war apparatus of global stewardship formed primarily to “maintain international peace and security”¹ – had officially published the first legal definition of genocide, a term that some have employed to describe the Katyn Massacre. Both the IMT and the UN had worked to codify and expand the vocabulary and concepts of genocide and crimes against humanity, and provided an insecure foundation for the language of human rights. These newly codified terms played an important role during the Congressional Investigation as it worked to make sense of the Katyn Massacre’s identity as a mass atrocity.

¹ “Charter of the United Nations and the Statute of the International Court of Justice” (The United Nations, June 26, 1945), United Nations Digital Library, <https://treaties.un.org/doc/Publication/CTC/uncharter.pdf>.

In the escalating Cold War, this new vocabulary was regularly “mobilized as a political weapon” between the formerly-allied Soviet Union and the United States.² This was especially true during the Korean War, which had started in the summer of 1950, and heavily influenced the Committee’s work. In the Committee’s 1952 Final Report, it unanimously established that the Soviet Union was entirely responsible for the murder of the Polish prisoners of war in the Katyn Forest. In that same Final Report, however, they also revealed a “striking similarity between crimes committed against the Poles at Katyn and those being inflicted on American and other United Nations troops in Korea” at the time. The Committee members claimed firmly that “there [were] many indications that Katyn was a blueprint for Korea” and advocated for an immediate investigation into the atrocities being committed there.³

The Committee ultimately called for the Soviet Union to be tried for their crimes at Katyn before the International Court of Justice. More importantly, they called for an investigation into all other “Katyns” that might be occurring behind the Iron Curtain. The members recognized that the Katyn Massacre more than likely just “scratches the surface” of the various crimes against humanity occurring under totalitarian control. Finally, the Committee remarked that the United Nations would “fail in their [obligations] until they expose to the world that “Katynism” is a definite and diabolical totalitarian plan for conquest.”⁴ The Committee’s choice to use the word “Katyns” in this instance is extremely curious. Although the Congressional Committee succeeded in placing blame on the Soviet Union for the murders of the

² Francine Hirsch, *Soviet Judgment at Nuremberg: A New History of the International Military Tribunal after World War II* (New York: Oxford University Press, 2020), 411.

³ Department of State, Office of the Assistant Secretary for Congressional Relations., “Final Report of the Select Committee to Conduct an Investigation and Study of the Facts, Evidence, and Circumstances of the Katyn Forest Massacre Pursuant to H. Res. 390 and H. Res. 539,” December 22, 1952, 2. It is important to remember that both Katyn and Korea involved Communist regimes the United States was deeply at odds with at the time of the investigation.

⁴ Department of State, Office of the Assistant Secretary for Congressional Relations., 38.

Polish intellectuals at Katyn, it chose not to recognize the Katyn Massacre as a singular, stand-alone event of Soviet aggression against Poles. Instead, the Committee viewed the Katyn Massacre as a blueprint for all Soviet – and, by and large, Communist – crimes. It is important to recognize, however, that the Committee was a product of the postwar world in which it existed. Indeed, the Committee members’ unique use of “Katyns” indicates a first attempt at developing the new concepts of genocide and mass atrocity.

This thesis is an examination of language and terminology. The words chosen to describe certain events contribute greatly to the manner in which they are remembered, commemorated, and memorialized. In the over 80 years since the Polish prisoners of war were unjustly murdered in the Katyn Forest, the language used to encapsulate the Katyn Massacre’s legacy is still being debated in Polish society and beyond. Historians such as Anna M. Cienciala and Alexander Etkind have engaged in intellectual debates about what to call the massacre, and how to talk about it. Cienciala has been a strong advocate of labelling Katyn as a genocide. Etkind’s presentation of the atrocity has been much more measured in comparison, and does not employ the term genocide to describe the Katyn Massacre.⁵ However, these controversies have not only been debated among academics. In a July 2000 speech for example, then-Polish Prime Minister Jerzy Buzek emphatically claimed that Katyn will, “for generations in Poland and in the whole world, signify genocide and a war crime.”⁶

Discussions over what to label the Katyn Massacre have even made their way into the larger conversation about genocide itself. American criminologist Nicole Rafter has commented

⁵ Anna M. Cienciala, N. S. Lebedeva, and Wojciech Materski, eds., *Katyn: A Crime without Punishment*, Annals of Communism (New Haven: Yale University Press, 2007); Aleksandr Etkind, ed., *Remembering Katyn* (Cambridge, UK ; Malden, MA: Polity, 2012).

⁶ Anna M. Cienciala, “Review of Alexander Etkind, Rory Finnin, Uilleam Blacker, Julie Fedor, Simon Lewis, Maria Maaloo, and Matilda Mroz, ‘Remembering Katyn.’,” *Canadian Slavonic Papers = Revue Canadienne Des Slavistes* 56, no. 1–2 (June 2014): 160.

extensively on the international community's reticence to term the Katyn Massacre a genocide. In her volume *The Crime of All Crimes*, Rafter remarks on the fact that, although she sees the Katyn Massacre as "a secret genocide," it is rarely ever mentioned by prominent scholars in the field. Indeed, genocide scholars rarely mention the Katyn Massacre, even in their efforts to expand the 1948 definition of genocide mounted by the United Nations.

Although scholars have done extensive work in exploring the legal dimensions of genocide,⁷ this thesis historicizes discussions of genocide and other atrocities in the United States in the early years of the Cold War and their lasting legacy. The Congressional Committee's formation was unprecedented; there had never been an instance in which a third-party government mounted an investigation into a crime of this caliber. Examining the language the Congressional Committee used to discuss the Katyn Massacre provides a window into a potential first attempt at expanding the newly codified ideas of crimes against humanity and genocide. The Congressional Committee's treatment of the massacre as another instance of the Communists' brutal disregard for wartime laws raises important questions about how we are meant to think about the massacre. It also challenges existing, but often unexplored, ideas about where the massacre fits in a larger historical narrative. Conducting a close study of this investigation allows for a better understanding of the power of language and its instrumental role in shaping the collective memory of history's most dramatic episodes.

⁷ Academics such as Nicole Rafter, Leo Kuper, Frank Chalk, Israel W. Charny, and Helen Fein discuss genocide as a violation of the laws set forth by the UN Convention on Genocide in December of 1948. They float definitions of genocide in relation to its identity as an international crime.

The Katyn Massacre and Its Aftermath

The Katyn Massacre was a dramatic episode for the Polish nation. Indeed, many saw it – and still see it – as a culmination of the historically antagonistic relationship between Poland and the Soviet Union, or even its predecessor, the Russian Empire.⁸ The victims of the Katyn Massacre were not just military personnel. They were doctors, teachers, lawyers, ministers, rabbis, politicians, and professors – people who make up the nation’s thinkers, leaders, and cultural elite; they were Polish society. Many of them were drafted into the military per Poland’s wartime conscription. And even then, a majority of these men were noncommissioned officers or reservists, rather than mere soldiers.⁹ These men were the cultural, religious, and political figures who could potentially rebuild a society should it fall during the course of war. To the Soviets, these prisoners were political enemies that posed an existential threat to the state. To Poles, these men were Poland.

The immediate context of the Katyn Massacre, however, is the Soviet invasion of Poland on September 17, 1939. The Soviet occupation of eastern Poland was part of a joint effort established in the “Secret Additional Protocol” of the Nazi-Soviet Non-Aggression Pact. The protocol authorized a clandestine division of Poland through double occupation, with Nazi Germany coming from the west and the Soviet Union coming from the east. Through these protocols, both governments intended to create individual spheres of influence that would

⁸ Although it received new expression in the interwar period, it is important to understand that the hostilities that have come to characterize Russian-Polish relations have roots in the Russian imperial period. During the eighteenth century, many of the conflicts that ensued between the neighboring states were waged over territorial disputes, specifically Tsarist Russia’s various partitions of the Polish commonwealth. Russia’s desire for physical expansion worked to severely limit Polish autonomy and independence. This same attitude carried over into the nineteenth century. Despite the passage of some reforms that operated to expand Polish autonomy, the majority of Russian intellectuals were overwhelmingly hostile to Poland’s desire for sovereignty.

⁹ And one woman – a pilot named Janina Ledandowska. By all account, Lewandowska was the only female prisoner at the camps.

effectively absorb the Polish state.¹⁰ In September 1939, both powers invaded, erasing the territorial demarcations that had been agreed upon during the interwar period and fought over during the Polish-Soviet War of 1919-21.¹¹ Most notably, the Soviet occupation in the east effectively put thousands of Polish prisoners into the hands of the Red Army. Among them were the officers murdered in the Katyn Forest.¹²

Under Soviet control, captured Polish military personnel were interned in three special camps – Ostashkov, Starobielsk, and Kozielsk – nearby the city of Smolensk. The NKVD – deliberately segregated the prisoners, and organized each camp’s population based on rank and import. Although the exact make-up of each camp is disputed,¹³ testimony from survivors published in the Congressional Investigation revealed that a majority of high-ranking military officers were imprisoned alongside Polish doctors in Kozielsk; noncommissioned officers and Polish political and educational leaders were kept at Starobielsk; and Polish “frontier guards, home police, and public officials” were kept at Ostashkov.¹⁴ Prisoners were transported to these camps by rail and on foot in various forced marches. Once they arrived, conditions were

¹⁰ This is largely the reason why the pact is referred to in many Polish communities as the “Fourth Partition of Poland” – a direct reference to the divisions historically imposed upon Poland by both the former Russian empire. It also refers directly to the Polish view that the Soviet Union was the direct and apparent successor to the state that had, for centuries, intended to destroy the Polish state. For more on this, see Norman Naimark’s *Stalin and the Fate of Europe: The Postwar Struggle for Sovereignty* (2019).

¹¹ The Polish-Soviet War began largely over border disputes. More importantly, it was a landmark clash between socialist and nationalist ideologies, solidifying an antagonistic relationship between the then-neighboring states. For more information on this topic, see Norman Davies’s *White Eagle, Red Star* (1972).

