

## **A Squandered Legacy: The vanishing prewar communal properties of Polish Jews**

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**Abstract:** In order to insure its entry into NATO the Polish government passed a law in 1997 returning properties owned by Jewish communities in Poland before the Holocaust. Polish political realities limited the return of these properties only to Jews still living in Poland. Sensing an impending windfall some Jews living in Poland took advantage of this law to form local Jewish communities. Leadership of these communities entitled them to acquire and sell these valuable properties being returned. In the absence of transparency or financial accountability the vast sums they are recovering seem to be disappearing into a virtual black hole. Important historical sites of significance to both Poles and Jews are being sold and destroyed. But the primary victims of this troubling situation are the millions of Jews who lie in over 1200 abandoned Jewish cemeteries and countless mass graves throughout Poland. Their generosity paid for the properties now being sold yet none of the monies being recovered are designated for the care of their final resting places. The writer calls for a moratorium on the return of any additional properties until 1) a master plan is developed spelling out which properties can be sold and which must be preserved and 2) procedures for greater financial transparency and independent audits are voluntarily put into place. If these steps are not taken 3) the Polish government should incorporate these reforms into a revision of the 1997 law and in any future laws dealing with the return of private Jewish property.

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## How much will you pay me for the synagogue?



“How much do you want to pay me for the Działoszyce synagogue?” I was startled by this question. The imposing roofless synagogue in Działoszyce, built in 1854, is a magnificent ruin that serves as a poignant monument to 350 years of vibrant Jewish life in this shtetl. It is also a monument to Jewish heroism during the Holocaust. During WWII the synagogue was converted into residential quarters to house many Jews from larger cities who sought refuge in a smaller town. The Jews of Działoszyce opened a free kitchen in the synagogue’s women’s gallery. This kitchen provided the only daily hot meal for over 1000 starving refugees. Działoszyce Jews had to sneak out of the town at the risk of their lives to procure food from the countryside and bring it back into the synagogue. The idea of selling this historical and sacred site and razing it for a housing development or shopping mall was just unthinkable. But obviously it wasn’t unthinkable for the man who was asking me this question and who indeed had the legal authority to sell this synagogue to me or to anyone of his choosing.

I first arrived in Działoszyce in the summer of 2002 together with my family. We were hoping to find the Polish farm family that had risked their lives for 28 months during the Nazi occupation to hide my wife’s father and his two brothers. No one had been in touch with them in nearly 60 years and they had never been properly thanked or publicly

acknowledged. (This story, as well as the Dzialoszyce synagogue, can be seen in the film *Hiding and Seeking*, [www.pbs.org/pov/hidingandseeking/](http://www.pbs.org/pov/hidingandseeking/) ) During our visit I searched for some visible remnant of the town's Jewish cemetery. Its destruction, which had begun under the Nazis and continued under the communist regime, was unfortunately so complete that I was unable to find a single tombstone or even a fragment of the wall that once surrounded the cemetery. However, I did find human bones protruding unceremoniously from portions of the cemetery that had been excavated for landfill, probably in the 1950s or 1960s. To prevent further desecration and encroachment on the cemetery I tried to enlist the help of survivors and descendants from Dzialoszyce now living in America and Israel to at least build a wall around the final resting place of thousands of their ancestors.

Before any kind of construction to restore the wall could take place I was told that the Jewish community would have to formally request the return of the cemetery. I knew there were no Jews living in Dzialoszyce today. The few survivors who returned in 1945 right after their liberation were welcomed back with a pogrom that killed four of them and terrorized the rest into fleeing. I was informed that the local Jewish community of Katowice had jurisdiction over Dzialoszyce and had been granted the legal right by the Polish government to reclaim the town's Jewish property. So in August of 2005 I arranged a meeting with the head of the Katowice Jewish community, a Mr. Włodzimierz Kac. A Polish friend who is a university professor accompanied me and served as our translator.

Despite the fact that Dzialoszyce was in his jurisdiction Mr. Kac seemed completely unaware of the town's rich Jewish history. Nor was he familiar with any of the physical remnants of the town's Jewish life. So I showed him photos of the cemetery, of the small monument survivors erected in 1992 and of the ruins of the synagogue. Mr. Kac informed me that his fee to file the necessary legal papers would be about \$10,000. He also explained that while applying for the return of the cemetery he can also include a request to return the synagogue. I wasn't sure what his point was so he tried making it clearer to me. "You know; once I recover the synagogue I can sell this to anyone I want. It is well situated and has much value." I was still slow in understanding what he was driving at. That is when he came right out and asked me how much I would offer him for the synagogue adding, "I would rather sell it to a Jew than a non-Jew." After my translator conveyed his request I was simply dumbfounded. I covered up my shock and asked him a simple question. "I don't know how many Jews still live in Katowice but it cannot be too many. I don't imagine you incur any great expenses in providing services for the few Jews still living here. So what do you need all this money for?" He took me into a small adjoining room that served as a makeshift synagogue. From the dust on the benches I surmised it hadn't been used in a very long time. He said he needed money for the upkeep of the synagogue and his congregation. I left Katowice with the realization that I was hopelessly naïve about what is really going on beneath the surface of Jewish life in today's Poland.

I later learned that Mr. Kac had come to head the Jewish community after the mysterious death of his predecessor, a Holocaust survivor by the name of Feliks Lippman. Lippman

was a strong voice in arguing that only Jews still living in Poland were entitled to inherit properties once owned by Poland's prewar Jews. In August of 2002 a Polish investigative journalist published an article charging Lippman with submitting fraudulent claims from fictitious heirs to re-claim prewar Jewish properties in Katowice. By doing so, these properties would be exempted from Jewish claims. The journalist further charged that Lippman had used this scheme to acquire the properties for himself, defrauding both the Jews of Katowice as well as the Polish government. Soon afterwards Lippman was found dead with a bullet wound in his head. Although his death looked like a suicide, the possibility of murder has never been officially ruled out. In any case, investigators could not find any of the monies the Katowice Jewish community had acquired from the sale of valuable properties under Lippman's tenure. Not only were the monies never recovered but Lippman also left the community straddled with a very large debt.

How did people like Kac and Lippman come to wield such control and power over what remains of a nearly 1000-year legacy of Polish Jewish history in Poland?

### **A battle among the "heirs" of prewar Polish Jews**

After almost 50 years of Soviet occupation, the Polish people finally freed themselves from communist rule in 1989. Throughout the 1990s Poland's political leaders sought to realign themselves with the West. They felt their security and prosperity would be greatly enhanced by membership in NATO. In 1997 the World Jewish Restitution Organization (WJRO), a consortium of ten major international Jewish groups in America and Israel, publicly threatened to impede the efforts of Poland and other Eastern European candidates from entering NATO unless these countries restituted prewar Jewish properties. Poland's desire to join NATO prompted its government to draft a law returning properties owned by Jewish communal institutions before the war.

While the WJRO had succeeded in getting Poland to pay attention to this long neglected issue, the law being drafted was not exactly what the WJRO had hoped for. The WJRO had argued that the real heirs of prewar Polish Jewry no longer lived in Poland but primarily in Israel and America. This is where the WJRO's constituent organizational members came from and this is where they felt the bulk of recovered monies from the restituted properties should be directed. However, they were strongly opposed by representatives of Polish Jews who claimed they were the real heirs of prewar Polish Jewry and that the recovered monies should stay with them in Poland. Regardless of the merits of either side's arguments it is easy to see why the Polish government could not accept the WJRO's position. Sending money abroad from the sale of Polish property would have opened the government to charges of plundering their own country's wealth to placate world Jewry. So in February of 1997 the Polish parliament passed a law keeping the recovered monies in Poland, primarily under the control of a newly reconstituted Union of Jewish Religious Communities of Poland (UJRC). (An English translation and analysis of the 1997 law can be found at [http://www.pozsynpro.org/documents\\_pdf/law\\_20feb\\_1997///law\\_20feb\\_1997%5Bus%5D.pdf](http://www.pozsynpro.org/documents_pdf/law_20feb_1997///law_20feb_1997%5Bus%5D.pdf) )