¹² Kenneth F. Ledford, “Mass Murderers Discover Mass Murder: The Germans and Katyn, 1943,” *Case Western Reserve Journal of International Law* 44, no. 3 (June 1, 2012): 581.

¹³ In *Katyn: A Crime Without Punishment*, Cienciala et al. provide slightly different demographics for each camp. For example, they claim that Starobielsk held most of the high-ranking officials, but they do not specify what “officials” they are referencing.

¹⁴ 82nd United States Congress, “Interim Report of the Select Committee to Conduct an Investigation and Study of the Facts, Evidence, and Circumstances of the Katyn Forest Massacre Pursuant to H. Res. 390 and H. Res. 539,” July 2, 1952, 6. Interestingly, religious leaders were dispersed among all three camps. This may be because of the Soviet Union’s wariness regarding the persecution of religious groups. Although it is known that Stalin harbored some animosity toward the Poles for their Catholic beliefs (see Naimark’s *Stalin’s Genocides* for more coverage on this), he more than likely wanted to avoid any possibility for international accusation.

abhorrent. Many prisoners reported frequent hunger and illness. When they were fed, the rations were meager and almost inedible. Medical procedures were performed almost entirely by interned Polish doctors who were given inadequate supplies to care for their patients. Prisoners were also deprived emotionally. Although prisoners elsewhere were generally allowed to correspond with family members while interned under the NKVD, the Polish officers interned at the three special camps were not granted this luxury.¹⁵

In the winter months from 1939 to 1940, the prisoners were subjected to intense and lengthy interrogations by officers from the NKVD. Throughout this period, the prisoners were under the impression that they would soon be released. In reality, these interviews were part of a selection process to determine who would be executed. The officers based their decisions mainly off of the prisoner's willingness to absorb a pro-Soviet attitude. If the prisoner strongly opposed Soviet authority, they were considered an enemy of the state and put up for execution.¹⁶ In March 1940, NKVD Chief Lavrentiy Beria sent a letter to Josef Stalin informing him of their progress in the camps. In response to this letter, Stalin and the Soviet Politburo signed an order to officially execute the nearly 25,000 Polish officers and military personnel interned near Smolensk.¹⁷ The massacre was conducted in stages throughout the spring of 1940. Prisoners were transported in groups to various remote places nearby the camps. They were then shot by NKVD officers and buried in pre-dug mass graves.

The Katyn Massacre was ultimately made possible by Nazi-Soviet collaboration.¹⁸ This tenuous alliance dissolved, however, when the Nazis launched an invasion of the Soviet Union

¹⁵ Cienciala, Lebedeva, and Materski, *Katyn*, 33. Eventually, they were allowed to send and receive one postcard per month. Of course, this correspondence stopped by mid-March of 1940, when the executions took place.

¹⁶ Benjamin B Fischer, "The Katyn Controversy: Stalin's Killing Field," n.d., 17.

¹⁷ "Excerpts: Letter to Stalin on Katyn," April 28, 2010, <http://news.bbc.co.uk/2/hi/europe/8649435.stm>.

¹⁸ According to Kenneth F. Ledford, the Soviet plan for the mass deportation and murder of ethnic Poles as political enemies was not very different from that of the Germans. Hitler's plan for the annihilation of Poland, known as

on June 22, 1941 under Operation Barbarossa. After the invasion, the Soviets became allies with not only Britain, but also the Polish government-in-exile operating out of London, who had a vested interest in the prisoners who had mysteriously gone missing after 1939. Displaced Polish diplomats and military officials, such as General Władysław Anders, launched a committed but fruitless search for the disappeared nationals. Their efforts were only frustrated by the silent noncooperation and blatant dishonesty of their new allies in Moscow.¹⁹

Nothing would be heard of the missing Polish prisoners until 1943, when German forces discovered the mass graves in the Katyn Forest. In 1942, the territory around Smolensk fell under German occupation and high-ranking Wehrmacht officials came upon a series of mass graves containing what they believed to be the thousands of bodies. The discovery was reported to the German government in the winter of 1943; formal investigations began the following spring. The exhumation and inspection of the bodies, conducted by a European Red Cross Commission called the Katyn Commission, consisted of various doctors, pathologists, and forensic experts who determined the bodies were Polish officers.²⁰

The discovery led to various conspiracies about the Katyn Massacre. The Katyn Commission pinned the mass murder on the Soviets, who had previously been in possession of the territory surrounding Smolensk. Before the German discovery of the Katyn graves in 1943, the Soviets had shown marked disinterest in the missing Polish officers who had previously been under their

Operation Tannenberg, included the extermination of the Polish intelligentsia as well as Polish Jews. Although largely informed by his ideological obsession with the idea of “inferior races,” the destruction of the Polish state was also part of the Nazi campaign of *Lebensraum*, or the creation of “living space” for ethnic Germans. This was cited by the Soviets in their prosecution of the Germans for the Katyn crime at the postwar Nuremberg Trials.

¹⁹ 82nd United States Congress, “Hearings before the Select Committee to Conduct an Investigation of the Facts, Evidence and Circumstances of the Katyn Forest Massacre, Fourth Hearing” (London, England, April 16, 1952), 938–42; 950-53.

²⁰ Kenneth F. Ledford, “Mass Murderers Discover Mass Murder: The Germans and Katyn, 1943,” 583. The Germans were so committed to proving Soviet guilt that they included Allied prisoners of war in the Commission. Some of the Allied eyewitnesses would be interviewed by the U.S. Congressional Committee in their 1951-52 investigation.

captivity. After their discovery, however, Moscow suddenly had a complete case defending their innocence. According to the Soviets, the Polish prisoners had been transferred into German captivity and subsequently executed following Operation Barbarossa. They accused the Nazis of committing the murders themselves, fabricating the entire discovery, and attempting to subvert the Allied effort with a vicious propaganda campaign.²¹

The German discovery of the graves also led to a rupture in Polish-Soviet relations. In 1943, the Soviet Union severed ties with the Polish government-in-exile in London over suspicions that it traitorously endorsed the Nazi accusation of Soviet guilt. Stalin created a client government in place of the government-in-exile, housed first in Moscow and then in Lublin.²² Communists held most of the key positions in the new apparatus and, bolstered by Soviet support, it was ultimately able to take control of the entire country. This coalition government was the precursor to the communist-manipulated provisional government that ultimately brought Poland into the Soviet Bloc as a satellite state by 1947.

Katyn and Genocide: Postwar Conversations about Mass Atrocity

As Poland became recontextualized in the postwar world, so did the Katyn Massacre. After World War II, the Allied powers began to navigate the complicated questions of genocide and crimes against humanity. Though the systematic mass murder of Europe's Jews was the primary impetus for these discussions, atrocities like the Katyn Massacre were also included amongst discussions about mass violence. This is especially true of the IMT where the Soviets

²¹ There was some truth to the accusation of propaganda, but it is entirely beyond the scope of this paper. I recommend reading Kenneth Ledford's entire article cited in this thesis for a comprehensive analysis of the way the Nazis propagandized the Katyn Massacre.

²² Kenneth F. Ledford, "Mass Murderers Discover Mass Murder: The Germans and Katyn, 1943," 588–89. Lublin became the seat of the client government in 1944.

had curiously included the Katyn episode in the indictment against the Nazi government. As it happens, the IMT was also where the terms genocide and crimes against humanity made their legal debut.²³ Through the IMT, the Allies revolutionized the conversation surrounding human rights by prosecuting the Third Reich for the mass atrocities it committed. Out of all of the Allied powers, however, it appeared that the Soviet Union was the most dedicated to punishing the Nazis not only for their war crimes, but also for waging a “war of aggression.” This is directly related to Lemkin’s idea of the war of German racial superiority. For the Soviets, the Germans had carried out a sustained and violent conflict that decimated not only “armies but civilizations” as well.²⁴ In fact, it was Soviet lawyer Aron Trainin who first elucidated the idea of a “crime against peace.”²⁵

As the trials wound down in the summer of 1946, there remained a deep-seated desire – led by Raphael Lemkin himself – for the newly-minted United Nations to categorically outlaw the extermination of whole groups based on collective identity, including social and political groups. Shortly after the main Nuremberg Trial, the United Nations established a Convention on the Prevention and Punishment of the Crime of Genocide that was informed by a draft resolution published with the assistance of Raphael Lemkin. Officially titled Number 1021, 78 United

²³ Coinage of the term “genocide” is commonly attributed Polish-Jewish lawyer Raphael Lemkin, who explored its origins and defined its characteristics in his work, *Axis Rule in Occupied Europe* (1944). The origin of the word genocide, according to Lemkin, “is made from the ancient Greek word *genos*” meaning race or tribe and the “Latin *cide*” meaning to kill.

²⁴ Hirsch, *Soviet Judgment at Nuremberg*, 8. This would eventually become the primary charge against the Nazis, and would indeed shape the entire process of indictment against the Nazi architects

²⁵ As Hirsch correctly points out, Aron Trainin is an underexplored character in the story of genocide and crimes against humanity. Although volumes have been published regarding the origin of these two pivotal concepts and the actors that contributed to their conception (see Philippe Sands’s extraordinarily moving 2016 book *East West Street*), Trainin has largely been missing from the discussion. Hirsch has excellent information on Trainin, but for more, see the biographical chapter in Gleb Bogush’s 2020 volume *The Dawn of a Discipline: International Criminal Justice and Its Early Exponents*.