The dispute between the UJRC and the WJRO continued for four more years and was only resolved a few months before the Polish government's May 2002 deadline for filing legal property claims. Filing these claims would require a great deal of legal research and fees, monies that the UJRC did not have. If these claims would not be filed by the deadline neither side would be able to recover any of the properties. The UJRC desperately needed a loan and this was the strongest and perhaps about the only leverage the WJRO still had left. In return for a loan arranged by the WJRO to the UJRC to cover these filing fees, a deal was finally struck. The UJRC would receive the proceeds from the sale of properties in the 22 Polish gubernatorial districts that still had some Jewish presence. In the remaining 27 regions, the monies would be channeled by the UJRC to a newly created Foundation for the Preservation of Jewish Heritage in Poland (FPJH), to be administered jointly by representatives of both UJRC and WJRO.

Minutes of the negotiation meetings between the WJRO and the UJRC over setting up the FPJH show that the primary bickering was over the profits that could be realized from the sale of the properties. One of the Polish Jews was trying to persuade the WJRO representatives to be more cooperative: "The Krakow community is inches away from claiming back 1,700 square meters in the city centre. Do you see what money we are talking about here? Those are mind-boggling sums." When arguing their respective positions the speakers used words like *business*, *enterprise* and *profits*. The issue of revitalizing Jewish life or preserving Jewish memory, monuments or cemeteries was never the focus of the deliberations.

One of the unfortunate results of all this secrecy and backroom dealing was the absence of even any pretense of accountability or transparency. Unlike established Polish churches that report their finances to their own ecclesiastical hierarchies these newly formed Jewish communities resisted any such restrictions on their freedom. Power was granted to both sides in the dispute but no checks or balances were built in to control the exercise of that power. Neither the UJRC nor the FPJH were required to open their financial books to each other and certainly not to outsiders. It seems as if the Polish government just wanted to wash its hands of this entire issue and get on with its NATO membership application. It was as if they were saying, "We passed the law you asked for. This is no longer our problem. It is now the Jewish community's problem".

### **The Polish Jewish Communal leadership that emerged from this battle**

In the aftermath of the Holocaust there were still some Jews who believed it would be possible to recreate Jewish life in Poland. Some thought of Stalin as the new messiah. They believed he would eradicate anti-Semitism once and for all and allow them to be both Jews and Poles. However, as time went on most Jews who initially stayed on in Poland realized that these dreams were illusionary. Those with the strongest sense of Jewish identity, those who wanted to raise their children as Jews, eventually left Poland and emigrated to Israel or America. With a few notable exceptions, Jews who stayed on in Poland thought of themselves first and foremost as Poles, and perhaps secondarily as Jews, if at all. These Jews were shocked in 1968 when the Polish communist government

blamed them for their country's economic problems and political unrest. The communist government fired many of these Jews from their jobs and demanded they surrender their Polish citizenship in exchange for one-way tickets out of the country. About 20,000 out of Poland's estimated 25,000 Jews left. Who were the Jews who despite all this anti-Jewish discrimination chose to remain in Poland? It is pretty safe to assume that they were the most assimilated of Jews with very weak emotional connections, if any, to the Jewish people and Jewish history. Many feared burdening their children with knowledge of their own Jewish roots and kept this a secret from them. In no way can it be plausibly argued that the self-selected group of Jews who remained after 1968 were in any meaningful way representative of prewar Polish Jewry. And yet, it was from these marginally self-identified Jews that the leadership of the reconstituted post-communist Jewish community was largely drawn.

Of course there were individuals who rediscovered their Jewish roots and sincerely wished to create communities that would enable them to live more fully as Jews. However, there were also those among the leaders of the new Jewish communities who were motivated by the vast sums to be made from the sale of Holocaust properties. Those who succeeded were often adept at circumventing or manipulating bureaucratic rules, skills they had honed to perfection under communist regime. Such skills served them well as they faced their first key hurdle, enlisting 100 signatories to request the formation of a Jewish community. This is the number required in the 1997 law for local Jewish communities seeking recognition and membership in the UJRC. These signatories had to be Polish citizens of established Jewish ethnicity or religious practice, living in Poland and willing to declare themselves as Jews. A hundred signatures were produced to form Jewish communities in Warsaw, Wroclaw, Krakow, Lodz, Szczecin, Katowice, Bielsko-Biala and Legnica.

The falsification of electoral and other rolls is not unheard of in Poland. In the rush to enact the law no one was carefully checking to see if the signatures were properly obtained. The only exception was in Gdansk where independent journalists from the highly respected *Gazeta Wyborcza* examined the signatures presented by those attempting to form a local Jewish community. The reporters concluded that many people had been paid 20 zloty and duped into signing what they thought was an application for a pension fund. One woman was appalled to discover she had been registered as a member of the Jewish community. "Me Jewish?! Just look at the crucifix and at the Holy Virgin on the wall!" – exclaimed the upset woman. The fact that some on the rolls had little idea what they were signing and even less interest in becoming active voices in the Jewish community served the new leaders just fine. Meddlesome, independent voices who would question their leadership and would demand a piece of the "profits" were not what the new Jewish communal leaders were looking for.

The communities were thus headed by people who owed an accounting to no one. There were no demands for accountability or transparency made on them by their own largely uninvolved and inactive members nor by the Polish government nor by Jews abroad. With their relatively weak Jewish identity it is unlikely many of these leaders felt

accountable to the millions of dead Polish Jews whose property they were now free to sell with complete impunity.

### **Secrecy and subterfuge**

Many Polish journalists are reluctant to ask embarrassing questions about the country's Jewish community for fear of being tarred as "anti-Semites." Piotr Pytlakowski is one of the very few respected Polish journalist to investigate what the Jewish community is doing with the monies from the sale of recovered Holocaust properties ([http://www.pozsynpro.org/press\\_pdf/polityka/p\\_article10\\_02%5Bus%5D.pdf](http://www.pozsynpro.org/press_pdf/polityka/p_article10_02%5Bus%5D.pdf) ). Although not a practicing Jew, Pytlakowski is proud of his Jewish ancestry and is immune to allegations of anti-Semitism. Despite his persistent efforts he has been completely unsuccessful in following the property money trail. All he elicited from Jewish communal leaders were vague replies asserting they are using the money to serve the unspecified needs of their members. I too have gotten such evasive answers. However, if this is indeed so I must ask why an organization like UJRC does not at least have a website enumerating the many services it is supposedly providing with the millions of dollars it has recovered. Of the eight or nine Jewish communities that make up the UJRC (the exact number is also not easily discoverable) only Warsaw has its own website. However, without knowing more specifics it is hard to imagine that the handful of modest activities the Warsaw community website enumerates account for the large sums this community is recovering and spending. Perhaps the richest and most secretive Polish Jewish community is in Krakow. Not only does it have enormous wealth from the sale of prewar properties but it also receives a steady infusion of income from the hundreds of thousands of tourists who pay admission fees to visit the synagogues of Kazimierz every year. What this tiny Jewish community is doing with all this money is a complete mystery.

Perhaps even more troubling than the secrecy of the UJRC is the subterfuge of the FPJH. Only in Orwellian "doublespeak" can an organization whose primary purpose seems to be liquidating Jewish heritage and turning it into cash call itself the Foundation for the *Preservation* of Jewish Heritage.