Nations Treaty Series 277, the Convention presented their definition of genocide in Article II the following way:

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group as such:

- (a) Killing members of the group
- (b) Causing serious bodily or mental harm to members of the group
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction, in whole or in part
- (d) Imposing measures intended to prevent births within the group
- (e) Forcibly transferring children of the group to another group.²⁶

Although a critical aspect of Lemkin's thesis, the political qualifier used by the United Nations was lost during negotiations. Early drafts of the Genocide Convention – including a December 1946 resolution – proclaimed genocide as a crime of unusual mass violence in which racial, religious, political, and other groups were eradicated, entirely or in part.²⁷ This resolution, modeling Lemkin's conceptualization, declared genocide an international crime whether it be committed on any of these grounds. Two years later, however, when the official resolution was up for approval, the inclusion of a political component was heavily debated. The main objectors to the inclusion of a political component were, unsurprisingly, the Soviet representatives. They argued that a political category would tarnish the validity of the entire Convention.²⁸

Because of their participation in events like those at Katyn, the Soviet delegation pushed the idea that a political component to genocide “had no modern application” and that the practice of genocide itself was exclusive to fascism and the Nazi ideology²⁹ – the same idea they had argued just a few years before during the main Nuremberg Trial. Additional dissenting parties

²⁶ “1021 Convention on the Prevention and Punishment of the Crime of Genocide. Adopted by the General Assembly of the United Nations on 9 December 1948.,” *United Nations Treaty Series* 78 (n.d.): 280.

²⁷ Leo Kuper, *Genocide: Its Political Use in the Twentieth Century* (New Haven: Yale University Press, 1982), 24.

²⁸ Kuper, 25.

²⁹ Kuper, 25.

rejected the inclusion of political groups because of their inherent social mutability. The argument was made by many delegations that a political group could not be easily distinguishable, especially not in comparison to an ethnic religious, or racial group. Even the Polish Communist delegation contended that an inclusion of political groups obfuscate the entire Convention.³⁰ Other representatives cautioned recognizing political groups for fear that their inclusion may expose a nation's domestic concerns to external intervention. Although one may figure that this very action is the intent in creating a formal international law regarding genocide, the concerned parties raised this reservation as a way of predicting other nations' potential unwillingness to ratify the resolution. In their view, some member nations may refuse to ratify the *entire* Convention because they were afraid of being called before an international tribunal to rectify past or current offenses.³¹

Although delegations insisted upon the protection of political groups, they were ultimately expunged from the final draft of the UN Convention's definition of genocide.³² Many delegations, including the United States – who had been quite consistent in defending the importance of protecting political groups– capitulated to the views of the opposition.³³ It was collectively determined that the ratification of *some* tool with which to determine and claim genocide was more important than the *perfect* tool. This decision, although couched in the fear of

³⁰ Kuper, 25. Although this may seem counterintuitive, it is important to remember that, even in the postwar, two Polish governments existed. One was a democratic government in exile, while the other was a Communist satellite government operating out of Lublin. The latter was very much in line with the Soviet delegation, and therefore would fall in line with the Communists during the Genocide Convention.

³¹ Kuper, 26–27. For a more comprehensive survey of the extensive political crimes committed by the Soviet Union during the 1930s and early 40s, see Norman Naimark's *Stalin's Genocides*.

³² Kuper, 28–29. These proponents claimed that its exclusion would leave an easy excuse for those governments who may commit mass atrocity based on political identity. They cautioned that governments might defend such an action, claiming its necessity in suppressing an uprising or the maintenance of public order

³³ This capitulation was not simply circumstantial. Many scholars, including Leo Kuper, Frank Chalk, and Israel Charny discuss the genocidal quality of the Allied firebombing of Dresden as well as the U.S.'s nuclear bombing of Hiroshima and Nagasaki. It is only logical to assume that the U.S. may have been easily convinced to exclude political groups from the official definition in order to protect their own interests and decisions.

nonratification, still demonstrates how most nations were unwilling to have their domestic affairs meddled in by external forces. The political provision was left out largely because these nations “wished to retain an unrestricted freedom to suppress political opposition.”³⁴ In a historical review of this debate, however, one is resigned to a fact that scholar Francine Hirsch very aptly articulates: “international justice is an inherently political process.”³⁵

The IMT and the UN Genocide Convention added a new vocabulary to the language of human rights. Although the UN’s formal definition of genocide left much to be desired, governments and scholars alike began to experiment with terminology and labels used to discuss mass atrocity and international crime. One of the earliest, most historically significant instances of this kind of intellectual experimentation came during the formation of the United States Special Congressional Committee, charged with the investigation of the Katyn Massacre in 1951.

The Congressional Investigation in the Early Cold War

The International Military Tribunal held at Nuremberg immediately following the Second World War largely informed the American motivation to investigate the Katyn Massacre as an objective third-party entity. During the IMT, the Katyn Massacre was added to the list of charges against the German government by the Soviet Union.³⁶ The entire Soviet legal team, including both Stalin and his foreign minister Vyacheslav Molotov, were under the impression that the process of convicting the Nazi architects would be clear-cut. The evidence compiled against them was so extensive, so damning, that the Soviets believed that a guilty verdict was a foregone conclusion. Unfortunately for Moscow, this was not the case.

³⁴ Kuper, *Genocide*, 30. Further points have been raised in opposition to the Genocide Convention, but they lie beyond the scope of this paper, and have therefore been omitted from this particular discussion.

³⁵ Hirsch, *Soviet Judgment at Nuremberg*, 8.

³⁶ Hirsch, 8.

A short two days were dedicated to the Katyn topic at the IMT. The Western judges had allowed the Germans and the Soviets three witnesses each to represent their cases. Essentially, the Soviet prosecution endeavored to show how the 1943 German investigation of Katyn suffered from a lack of forensic evidence to prove the time of the massacre. In their own presentation, the Soviets attempted to demonstrate how their 1944 investigation benefitted both material and forensic evidence.³⁷ Nonetheless, the Katyn portion of the IMT was overall detrimental to the Soviet position. Despite their privileged position as a prosecuting force, the Soviets ultimately failed to adequately refute the results of the German investigation. Overall, German witnesses had been successful in casting reasonable doubt on the Soviet position. For all intents and purposes, the “Katyn showdown” – as Francine Hirsch called it – had ended in a draw.³⁸

Ultimately, the IMT had been unsuccessful in elucidating much information about who had committed the Katyn Massacre. While there may have been ample intelligence in the British and American camps that pointed to Soviet guilt, certainty was far out of the picture.³⁹ Regardless, the reality was that the Soviets were not on trial at the IMT. Even if it was common knowledge at the time that the Soviets were guilty of the Katyn Massacre, the IMT would not have been the place to try them. After the Katyn moment, American prosecutors made deliberate moves to diffuse suspicion surrounding the Soviet stance on Katyn in order to “preserve the legitimacy of the IMT.” Had the question of Soviet guilt been allowed to fester unabated, it “could have done irreparable damage to the credibility of the IMT as a whole” and “raised

³⁷ Hirsch, 333. For more detailed information on the trial proceedings, see Chapter 12 of Hirsch’s volume.

³⁸ Hirsch, 334.

³⁹ Hirsch, 335.

uncomfortable questions about why the Western prosecutors had let the Soviet add the charge to the Indictment” in the first place.⁴⁰

The topic of Katyn seemed to fade into the background of international attention, however, after the main Nuremberg Trial ended in 1946. The mid-October sentencing of Nazi high officials had created a precedent in international law, paving the way for expanding definitions of new concepts, such as crimes against humanity, crimes against peace, and genocide. The politics of the Cold War, however, had begun to encroach upon the effort to systematize international law regarding human rights. In March of 1947, the United States passed legislation signaling their intent to provide “economic and military support to people ‘resisting attempted subjugation by armed minorities or by outside pressure.’” This would eventually come to be known as the Truman Doctrine, and its chief purpose was to stymie the expanding ideals of communism.⁴¹

Although the conflict had been building since the Soviet Union liberated North Korea from Japanese forces in 1945, the new US policy of containment – and the USSR’s rapid expansion of communism across Eastern Europe and into Asia – inspired new methods of increased military involvement.⁴² In the time between the passage of the Truman Doctrine and the official start of the war in 1950, the United States and the Soviet Union had firmly established their mutual animosity, often trading accusations of human rights violations and international crimes. At the beginning of the Korean conflict, however, the USSR released a propaganda report that formally accused the United States of “committing genocide in Korea and

⁴⁰ Hirsch, 335. Hirsch raises interesting questions about the concept of “victor’s justice” following the Katyn episode at Nuremberg. Although beyond the scope of this paper, it is a worthy read, and an important concept to keep in mind as we explore the Congressional Committee’s treatment of the Katyn Massacre.

⁴¹ Hirsch, 400.

⁴² For a more in-depth coverage of the historical background of the Korean War, see Stanley Sandler’s 1999 volume, *The Korean War: An Interpretative History*.

throughout the developing world” and conspiring against the Soviets in an effort to start a third world war. US officials responded by accusing the Soviet Union of international hypocrisy by “claiming to support peace” while, in reality “supporting and encouraging communist takeovers in Europe and Asia.”⁴³

The Korean War increased American animosity toward the Soviet Union and Communism, thus affecting the ways in which they thought about Soviet atrocities during the Second World War. A new vocabulary of mass atrocity and massacre, borne from the IMT and the United Nations’ definition of genocide from 1948, was regularly employed in the battles between the two superpowers. Though very much still in its infancy, the adversarial relationship between the United States and the Soviet Union was exacerbated by the conflict in Korea. During these ideological conflicts, memories of the IMT began to resurface. As Hirsch reveals, American journalists began calling upon the principles of the IMT as grounds to impose sanctions against the Soviet Union for planning an invasion into South Korea.⁴⁴ As these IMT ideals began to resurface, however, so did questions about Soviet involvement in the Katyn Massacre. Ultimately, the impetus to investigate the Katyn Massacre came largely from a concern that the Katyn Massacre could have served as a “blueprint” for the atrocities begun committed against U.S. troops in Korea at the time.

People and Places: The Committee and Its Work

Following the unanimous passage of House Resolution 390 in September of 1951, the United States House Select Committee to Conduct an Investigation of the Facts, Evidence, and

⁴³ Hirsch, *Soviet Judgment at Nuremberg*, 411.

⁴⁴ Hirsch, 411.

Circumstances of the Katyn Forest Massacre was officially approved. The group of seven Congressional representatives was charged with the task of uncovering responsibility for the perpetration of the massacre and determining if any United States officials played a role in its extensive cover-up.

The Committee consisted of seven men, all House Representatives who had been selected by then House Speaker Samuel Rayburn (Democrat-Texas) to conduct a comprehensive and bipartisan investigation of the Katyn Massacre. Rayburn appointed Representative Ray J. Madden (Republican-Indiana) as Chairman, ultimately giving the group its colloquial name, the Madden Committee. He then appointed the other six members in turn. Thaddeus M. Machrowicz, a Democratic representative from Michigan, was the only Polish American on the Committee.⁴⁵ The remaining five members, including George Dondero (Republican-Michigan), Foster Furcolo (Democrat-Massachusetts),⁴⁶ Alvin O’Konski (Republican-Wisconsin), Timothy P. Sheehan (Republican-Illinois), and Daniel Flood (Democrat-Pennsylvania), were all of mixed heritage, with Italy, Germany, and Ireland ancestrally represented among the group.⁴⁷

The volume of evidence the Committee gathered is rather astounding, especially in light of the fact that the investigation was conducted in under two years. The Congressional Committee received most of its information from willing participants who were brought forward to share what they knew about the Katyn Massacre. Many of these individuals were American military officials, diplomats, and reporters who had the opportunity to visit the gravesites, during

⁴⁵ Machrowicz had immigrated to the United States with his parents in 1902 when he was very young, leaving the then-Prussian province of Posen. In his adult life, he served as a lieutenant in the Polish Army of American Volunteers in Canada, France, and Poland during World War I, with the American Advisory Commission to Polish Government in 1920 and 1921, and as a war correspondent in Poland from 1919-21.

⁴⁶In the 1970s, Furcolo published *Rendezvous at Katyn: A Novel Based on One of the Most Shocking Events in Modern History* (1973). Although the story is historical fiction, it is based on real people and real events from the investigation.

⁴⁷ Rayburn’s motivation for selecting these men is largely unknown. It is not discussed in the selection process.

both the German and Soviet investigations. For the most part, these testimonies were conducted in person.⁴⁸ House Resolution 390 – the resolution that authorized the formation of the Committee – revealed that testimony would be gathered through hearings and would require “by subpoena [*sic*] or otherwise the attendance and testimony” of witnesses. It also required that any and all “books, records, correspondence, memoranda papers, and documents” deemed important be collected and recorded along with the testimonies.⁴⁹

These exhibits were presented in different ways depending on medium and format. In smaller hearings, where there were fewer testimonies, visual exhibits like maps and photographs were distributed to the committee members for their viewing. Maps were sometimes presented to everyone in attendance at the hearing, but it is unclear whether some images were enlarged for the same purpose. It appears that, in general, most exhibits were reserved for Committee member’s exclusive viewing. In larger hearings, for example, the Committee members received packets of organized materials ahead of time for their reference, should they be mentioned during the testimony. Any correspondences, such as important telegrams between officials and especially letters sent from the Committee to different governments requesting attendance, were read aloud by committeemen to the rest of the hearings’ attendees.⁵⁰

The statements heard were largely made in person and occurred in both the United States and abroad. Questioning was a mix of open-ended inquiries and more directed interrogation and

⁴⁸ In fact, the Committee began its investigation early in order to hear the testimony of Colonel Donald B. Stewart, who was prisoner of war under the German forces at the time of their discovery of Katyn. He, along with Colonel John H. Van Vliet, Jr. were selected by their captors to be witnesses to the German investigation. The Committee was not meant to begin hearings until the new year began in January of 1952. Colonel Stewart, however, was supposed to go to Tokyo for his career in the military before then.

⁴⁹ Ray J. Madden, “House Resolution 390 Presented to the 82nd United States Congress, 1st Session,” September 18, 1951, 2.

⁵⁰ Although evidence does not explicitly reveal anything regarding this, I cannot help but think about how this may have affected those in attendance who did not speak English at the hearing, despite the presence of translators.

depended on the information a witness might have. The seven-person Committee had access to some Polish former officers in Washington, D.C. and Chicago, Illinois – the surviving prisoners, for example, were interviewed in the United States – but eventually traveled to Europe for more comprehensive examination. The locations chosen – London, England and Frankfurt, West Germany – allowed for the Committee to hear from officials in the Polish Government in Exile and the West German government. Both shared important details about their independent investigations and their own view of Russian duplicity.

The hearings abroad were authorized by a resolution that amended the Committee’s original mandate. In February 1952, Chairman Madden requested an extension from Congress, claiming that travel was necessary to conduct a full and comprehensive investigation. This request was granted in House Resolution 539, which amended the language in original House Resolution 390.⁵¹ The original resolution requested that the investigation be complete by the time the 82nd Congress adjourned in the summer of 1952. The new resolution extended this deadline about six months, setting January 3, 1953 as the Committee’s date of termination.⁵² The change enabled the Committee to travel to Europe in April of 1952 to collect more in-person testimony. Acutely aware of the Committee’s critical role, Chairman Madden professed “a firm desire to hear everyone” from any organization, group, or nation “who [had] any factual testimony to offer which will contribute to the solution of the murder massacre of approximately 14,000 Polish officers and civilians in the Katyn Forest.”⁵³ While both the West German and Polish governments participated willingly, the professed objectivity of the investigation was lost

⁵¹ Ray J. Madden, “House Resolution 390 Presented to the 82nd United States Congress, 1st Session,” 2.

⁵² Ray J. Madden, “House Resolution 539 Presented to the 82nd United States Congress, 2nd Session,” February 27, 1952, 2.

⁵³ 82nd United States Congress, “Hearings before the Select Committee to Conduct an Investigation of the Facts, Evidence and Circumstances of the Katyn Forest Massacre, Third Hearing” (Chicago, Illinois, March 13, 1952), 221.

on the Soviet Union. Despite receiving a formal invitation, Moscow wrote the entire enterprise off as an effort to slander the Soviet Union with false accusations, and refused to participate in the proceedings.⁵⁴

Bodies with Boots On: Expert Testimony and Crucial Evidence

The methodology used to investigate this aspect of the Katyn Massacre was extremely comprehensive. By the time the Interim Report had been published, the Committee had heard testimony from more than 81 witnesses, explored 183 exhibits – including photographs, correspondences, reports, and military commands – and received more than 100 depositions from witnesses who could not be present physically at the hearings. In addition, the Committee had corroborating information from over 200 individuals who supplemented the more evidence given to them by the witnesses in the formal hearings.⁵⁵

Throughout the investigation, there were notable moments in which evidence was presented that strongly indicated Soviet guilt. Some of the most damning evidence the Committee heard was testimony from twenty-six survivors of the Soviet camps Kozielsk, Starobielsk, and Ostashkov. All of the eyewitnesses estimated that the three camps altogether comprised about 15,400 prisoners, all of them the elite of the Polish military and society. The committee also concluded, with the help of these eyewitnesses, that this camp system was a “planned, well-conceived, and highly organized separation of the Polish intelligentsia” crafted with the intention to identify and eliminate Polish nationals who might resist against Soviet rule after and during the war. These camps were heavily guarded by NKVD officers and consisted of a highly

⁵⁴ 82nd United States Congress, 222.

⁵⁵ 82nd United States Congress, “Interim Report of the Select Committee to Conduct an Investigation and Study of the Facts, Evidence, and Circumstances of the Katyn Forest Massacre Pursuant to H. Res. 390 and H. Res. 539,” 3.

sophisticated system of surveillance not present at other Soviet political internment camps. In other words, special attention was given to the Polish political and military prisoners.⁵⁶

The prisoners' testimonies made Soviet intention in the Katyn Forest relatively clear for the Committee. This was further compounded by evidence revealing the Soviet Union's attempts at an elaborate cover-up. Testimony regarding this fact came largely from then-Associated Press correspondent Henry Clarence Cassidy. Cassidy, an American journalist and war correspondent, had been invited by the Soviet government to report on their 1944 independent investigation of the Katyn gravesites discovered by the Germans just one year earlier. According to Cassidy, there were several irregularities about the Soviet investigation that struck him as strange. Among these irregularities was the condition of the clothing the corpses were wearing. Cassidy mainly commented on how odd it was that the bodies still had boots on. In Cassidy's experience, it was typical for the Red Army to take anything of value from the corpses after a battle. He stated that "on the battlefield, you lose your boots when you lose your life."⁵⁷ Because the Soviet investigation failed to convince the reporters of German guilt, and actually lent them to believe it had been *their* doing, Cassidy and the others settled on the idea that the NKVD had committed the crime.

Cassidy's testimony was valuable because of his knowledge of Red Army and NKVD tactics. He knew that, although the responsibilities of the NKVD varied, the organization was best known for its severe tactics of political repression, mass deportations, and extrajudicial killings,

⁵⁶ The Committee also heard testimony from General Władysław Anders, the high ranking military official who spearheaded a search of missing Polish officers in 1941. The search was notable for its exposure of Soviet unwillingness to cooperate with the search. For more information on this search, see Part 4 of the Hearings, conducted in London.

⁵⁷ 82nd United States Congress, "Hearings before the Select Committee to Conduct an Investigation of the Facts, Evidence and Circumstances of the Katyn Forest Massacre, Second Hearing" (Washington, D.C, February 4, 1952), 212.

mainly in Poland. Cassidy knew that, because the NKVD had a wholly separate role in the war than Red Army, its agents would no doubt follow different protocols and use different tactics. If this had been the case Cassidy concluded, “it would have been quite possible for the Russians to do it and have the boots remain.”⁵⁸ Later in his testimony, Cassidy and the other reporters were mostly in agreement that this murder had been committed in this way. Ultimately, Cassidy’s testimony provided important information about how the Soviet system was entirely alien to the American system, especially in wartime. His remarks were important for bolstering the Committee’s larger claim that the Soviet Union conducted war in an unorthodox and unfair way, and continued to do so in places like Korea.