The FPJH, unlike the UJRC, does have a website and even issues a beautiful annual report. However, a glaring omission in all its publicity materials is details on 1) which properties it has sold (i.e. chosen not to preserve) and 2) how much it actually spends on preservation. In its report the FPJH takes credit for the preservation of cemeteries and synagogues that were initiated and entirely paid for by Jewish survivors and descendents from abroad or by the Polish government or individual Poles. A typical example is the following notice in its annual report:

On June 19th 2009 in Warsaw the Foundation signed a cooperation agreement with the Central Board of the Polish Prison Service regarding cleanup works in Jewish cemeteries. The signing of this document made the Foundation a partner in the "Tikkun – Restoration" project, implemented by the Polish and Israeli prison services. Within the framework of this cooperation the Foundation helps prison

facilities choose a cemetery requiring cleanup works. We also carry out workshops on Jewish culture and tradition as well as anti-Semitism and xenophobia for prisoners and prison service officers, and ensure that all works are carried out in accordance with Jewish religious law.

This project was initiated not by FPJH but by Polish prison warden, Artur Cyruk, who thought this would be an effective tool in rehabilitating his prisoners. As a “partner” in this effort the FPJH will do nothing more than “choose” which cemeteries to be cleaned and provide a basic orientation workshop. One of the cemeteries FPJH chose was in my parents’ hometown of Zdunska Wola. An official from the nearby prison in Sieradz contacted the small group of Polish volunteers who care for Zdunska Wola’s Jewish cemetery and offered prisoners to help them. However, because FPJH’s role was only to “choose” which cemeteries to clean they did not give him any money to transport the prisoners to Zdunska Wola. The prison official asked if the volunteers themselves would provide transportation for the prisoners out of their own pockets. Not having the money for this the volunteers wrote a letter to the FPJH asking for some help. Almost a year later the volunteers are still waiting for the FPJH to give them at least the simple courtesy of a reply.

In the business world, an annual report that has many pretty pictures but few numbers immediately raises a red flag. The FPJH report has no financial information whatsoever ([http://fodz.pl/download/3fodz\\_annual\\_2009\\_www.pdf](http://fodz.pl/download/3fodz_annual_2009_www.pdf)). A careful reading between the lines of its annual report shows a consistent pattern of deception with FPJH taking credit for major projects of others when all it did was symbolic gestures that incurred no financial cost; signing a letter, attending a meeting, giving a lecture, offering advice or helping others to “choose”.

### **Consequences of unaccountable Jewish communal leadership**

Human nature being what it is, it was not hard to predict what happens when you give the right to dispose of valuable Jewish properties to people with no accountability, no transparency, no checks or balances and no signs they have a deep emotional connection to Poland’s Jewish past.

### ***Destruction of Polish-Jewish history***

Neither UJRC nor FPJH has a master plan that prioritizes which properties to restore, which to preserve and which to sell. Ideally, such a master plan should be developed in conjunction with respected scholars from such fields as history, art, architecture and religion. It is easy to understand why such a master plan is not being sought by either the UJRC nor by the FPJH. Protecting and restricting the use of the properties would obviously limit the income they can realize from their sales. In the absence of such a master plan, the demolition of the Dzialoszyce synagogue, which was offered to me for sale, is completely legal. Because the complete list of properties already sold or up for sale is not publicized there are undoubtedly important historical sites that have already been destroyed. The last wooden synagogue in Poland, which existed in Siedlice until it

was quietly sold to developers by the Jewish community of Warsaw in 2002, is but one example of a site that has already been lost not only to Jewish history but to Polish history as well.

### *Neglect of cemeteries and mass graves*

Over 70% of American Jews have some Polish ancestry. Their ancestors can still be found in over 12000 abandoned cemeteries and numerous mass graves throughout Poland. Many of those murdered during the Holocaust lie in thousands of unmarked mass graves throughout Poland. These ancestors are the ones whose generous donations paid for the properties now being sold. Sadly, none of the funds recovered by the UJRC is earmarked for the preservation or restoration of their cemeteries or mass graves. When I questioned the chairman of the UJRC about this he pointed to his support of the Warsaw Jewish Cemetery. I responded that the Warsaw Jewish Cemetery receives support from the municipal government as well as from admission fees from the hundreds of thousands of tourists who visit Warsaw annually. When I asked about the other cemeteries off the beaten tourist path I received an evasive answer about the Jewish community's lack of money.