Cassidy believed that, based on Russian precedent, the spectacle they witnessed at the Soviet Investigation was staged and the evidence was counterfeit.⁵⁹ According to Cassidy, the Soviet investigation put much more emphasis on the medical evidence than the documentary evidence. The best evidence the Soviets could present to the reporters were the medical autopsies and a few documents of which the provenance was unknown. Cassidy went on to reveal that, prior to the German announcement of the Katyn graves, Polish authorities were searching for a few thousand missing officers who were allegedly taken captive by Soviet forces. When General Władysław Anders – a high ranking Polish official charged with the search effort – asked Moscow of the whereabouts of these officers, he received no definitive answer. The best the Soviets could offer were theories that they had been released or simply missing in action. Eventually, responses stopped coming from the Soviet delegation, and inquiries were rejected on the whole. The first

⁵⁸ 82nd United States Congress, 212.

⁵⁹ 82nd United States Congress, 210.

time the Soviets accused the Germans of taking the missing Poles as prisoners was the first or second day after the Third Reich's announcement of the Katyn gravesite.⁶⁰

Conversely, testimonies of American military officials, Colonels Donald B. Stewart and John H. Van Vliet, Jr., pointed to the undeniable reliability of the German findings at Katyn. Both men had been imprisoned under the Germans and were eyewitnesses to the 1943 investigation of the mass graves. They provided critical accounts of the materials gathered by the Germans. Based on the information the Germans had presented, both Stewart and Van Vliet had found the indictment of Soviet responsibility incontrovertible. This was in spite of their profound mistrust of the Germans as their enemies and captors. In the Committee's first session in October of 1951, Stewart stated explicitly that he had been convinced that the Germans were only involving Allied prisoners of war to stir up propaganda meant to harm the Allied effort. Before arriving at the site of the massacre, he stated that he "had formed an opinion as to who had killed these officers" and was convinced that the Germans were responsible. However, upon examination of the evidence compiled by the German investigation and observing the state of the bodies, he arrived at a wholly different conclusion. Upon leaving the Katyn Forest, he was entirely "convinced that the Russians had executed those men." This was in spite of his animosity toward the Germans and his deep-seated desire to bring them to justice for their own crimes against humanity.⁶¹

Stewart cited extremely interesting pieces of evidence that allowed him to arrive at the conclusion. He said that the chief observation that influenced his opinion was the quality of the Polish officers' uniforms, specifically their overcoats and boots. Stewart remarked that, if the

⁶⁰ 82nd United States Congress, 219.

⁶¹ 82nd United States Congress, 212. It is worth noting here that Van Vliet and Stewart testified to having been allowed by the Germans to select a body at random for examination. The reporters in attendance at the Soviet investigation were not allowed to do this. This is an important difference. It indicates a Soviet unwillingness to relinquish control during their investigations, and betrays a potential staging of their investigation

Polish officers had been prisoners from September 1939 until after the Germans took Smolensk, their uniforms would have shown “significantly more wear” than they had at Katyn.⁶² In the second session, Van Vliet confirmed these findings. He said that the condition of the clothing, “particularly the shoes,” was indicative of lack of use atypical with wartime imprisonment. Van Vliet made a point to say that, had the Polish officers at Katyn been murdered in 1941 by the invading Germans forces, as the Russian radio, press, and investigation claimed, then “the shoes and the clothing would have shown much more wear” than they did at the time of his and Stewart’s visit.⁶³

Moreover, both Van Vliet and Stewart remarked that almost all of the bodies found in the graves were dressed in overcoats of heavy material. Not only were these overcoats distinct to the Polish Army’s uniforms,⁶⁴ but they indicated that the massacre had happened in the colder months. This directly contradicted the claim that the Germans had murdered the Polish prisoners of war in the summer of 1941 when they had invaded Soviet territory made by the Soviets at the IMT and in the independent Soviet investigation of the Katyn Massacre. Stewart shared that, in his experience as a prisoner of war in the area for over two years, the weather would have been too warm for overcoats at the Soviet’s proposed time of the massacre.⁶⁵

⁶² 82nd United States Congress, 23.

⁶³ 82nd United States Congress, 43. Both of these accounts are based on Stewart and Van Vliet’s individual accounts of imprisonment under the German army. The committee put significant trust in their expertise, not only as career military men, but as prisoners of war who had firsthand experience under German captivity.

⁶⁴ Stewart admitted he discovered this in retrospect. Prior to his time at Katyn with the Germans, he had not been privy to the appearance of a Polish uniform. It wasn’t until after his release that he saw what they looked like, and when he made the connection that the bodies discovered at Katyn were without a doubt officers in the Polish army. It is also worth noting that Stewart observed many bodies in clerical robes belonging to the Catholic church. Whether these were field chaplains or religious leaders having nothing to do with the military conflict was never discussed further.

⁶⁵ 82nd United States Congress, “Hearings before the Select Committee to Conduct an Investigation of the Facts, Evidence and Circumstances of the Katyn Forest Massacre, First Hearing” (Washington, D.C., October 11, 1952), 14.

The second half of the Committee’s investigation sought to determine if any American officials played a part in the massacre’s cover-up. The evidence from these hearings – compiled largely in the seventh and final part of the investigation – reveals how American officials may have “found itself in the tragic position of winning the war but losing the peace”⁶⁶ by maintaining its relationship with the Soviet Union during the war. The Committee heard testimony from various high ranking American officials to reach this conclusion. Among these officials were Major General Clayton L. Bissell, former Ambassador to the Soviet Union Averell Harriman, and the former Nuremberg prosecutor Robert H. Jackson.

Upon returning home after the war, Colonel Van Vliet reported his experience at the Katyn gravesites to Major General Clayton L. Bissell. Van Vliet not only told of the material evidence he had encountered, but also shared his opinion of Soviet responsibility. In his testimony, General Bissell confirmed hearing Van Vliet’s account. He testified to creating one manuscript of the Colonel’s experience and labeled it “Top Secret.” On May 25, 1945, Bissell sent the report in a letter to then Assistant Secretary of State Julius Holmes through the Office of Controls at the State Department.⁶⁷ Physical evidence of the letter’s reception was provided by Bissell, as well.⁶⁸ However, as the Committee’s Final Report reveals, Holmes “disavowed any knowledge of ever having received the Van Vliet report” and stated that, if they had, he would have remembered due to its political significance.⁶⁹ As revealed by the Congressional Committee, the

⁶⁶ Department of State, Office of the Assistant Secretary for Congressional Relations., “Final Report of the Select Committee to Conduct an Investigation and Study of the Facts, Evidence, and Circumstances of the Katyn Forest Massacre Pursuant to H. Res. 390 and H. Res. 539,” 6.

⁶⁷ 82nd United States Congress, “Hearings before the Select Committee to Conduct an Investigation of the Facts, Evidence and Circumstances of the Katyn Forest Massacre, Seventh Hearing” (Washington, D.C, November 3, 1952), 1853. This is the earliest record of the Van Vliet Report’s transmission.

⁶⁸ 82nd United States Congress, 1867.

⁶⁹ Department of State, Office of the Assistant Secretary for Congressional Relations., “Final Report of the Select Committee to Conduct an Investigation and Study of the Facts, Evidence, and Circumstances of the Katyn Forest Massacre Pursuant to H. Res. 390 and H. Res. 539,” 7.

report was “explosive” and was being recorded at a time of utmost importance for U.S.-Soviet relations. The Allies were still at war with Japan, and American officials were attempting to win Soviet support for the conflict in the Pacific.

The maintenance of a wartime alliance appeared to carry over into the main Nuremberg Trial. Former American prosecutor Robert H. Jackson claimed that he had not received any information on the Katyn Massacre before going to trial. He stated that Katyn appeared on the indictment because the Soviet Union was “assigned the duty of preparing and presenting evidence of crimes in eastern Europe” which was largely under Soviet occupation at the time. He went on to say that this evidently included Poland and the Katyn Forest, but he was not aware that it was going to be brought forward during the trials.⁷⁰ Although Jackson admitted that more information about the Katyn Massacre would have “strengthened [their] hand in keeping it out” of the Indictment⁷¹ and set in motion actions against the Soviets outside of the IMT, it is evident that the blind trust employed during wartime was very much at play in Nuremberg as well.

The seventh hearing highlighted the fact that American officials had privileged political preservation when confronted with the Katyn crime. Averell Harriman elaborated on this line of reasoning in his testimony. He, along with former Undersecretary of State Sumner Welles, revealed that “the underlying consideration throughout the war was military necessity.” The Committee saw this same attitude reflected in documents and correspondences from President Roosevelt, produced by former Ambassador George Howard Earle. According to these documents, President Roosevelt – despite having been clued into proposed Soviet guilt of the Katyn Massacre – firmly condemned the crime as “entirely German propaganda and a German

⁷⁰ Department of State, Office of the Assistant Secretary for Congressional Relations., 1945.

⁷¹ 82nd United States Congress, “Hearings before the Select Committee to Conduct an Investigation of the Facts, Evidence and Circumstances of the Katyn Forest Massacre, Seventh Hearing,” 1955.

plot.” He went on to say that he was “entirely convinced the Russians did not do this.”⁷² This was in spite of the overwhelming evidence Earle claimed to have provided in the form of photographs. Although Harriman claimed to have made his personal feelings of Soviet mistrust clear during the war,⁷³ it was clear these feelings were not universally shared in Washington. Although American officials may have *wanted* a free postwar Poland and democratic stability in Eastern Europe, that desire was tabled in order to maintain an alliance with the Soviet Union, whom they believed to be cooperative at the time.

“Katyns” and Communism: An Apparent Equivalency

As the Committee’s investigation progressed and more evidence was gathered, the language employed to discuss the Katyn Massacre also became increasingly more pointed and aggressive. This was in contrast to early hearings, which had revealed the Committee’s greenness in investigating the massacre. It was clear that objectivity was prioritized at the outset. In the first hearing, for example, Madden’s introductory remarks went as follows:

[The Committee] might mention for the record that this special committee was authorized by Congress to make an investigation of the Katyn massacre but has not been completely organized as yet as the office personnel and location is concerned.⁷⁴

Evidently, this is not indicative of a stance or opinion on the nature of the massacre itself. As the Committee established itself professionally and more time was allowed for planning, study, and organization the language began to progress. As early as the second hearing, the Committee began to employ stronger language to establish its purpose. The first part of the investigation, they claimed, was to “establish the guilt of the nation that perpetrated the greatest crime of

⁷² 82nd United States Congress, 2204.

⁷³ 82nd United States Congress, 2131.

⁷⁴ 82nd United States Congress, “Hearings before the Select Committee to Conduct an Investigation of the Facts, Evidence and Circumstances of the Katyn Forest Massacre, First Hearing,” 1.

genocide in all recorded history.”⁷⁵ It was a curious choice to use the term genocide here, and surprisingly emphatic so early on in the proceedings. Additionally, it is unclear how they were using it. Genocide was debuted legally at the IMT as an accusation leveled against the Germans. By using genocide in this application, they were no doubt already attempting to pin the crime on the German government.

Later in the hearing’s introduction, however, the Committee made a point to clarify that the Third Reich had already answered for its crimes, revealing that “Former Nazi dictators and their henchmen who were found guilty of similar mass murders have already received just punishment.”⁷⁶ Although the opening of the second session initially gave the impression of Nazi guilt, the language quickly pivoted to communicate a rather strong indication – or, better, suspicion – of *Communist* guilt. Chairman Madden furthered this point, stating:

We know now that the Communist dictators by the rule of fear through slave labor camps, murder, and mass genocide, now are trying to keep under subjection millions of people, and spread their influence throughout the world.⁷⁷

What is particularly compelling is the Committee’s use of the phrase “we now know.” As delineated in the previous section, it is thought that American officials more than likely knew more about Soviet Union’s employment of mass violence during the war,⁷⁸ and chose to ignore it to preserve their alliance. Although the Committee took meticulous steps to formally determine guilt for the Katyn Massacre during the investigation, a suggestion of Soviet guilt this early on in

⁷⁵ 82nd United States Congress, “Hearings before the Select Committee to Conduct an Investigation of the Facts, Evidence and Circumstances of the Katyn Forest Massacre, Second Hearing,” 31.

⁷⁶ 82nd United States Congress, 31.

⁷⁷ 82nd United States Congress, 31.

⁷⁸ Hirsch, *Soviet Judgment at Nuremberg*.

the hearings raises important questions about how much the Committee actually knew before the Congressional investigation began.⁷⁹

Moreover, the use of the broad term *Communist* is worth noting. It signals the arrival of an idea that routinely appears throughout the entire investigation: that the Katyn Massacre, while unique and worth looking into more profoundly, was still a *Communist* crime that could be compared to or lumped in with other *Communist* crimes. Emphasizing this aspect of the Katyn Massacre furthered the Committee's attempt to compare it to the atrocities being committed against American soldiers in the Korean War. Although the Committee made a clear and genuine effort to examine the massacre and determine a nation's guilt, this language betrayed an underlying opinion that mass atrocity and terror was a uniquely communist tactic that had been employed elsewhere. Later in the investigation, the Committee attempted to equate the tactics used in the perpetration of the Katyn Massacre to those being used against American prisoners of war in Korea at the time.⁸⁰ This idea can be tracked throughout the entire investigation, but has its origins in this session, revealing early in the process the lens with which the United States Congress viewed the Katyn Massacre.

The second session also contained the Committee's first attempt to officially label the Katyn Massacre with legal language. Before fielding witness testimony, the Committee referred to the event as an "international crime." They went on to say that news of the investigation had reached "behind the iron curtain" and has engendered "great encouragement" among the satellite

⁷⁹ 82nd United States Congress, "Hearings before the Select Committee to Conduct an Investigation of the Facts, Evidence and Circumstances of the Katyn Forest Massacre, Second Hearing," 31.

⁸⁰ This line of thinking is also reminiscent of the Soviet view of genocide as a concept reserved only for *Nazi* ideology, a position they expressed vehemently in the debates over a legal definition of genocide at the United Nations Convention.

states to know that the “Congress of the United States has taken steps”⁸¹ to officially uncover what happened in the Katyn Forest. Admittedly, the phrase “international crime” was not intellectually groundbreaking at the time. Its use here, however, is significant in its context. The main Nuremberg Trial had critically altered the landscape of international law and set foundations for its discussion. In many ways, the IMT had created a new meaning for the prosecution of crimes committed between nations and peoples and stood for the protection of all humanity against mass violence. Indeed, the IMT principles – eventually affirmed by the United Nations’ formal definition of genocide – advocated for an end to crimes against humanity.⁸² Therefore, the Committee’s use of what was now a much more loaded phrase indicated their effort to take this massacre seriously, despite the political lens through which they viewed it.⁸³

One of the most compelling aspects of the introduction to the Committee’s second hearing was their direct acknowledgement of the historical significance of the investigation itself. They expressed genuine hope that “the testimony, data, and facts recoded at this hearing and future hearings will some day [*sic*] serve as evidence in an international court” that would ultimately “bring just punishment to the murderers and their accomplices who committed the Katyn Forest massacre.”⁸⁴ The language employed here reflected the Committee’s intention to bring whatever power they determined was responsible for the Katyn Massacre to justice in a formal legal space.

⁸¹ 82nd United States Congress, “Hearings before the Select Committee to Conduct an Investigation of the Facts, Evidence and Circumstances of the Katyn Forest Massacre, Second Hearing,” 31.

⁸² In November 11, 2005 – the 60 anniversary of the Nuremberg Trials – prosecutors shared their experience with the “then-new concept of international law.” Here, they discuss the unprecedented use of the phrase international crime and how its employment during the Nuremberg Trials altered the legal landscape. This panel was recorded by C-Span, and is currently accessible on their website using this link: c-span.org/video/?189880-1/nuremberg-birth-international-law

⁸³For more on the definition of international crime and its more contemporary usage, see Harvard Law Professor Kevin Jon Heller’s article *What is an International Crime? (A Revisionist History)* in the Spring 2017 issue of the Harvard International Law Journal.

⁸⁴ 82nd United States Congress, “Hearings before the Select Committee to Conduct an Investigation of the Facts, Evidence and Circumstances of the Katyn Forest Massacre, Second Hearing,” 31.

It reveals that they were not simply exploring the Katyn Massacre in order to set the record straight – they desired punishment for the perpetrators. Additionally, Madden emphasized the *historical* importance of this investigation. Not only was this the first instance in which two governments were accusing one another of committing an international crime of this caliber,⁸⁵ but it was also “the first time in the history of Congress where a committee has been organized or authorized to investigate an international crime committed beyond the borders of our own country.”⁸⁶ In fact, it was the first time in history that a third party nation was intervening in a conflict like this at all.

The Committee reiterated this point during their hearings in Frankfurt, West Germany. In their introductory statements, they acknowledged that atrocities had occurred before this hearing, but that this massacre was particularly special because it provided an opportunity for these government officials to create a precedent. Madden professed emphatically that, if a committee like this one was not formed, then “future generations, when they read the history of the mass murders at Katyn, would wonder why our civilization never took any steps to place the responsibility for those crimes as Katyn.”⁸⁷ Just like the statements made in second hearing, this declaration indicated the Committee’s desire to qualify and condemn this crime and situate this investigation in the larger history of the Katyn Massacre.

Not every hearing showcased this powerful language. The hearings conducted in London, for instance, did not go beyond a clear statement of their purpose. During this session, the

⁸⁵ 82nd United States Congress, “Hearings before the Select Committee to Conduct an Investigation of the Facts, Evidence and Circumstances of the Katyn Forest Massacre, Fifth Hearing” (Frankfurt, West Germany, April 21, 1952), 1229.

⁸⁶ 82nd United States Congress, “Hearings before the Select Committee to Conduct an Investigation of the Facts, Evidence and Circumstances of the Katyn Forest Massacre, Third Hearing,” 221.

⁸⁷ 82nd United States Congress, “Hearings before the Select Committee to Conduct an Investigation of the Facts, Evidence and Circumstances of the Katyn Forest Massacre, Fifth Hearing,” 1229.

Committee continued to collect pertinent information from critical witnesses and officials, including Polish General Władysław Anders, who had led the fruitless search for the missing Polish prisoners of war in 1941. Session six was simply a bound collection of exhibits presented to them in London by the Polish Government in Exile there.⁸⁸ The seventh session – the sole hearing to determine if any American official had been involved in the conspiratorial cover-up of the massacre – also did not include powerful introductory remarks. It is likely that the Committee felt as if they had established their more profound responsibility in previous hearings.

Aside from the early hearings, the most powerful language appears in the Interim and Final Reports. These documents presented the Committee’s findings in regard to their twofold purpose. The Interim Report, published prior to the seventh and final session, formally communicated Soviet responsibility for the Katyn Massacre. Published in July 1952, the Interim Report revealed that all members unanimously agreed that the Soviet People’s Commissariat for Internal Affairs (NKVD, in Russian)⁸⁹ was entirely responsible for the murder of thousands of Polish Army officers and prisoners of war in the Katyn Forest in the spring of 1940. Based on the evidence they had collected, the Committee claimed that there was not a “scintilla of proof or even remote circumstantial evidence presented that could indict any other nation” in the Katyn Massacre.⁹⁰ The language used here emphasizes the Committee’s strict use of solid proof, evidence, and the rule of law during their investigation of guilt. In doing so, the Committee

⁸⁸ The Committee claimed that the exhibits were too long to include in the proceedings of the fourth hearing. They contained the full report of the Soviet Investigation’s results as received by the Polish Government in Exile. Although they read this and referenced it during the fourth session, they chose to include it in a separate packet for posterity.

⁸⁹By all accounts, the NKVD was a militant organization that specialized in political terror. For more information on the NKVD and its business in Eastern Europe, see Anne Applebaum’s 2012 book *Iron Curtain: The Crushing of Eastern Europe, 1944-1956*.