But even when money has been specifically earmarked for cemetery restoration it still has a way of disappearing. This happens when a Jewish property is sold to a Polish municipality and its mayor will often negotiate that the Jewish community spend a certain amount of the money it has recovered to care for the town's abandoned Jewish cemetery. Unfortunately, the terms of such agreements are routinely ignored once the sale is completed. This is what happened in Karczew that sold Holocaust property to the Jewish community of Warsaw. This is what happened in my parents' hometown of Zdunska Wola, which sold the site of its destroyed synagogue to the Jewish community of Lodz.

One of the few people who calls the Polish Jewish community leaders to account in such cases is Norman Weinberg. Norman is an American scientist and successful businessman who has devoted his retirement and considerable personal funds to caring for abandoned Jewish cemeteries in Poland. Over the past 10 years his Poland Jewish Cemeteries Restoration Project ( <http://www.pjcrp.org/> ) has participated in the restoration of over 30 such cemeteries. For their preservation of Polish history Norman and his wife, Hannah, in 2008 received special medals of distinction from the President of Poland. But because of constant harassment from the UJRC and the FPJH Norman is seriously considering throwing in the towel. Norman says, "Most Jews that I speak to believe that the threat to Jewish cemeteries comes from Poles. I assure them this is not true. Yes, there are isolated cases of vandalism by a teenager with a can of spray paint. But that is quickly taken care of. No, the real threat is from the greed and indifference of the Jewish community leaders."

### *Alienation of Poles who care about Poland's Jewish patrimony*

There are hundreds of Poles who have received medals from the Israeli Embassy in Poland for preserving Polish Jewish memory. I have met dozens of such Poles who have voluntarily adopted their town's abandoned Jewish cemetery. However, I have yet to meet one who has received even minimal help to cover out of pocket expenses from either the UJRC or the FPJH. One medal recipient told me it was like getting a patronizing and childlike pat on the head. The recipient felt the Jewish community was saying, "Here is a little token of our appreciation for doing the work we should be doing but just don't ask us for any money to help you do it"

Even worse, are the stories I have heard from dedicated Polish volunteers who have been made to feel like unwelcome intruders in cemeteries they had been caring for. For years Michal and Adam Lorenc, two Polish brothers who live in Sosnowiec, traveled hundred of kilometers every month to cut the grass in the Jewish cemetery in their fathers' hometown of Rymanow. Once the FPJH took control of the cemetery, the brothers were forbidden to enter the cemetery unless they first requested and received written permission every single time they wished to clean it. When these brothers organized an annual celebration of Jewish culture in Rymanow they were told that neither they nor the Jewish survivors and descendents from abroad they invited would be permitted to enter the cemetery unless the FPJH was listed as a "sponsor" even though it did not put a cent of its own money into the event. I could give other such examples but the point is that instead of embracing such Poles with open arms the Jewish organizations in Poland are deliberately chasing such allies away. Why?

### **Can the problem be solved?**

Perhaps, perhaps not. But one thing is absolutely certain. For any positive changes to occur the existence of the problem first has to be acknowledged, both by Jews and by Poles.