⁹⁰ 82nd United States Congress, “Interim Report of the Select Committee to Conduct an Investigation and Study of the Facts, Evidence, and Circumstances of the Katyn Forest Massacre Pursuant to H. Res. 390 and H. Res. 539,” 29.

further separated the American system from the Soviet system. The language used communicated that the Soviet Union, unlike the United States, was not to be trusted with the facts that they produced because they were not based on concrete proof. It can also be read as a direct reference to the Soviet cover-up of the Katyn Massacre, their unconvincing investigation of the Katyn graves, as well as their lackluster performance during the Katyn episode of the IMT.

In addition to this condemnation, the Committee also lamented the paucity of Soviet cooperation in both the Congressional Investigation as well as the extensive search for the missing Polish officers started by General Anders in 1941. According to the Committee, the Soviets “purposely misled the Poles in denying any knowledge of the whereabouts of their officers” when they had, in fact, “plotted the criminal extermination of the Poland’s intellectual leadership” as early as the fall of 1939, when they had invaded the nation’s borders.⁹¹

The Interim Report also contains the first use of the phrase “Katyns” in reference to these additional mass atrocities. In their concluding recommendations, the Committee emphasized that the Katyn Massacre “barely scratches the surface” of the countless “crimes against humanity” that have occurred under totalitarian regimes and advocate for the establishment of an international tribunal meant to investigate the remaining instances of atrocity. The Committee claimed that, if these instances of “Katynism” are left unexplored and untried, especially by the United Nations, it will communicate a failure to uphold the obligation they have to protect international human rights.⁹² It is interesting to note how the Committee’s decision to use the phrase “totalitarian” allowed for an equivalency to be drawn between the Nazi and Communist systems. In doing so, the Committee situated itself in a larger conversation about the inherent

⁹¹ 82nd United States Congress, 4.

⁹² 82nd United States Congress, 30.

evils of totalitarianism being conducted by intellectuals in the early 1950s.⁹³ Drawing parallels between the Soviet and Nazi systems allowed for, at this time, a deeper understanding of the profound danger Communism presented to a free world. Ideas like these were significant to the Committee's conclusion that the Katyn Massacre fell into a larger pattern of Communist crimes and their effort to equate it to the violence perpetrated against American soldiers in the Korean War.

The Committee's Conclusions

In their conclusions, the Congressional Committee emphatically condemned American officials' stance regarding the Soviet Union. According to the Committee, during and after the war, the United States fell under a "strange psychosis" that privileged "military necessity." They went on to claim that "through the disastrous failure to recognize the danger signs which then existed" the United States government "unwittingly strengthened their hand and contributed to a situation" that threatens not only the U.S. itself, but the entire free world.⁹⁴ The language employed here is indicative of a genuine effort on the part of the Congressional Committee to acknowledge the apathy with which American officials regarded the Katyn Massacre at the time of its discovery. It is important to recognize the effort made on the Committee's behalf to dedicate themselves to the task of uncovering American culpability in covering-up the massacre. Upon initial inquiry, this appeared to be a political preservation tactic in and of itself – like the

⁹³ The same year the Committee began its investigation, German-born political theorist, Hannah Arendt, had published *The Origins of Totalitarianism* wherein she analyzes Stalinism and Nazism as the major totalitarian regimes of the 20th century.

⁹⁴ Department of State, Office of the Assistant Secretary for Congressional Relations., "Final Report of the Select Committee to Conduct an Investigation and Study of the Facts, Evidence, and Circumstances of the Katyn Forest Massacre Pursuant to H. Res. 390 and H. Res. 539," 11.

Committee was trying to exculpate any U.S. decisions during the war. In reality, it was an exercise in admitting deserved guilt, even if in hindsight.

After addressing the unfortunate nature of American passivity, the Committee concluded that the Katyn Massacre was a means to an end. The facts collected and the testimonies heard indicated that the Soviet massacre of the Polish officers was “designed to eliminate [Polish] intellectual leadership.” Based on the Polish prisoners’ testimonies, the Committee determined that those interned at Kozielsk were massacred at Katyn. The reader will recall that Kozielsk was the prison camp that held a majority of high-ranking military officers and Polish doctors. The prisoners kept at Starobielsk (noncommissioned officers and Polish political and educational leaders) and Ostashkov (Polish public officials and policemen) were “executed in a similar brutal manner” elsewhere in the region. According to the Committee’s investigation, those interned at Starobielsk were massacred near the town of Kharkov and those interned at Ostashkov were placed on barges and drowned in the White Sea.⁹⁵ These exterminations, the Committee members argued, “would have attempted to block Russia’s ultimate designs for complete communization of Europe and eventually the entire world, *including the United States*” (emphasis in the original).⁹⁶ The language used in this instance reveals the political self-interest with which the Congressional Committee viewed the Katyn Massacre and their investigation of it. They are starting to make the argument here that by uncovering the true circumstances of Katyn, they were preventing a worldwide proliferation of dangerous Communist ideals.

This was specified by the Committee’s claim that there were “striking similarity between crimes committed against Poles at Katyn and those being inflicted on American and other United

⁹⁵ 82nd United States Congress, 29.

⁹⁶ Department of State, Office of the Assistant Secretary for Congressional Relations., 6.

Nation troops in Korea” at the time. According to the Committee, “Communist tactics being used in Korea are identical to those followed at Katyn.” The idea that Katyn was a *Communist* crime, and not a crime committed by Soviet Russians exclusively against Poles, appeared regularly throughout the investigation. While some instances were more nuanced than others, undertones of animosity toward Communism on the whole were consistently palpable. Using the phrase “Communist tactics” references how the Katyn Massacre mirrors other massacres that occurred elsewhere behind the Iron Curtain. I see this as a metaphoric reading of the Katyn Massacre, which strips the Katyn Massacre of its inherent uniqueness. Instead, it uses it as representation of *all* Communist crimes.⁹⁷

This metaphoric reading is only exacerbated by the Committee’s coinage of “Katyns” and “Katynism” to describe the atrocities that occurred in 1940. Although the entire Congressional Investigation makes a genuine effort to solve the convoluted and painful mystery of the massacre, it blunders here. It fails to establish the profound intellectual importance that the Katyn Massacre has for the conversation of genocide and the importance of recognition for individual nations’ legacies of collective memory. Of course, this is being applied in hindsight. At the time, this was more than likely the most accessible application the Committee had. In other words, this was language available to them that they felt comfortable using. Genocide was not only an entirely new term, but an entirely new conceptualization of mass murder and atrocity. A solid, legal definition had only just been introduced four years before the Investigation’s conclusion, and that definition was borne largely out of a desire to respond powerfully, effectively, and globally to the systematic mass murder of Europe’s Jews. Therefore, at this time in history, the

⁹⁷ The idea of a “metaphoric” reading of the Katyn Massacre is borrowed from Alexander Etkind et al.’s *Remembering Katyn* (2012). In this volume, the authors discuss why a metaphoric reading of the massacre is problematic and the deeper implications it has for collective memory.

Katyn Massacre would certainly not have appeared to be a genocide – or even genocidal, perhaps – in a way that the Committee members could possibly understand. The matrix by which to understand an expansive, more malleable definition of genocide had not yet been invented or even imagined.

Nonetheless, the Final Report concluded with a recommendation that the International World Court of Justice try the Soviets for committing “a crime at Katyn” that inherently violated “the general principle of law recognized by civilized nations.” It was explicitly pointed out that the United Nations had, in its Charter, the necessary provisions to do such a thing.⁹⁸ Thus, the Committee demanded that President of the United States make the investigation known to the United Nations and ensure that the General Assembly take the necessary steps toward punishing the Soviet Union for its human rights violations against the Polish nation. Additionally, they requested that the U.S. delegates in the General Assembly advocate for the establishment of an international commission that would prioritize investigating the other instances of mass murder that occurred alongside the Katyn Forest crime.⁹⁹ Overall, the Congressional Committee made a strong, historically significant contribution to the language of human rights and mass atrocity in investigating the Katyn Massacre. Its coinage of new phraseology, although perhaps uncomfortable to audiences now, is indicative of a genuine, concerted effort to codify the language of mass violence.

From Katyn to “Katynism”

⁹⁸ Department of State, Office of the Assistant Secretary for Congressional Relations., “Final Report of the Select Committee to Conduct an Investigation and Study of the Facts, Evidence, and Circumstances of the Katyn Forest Massacre Pursuant to H. Res. 390 and H. Res. 539,” 2.

⁹⁹ Department of State, Office of the Assistant Secretary for Congressional Relations., 12.

The Congressional Committee's investigation laid plain the facts and circumstances surrounding the Katyn Massacre. Their discoveries were instrumental in clarifying what was, by all accounts, a profound mystery. For over a decade, the Katyn Massacre had been an episode buried under layers of secrecy and deception, characterized largely by political speculation and farcical accusations. After listening to countless testimonies and examining hundreds of exhibits, the members of the committee were able to unequivocally determine that the Soviet Union was responsible for the tragic mass murder that occurred in the Katyn Forest.

What exactly to call this massacre became a wholly other problem. At the time of the Congressional Committee's formation, the concepts of genocide and crimes against humanity were not yet fully developed. The events of the main Nuremberg Trial and the United Nations Convention on Genocide – however problematic the latter may have been – introduced a new set of terms meant to respond directly to Nazi Germany's violently unorthodox methods of warfare and systematic mass murder of Europe's Jews. Therefore, when presented with the issue of the Katyn Massacre, the Committee found itself facing a challenge not wholly without precedent, but certainly without parallel. Their choice to turn the physical, historical event of Katyn into a term and action – “Katyns” and “Katynism,” respectively – indicates a first attempt to expand global conceptualizations of genocide and crimes against humanity.

An in-depth analysis of the language used in the Congressional Committee reveals an attempt to expand and systematize the vocabulary of human rights. Although it succeeded in proving Soviet guilt, the Committee employed language to discuss the massacre that firmly labelled it a *Communist* crime, rather than one perpetrated with the unique goal of eradicating Polish sovereignty. The Committee went as far as to claim that the Katyn Massacre was a blueprint for the Soviet atrocities against American and UN troops in Korea at the time. Using

Korea as an example, the Committee warned that the other “Katyns” may be happening behind the Iron Curtain and raised alarms about the inherent brutality of Communist rule. The coinage of the term “Katyns” and, further, “Katynism,” operated to somewhat codify this brutality. In turning the event into a phrase in and of itself, the Committee situated the Katyn Massacre as a metaphor for all Communist crimes perpetrated against their political and ideological enemies.

Regardless, there was genuine effort put forth by the Congressional Committee to give the Katyn Massacre new expression with their formal investigation. However, the political lens informed by the ongoing Korean War and the Committee’s desire to compare the Katyn Massacre to atrocities happening to Americans in Korea by Soviet forces usurped much of the enterprise’s focus. As we know today, the Committee’s final recommendations – including the request that the UN General Assembly form an international tribunal to try the Soviet Russians for their crimes – were never heeded. Legal action for the Katyn Massacre is still unresolved, and that has had deeply significant implications for its legacy. The words they chose to discuss the massacre, however, had a much more profound impact on the massacre’s conceptualization. A close analysis of the U.S Congressional Committee’s terminology during their investigation of the Katyn Massacre does not simply raise important questions about Polish justice or Soviet wrongdoing during the Second World War – it directly challenges the ways in which we conceptualize mass atrocity and genocide in our present day.

It is important to recognize that the language used to describe massacres are very much tied to the political moment in which they are investigated. This fact – very much the main point of this paper – is indeed just as relevant today. 2020 saw the 80th Anniversary of the Katyn Massacre, and its passage was acknowledged by new legislation from the 116th Congress. On April 14, 2020, Senators Richard J. Durbin (Illinois), James Risch (Idaho), and Robert Menendez

(New Jersey), members of the Senate Foreign Relations Committee, published Senate Resolution 566 regarding the Katyn Massacre. Just as the Congressional Committee had in their 1951-52 investigation, Menendez emphasized the historical importance of the Katyn Massacre and condemned the Soviet obfuscation of facts and circumstances of the crime. In a news release, Senator Menendez powerfully stated that “the world must remember the truth of this heinous crime to prevent history from repeating itself.”¹⁰⁰ However, the formal resolution also utilizes the same kind of language used by the Congressional Committee to describe the massacre. The drafters of the resolution claimed that “the Katyn Massacre fits into a larger pattern of Communist governments around the world persecuting their citizens and denying their people freedom.”¹⁰¹ Ultimately, this resolution viewed the Katyn Massacre through the same lens adopted by the Congressional Committee nearly 70 years before, and utilized similar language to describe the massacre.

However, certain organizations have opposed this characterization.¹⁰² The Coalition of Polish Americans (CPA), for example, is a not-for-profit lobbying organization dedicated to “promoting the interests of Polish Americans.”¹⁰³ The CPA has been the foremost opposing voice to the resolution’s language, maintaining that the resolution perpetuates harmful misinformation about the Katyn Massacre that contradicts its mission to “[encourage] education

¹⁰⁰ “Sens. Menendez, Risch, Durbin Mark 80th Anniversary of Katyn Massacre With Senate Resolution - ProQuest,” 1, accessed November 12, 2020, <https://search-proquest-com.ezproxy.library.wisc.edu/docview/2389171497?accountid=465>.

¹⁰¹ Senators Robert Menendez, James Risch, and Richard J. Durbin, “Commemorating the 80th Anniversary of the Katyn Massacre, Senate Resolution 566” (116th Congress, May 7, 2020), 1, <https://congressional-proquest-com.ezproxy.library.wisc.edu/congressional/result/congressional/congdocumentview?accountid=465&groupid=126380&parmId=177BC02C50F&rsId=177BC02A214>.

¹⁰² Unlike the present legislation, very little is known about the Polish American response to the Congressional Committee’s investigation of the Katyn Massacre.

¹⁰³ “Our Mission – Coalition of Polish Americans,” accessed November 12, 2020, <https://coalitionpa.org/our-mission/>.

about the facts of the Katyn Massacre.”¹⁰⁴ According to the CPA, the time has come for the Katyn Massacre to be “named honestly and properly” – not as a “political crime as portrayed by Stalin” but rather “as a crime to annihilate the Polish national group.”¹⁰⁵ The fact that organizations like the CPA are continually challenging the way in which the Katyn Massacre is discussed further reveals the important role language has in shaping collective understanding. Simply put, words are important. The language we choose to discuss instances of great historical or political drama matters, and not just to the societies or peoples who may have direct stake in what is being discussed. In conducting the investigation, the Committee members knew they were creating history. What they may not have known, however, was how profoundly they were shaping it.

¹⁰⁴ Senators Robert Menendez, James Risch, and Richard J. Durbin, “Commemorating the 80th Anniversary of the Katyn Massacre, Senate Resolution 566,” 1.

¹⁰⁵ “Katyn Resolution – Coalition of Polish Americans,” accessed November 18, 2020, https://coalitionpa.org/katyn_resolution/. The CPA’s website directly references a statement made by Witold J. Lukaszewski, the son of a Polish officer murdered at Katyn. Lukaszewski, a survivor of the Siberian deportation carried out by Soviet Russia, expressed deep disappointment in the U.S. Senate’s decision to view the Katyn Massacre as a political crime, rather than a genocide.

Works Cited

- 82nd United States Congress. "Hearings before the Select Committee to Conduct an Investigation of the Facts, Evidence and Circumstances of the Katyn Forest Massacre, Fifth Hearing." Frankfurt, West Germany, April 21, 1952.
- . "Hearings before the Select Committee to Conduct an Investigation of the Facts, Evidence and Circumstances of the Katyn Forest Massacre, First Hearing." Washington, D.C., October 11, 1952.
- . "Hearings before the Select Committee to Conduct an Investigation of the Facts, Evidence and Circumstances of the Katyn Forest Massacre, Fourth Hearing." London, England, April 16, 1952.
- . "Hearings before the Select Committee to Conduct an Investigation of the Facts, Evidence and Circumstances of the Katyn Forest Massacre, Second Hearing." Washington, D.C, February 4, 1952.
- . "Hearings before the Select Committee to Conduct an Investigation of the Facts, Evidence and Circumstances of the Katyn Forest Massacre, Seventh Hearing." Washington, D.C, November 3, 1952.
- . "Hearings before the Select Committee to Conduct an Investigation of the Facts, Evidence and Circumstances of the Katyn Forest Massacre, Third Hearing." Chicago, Illinois, March 13, 1952.
- . "Interim Report of the Select Committee to Conduct an Investigation and Study of the Facts, Evidence, and Circumstances of the Katyn Forest Massacre Pursuant to H. Res. 390 and H. Res. 539," July 2, 1952.

“1021 Convention on the Prevention and Punishment of the Crime of Genocide. Adopted by the General Assembly of the United Nations on 9 December 1948.” *United Nations Treaty Series* 78 (n.d.): 277–324.

Anna M. Cienciala. “Review of Alexander Etkind, Rory Finnin, Uilleam Blacker, Julie Fedor, Simon Lewis, Maria Maaloo, and Matilda Mroz, ‘Remembering Katyn.’” *Canadian Slavonic Papers = Revue Canadienne Des Slavistes* 56, no. 1–2 (June 2014): 159–61.

“Charter of the United Nations and the Statute of the International Court of Justice.” The United Nations, June 26, 1945. United Nations Digital Library.
<https://treaties.un.org/doc/Publication/CTC/uncharter.pdf>.

Cienciala, Anna M., N. S. Lebedeva, and Wojciech Materski, eds. *Katyn: A Crime without Punishment*. Annals of Communism. New Haven: Yale University Press, 2007.

Department of State, Office of the Assistant Secretary for Congressional Relations. “Final Report of the Select Committee to Conduct an Investigation and Study of the Facts, Evidence, and Circumstances of the Katyn Forest Massacre Pursuant to H. Res. 390 and H. Res. 539,” December 22, 1952.

Ètkind, Aleksandr, ed. *Remembering Katyn*. Cambridge, UK ; Malden, MA: Polity, 2012.

“Excerpts: Letter to Stalin on Katyn,” April 28, 2010.

<http://news.bbc.co.uk/2/hi/europe/8649435.stm>.

Fischer, Benjamin B. “The Katyn Controversy: Stalin’s Killing Field,” n.d., 17.

Hirsch, Francine. *Soviet Judgment at Nuremberg: A New History of the International Military Tribunal after World War II*. New York: Oxford University Press, 2020.

“Katyn Resolution – Coalition of Polish Americans.” Accessed November 18, 2020.

https://coalitionpa.org/katyn_resolution/.

Kenneth F. Ledford. "Mass Murderers Discover Mass Murder: The Germans and Katyn, 1943."

Case Western Reserve Journal of International Law 44, no. 3 (June 1, 2012): 577–89.

Kuper, Leo. *Genocide: Its Political Use in the Twentieth Century*. New Haven: Yale University Press, 1982.

"Our Mission – Coalition of Polish Americans." Accessed March 21, 2021.

<https://coalitionpa.org/our-mission/>.

Ray J. Madden. "House Resolution 390 Presented to the 82nd United States Congress, 1st Session," September 18, 1951.

———. "House Resolution 539 Presented to the 82nd United States Congress, 2nd Session," February 27, 1952.

Senators Robert Menendez, James Risch, and Richard J. Durbin. "Commemorating the 80th Anniversary of the Katyn Massacre, Senate Resolution 566." 116th Congress, May 7, 2020. <https://congressional-proquest-com.ezproxy.library.wisc.edu/congressional/result/congressional/congdocumentview?accountid=465&groupid=126380&parmId=177BC02C50F&rsId=177BC02A214>.

"Sens. Menendez, Risch, Durbin Mark 80th Anniversary of Katyn Massacre With Senate Resolution - ProQuest." Accessed November 12, 2020. <https://search-proquest-com.ezproxy.library.wisc.edu/docview/2389171497?accountid=465>.