I have found it almost impossible to get Jews in America or Israel to concern themselves with the problem of abandoned Jewish cemeteries or mass graves in Poland. There are a number of reasons why this is so. First and foremost, at a time when the existence of the State of Israel is in increasing peril, the problem of destroyed Jewish heritage and abandoned cemeteries in Poland pales into relative insignificance. Frankly, it just isn't a "hot button" issue for Jews around the world. Secondly, many Jews tell me, "What is the point of restoring cemeteries in Poland? The Polish anti-Semites will destroy them anyway?" Unfortunately, too many Jews are still unaware of the positive changes in today's post-communist Poland or of the tremendous influence Pope John Paul II had on his country. The pontiff taught Poles that Jews were their "older brothers in faith" and that abandoned Jewish cemeteries in Poland are sacred to both Poles and Jews. And yet, many Jews prefer to believe the threat to Jewish heritage and cemeteries today comes from Poles rather than from fellow Jews. Finally, many Jews seem to think that what is happening in Poland is a "victimless crime". They fail to see that there indeed are

victims and that these victims are none other than our ancestors, the millions of Jews who lie in the over 1200 abandoned cemeteries and countless mass graves that are not being cared for. Their generosity paid for the properties now being returned. Simple justice dictates that some of the monies being recovered should go to the care of their final resting places. That this is not happening is a serious injustice.

Poles too have to overcome their reluctance to investigate and speak out about the loss of their country's Jewish patrimony. A number of years ago I visited the magnificent Jewish quarter in Prague. Our tour guide told us that about a century ago the municipal government demolished most of this ghetto in order to 'beautify' the city. Most Jews had already moved out and assimilated into the larger culture. The only voices raised to preserve the remaining synagogues and ancient cemetery came not from Jews but from Bohemian artists who were horrified at the loss of their country's historical and cultural heritage. In today's Poland there are very few Jews protecting the country's Jewish heritage. If the Jewish synagogue in Dzialoszyce or other important sites like it are destroyed for housing or commercial development then Poland as a country will be culturally impoverished. The task of preservation must therefore involve concerned Poles who are willing to ask hard questions and not be intimidated by charges they are doing so for anti-Semitic reasons.

### **What can be done?**

Structural reforms are needed rather than personnel changes. Unless transparency is built into the system the problems would still persist even if the entire leadership of Poland's Jewish community were to be replaced overnight. Until then we should consider the following intermediate steps:

#### ***Moratorium on returning any more properties***

Poland's Ministry of the Interior and Administration should halt the restitution of properties to the UJRC and to the FPJH until the issues of heritage protection and transparency can be properly studied.

#### ***Developing preservation priorities***

Scholars, historians, architects, religious leaders, should develop a priority ranking of prewar Jewish communal properties according to their historical and cultural significance to Poles and to Jews. Future preservation efforts should be guided by this list.

#### ***Voluntary transparency***

During this moratorium the UJRC and the FPJH should develop and implement policies that will ensure complete transparency in their restituted property transactions and which should include independent financial audits.

#### ***Amend the 1997 law returning Jewish communal property***

If voluntary measures are not forthcoming then serious consideration should be given to finding ways of protecting Jewish heritage and cemeteries through amending the 1997 law.

***Legislation for the return of private Jewish property***

The lessons learned from the 1997 law should guide any future legislation that would return the even more valuable private Jewish properties for which no heirs can be found. Total transparency must be an integral part of any such legislation.

**Closing notes**

Undoubtedly the measures I have suggested will not be well received by the UJRC or by the FPJH. Their spokespeople will likely dismiss the concerns I have raised as unwarranted or overblown. I invite them to prove their case, not by issuing press releases, but by opening up their financial books and inner workings for all to see.

One of the most sacred values practiced by all Jews before the Holocaust was caring for the cemeteries of their parents and ancestors. Sadly, the Six Million are no longer here to do this holy work. One of the most meaningful ways we still have of honoring them is to step in and do the work they themselves would undoubtedly have done and would have wanted us to do.

On a personal note, I have written these lines with much agony and only a small measure of hope that my words will effect any positive changes. Nonetheless, I feel I must do what little I can. When my time comes to join my ancestors I would like to be able to tell them, "I did my best to honor your legacy. I did my best to protect your final resting places and prevent their desecration. I tried to speak on your behalf. Even if I failed it was not because I was silent."