

“Justice seen to be done” – the trial of Fr Jerzy Popiełuszko

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A considerable amount of documentation has reached the West relating to the trial of four Polish Ministry of Internal Affairs officials accused of the murder of Fr Jerzy Popiełuszko. The Polish official media gave the proceedings publicity unprecedented in cases of trials officials, and an analysis of the trial throws some light on the role played by the police in relations between church and state in Poland.

The trial opened on 27 December 1984 in the Polish provincial town of Toruń, in the presence of some 15 foreign journalists, including six from the West. Hour-long reports from the courtroom were broadcast daily at peak time by Polish radio and the Polish papers, both national and local, reported the trial extensively. The four defendants, all high-ranking officers in the Ministry of Internal Affairs, were employed by the department dealing with religious matters (the now-famous department IV). Grzegorz Piotrowski, 33-year-old head of the section in charge of monitoring the “anti-state” and “anti-socialist” activities of the Roman Catholic clergy, and his two lieutenants, 32-year-old Leszek Pękala and 29-year-old Waldemar Chmielewski, were charged with murder: and 46-year-old Colonel Adam Pietruszka, the deputy head of department IV, with aiding and abetting them. The victim, 37-year-old Jerzy Popiełuszko, was a resident priest at St Stanisław Kostka parish in Warsaw, a national hero and a famous preacher at the monthly “masses for homeland”.¹

Fr Popiełuszko and his driver, Waldemar Chrostowski, were both kidnapped near Toruń on 19 October 1984 by three men, one posing as a policeman, as they drove back to Warsaw from Bydgoszcz where Fr Popiełuszko had been preaching. Waldemar Chrostowski managed to escape and report the incident first to the local parish priest and later to the state authorities. An intensive search was mounted but only 11 days later, on 30 October, was Fr Popiełuszko’s body, beaten up and bound with ropes, found in a reservoir on the river Vistula. By then all three men involved in the murder were already in police custody. Adam Pietruszka was detained a few days later on 4 November.

Concern, resolve, decisiveness: these were the qualities that the Polish

authorities tried to convey in their handling of Fr Popiełuszko's abduction and the murder case. This was demonstrated by the rapid release of basic information about the case, the prompt arrest of the alleged perpetrators of the crime and the repeated assertion of the government's determination to investigate all aspects of the matter. On 27 October, three days before Fr Popiełuszko's body was found, the Minister of the Interior, General Czesław Kiszczak, assured all Poles during a TV appearance that:

the government of the Polish People's Republic and above all the Ministry of Internal Affairs will be unstinting in their efforts . . . to clear up the whole affair thoroughly . . . in particular to answer the question whether anybody, and if so who, was the covert instigator of the crime, and whether anybody, and if so who, has been shielding its perpetrators . . . I hereby state that the answer to these questions will be given to the public after the completion of the investigative and procedural activities.

From the beginning the authorities wavered between, on the one hand, maintaining that the murder was a political provocation against the Polish government by "hardliners" at the highest level, and on the other hand, the implausible assertion that this was the isolated work of Captain Piotrowski, an exceptionally bad character in an otherwise "selfless, dedicated and heroic force". To prove the point the Warsaw regional prosecutor instituted separate proceedings against Piotrowski for allegedly accepting bribes in exchange for speeding up passport formalities. Yet the same man was also described in the courts as a model officer who excelled in his commitment, initiative and determination. Indeed the previous devotion to duty and loyalty of all four defendants was emphasised throughout the trial. (All four had received state and ministry medals in recognition of their work.)

The indictment raised the central question of the trial — whether or not the security officers had been carrying out orders in their action against Fr Popiełuszko. According to the prosecutor's substantiation of charges, they had done so only indirectly. He cited the claims of Pękala and Chmielewski that they had been under the "influence of Piotrowski, who had instilled in them the "conviction" that their action was "within the framework of important mission emanating from the top".

In a totalitarian state the security police are an important instrument of state terror. In order to be effective they have both to be visible and to be equipped with special powers beyond the rule of law. This amounts to a *carte blanche* for security officials to act on their own initiative in most matters. However, at the same time the security forces are the most disciplined of all state institutions with no place for any dissent, and one on which every communist leader has always relied. During the Solidarity

era in 1980-81 the secret police section of the Ministry of the Interior was the only Polish institution to remain untouched by the views of Solidarity and the sense of national moral revival, which involved even the lower ranks of the party and the ordinary police. (The police members of Solidarity were later purged at the beginning of martial law.) In Poland, relations between church and state are at the heart of politics and decisions affecting those relations cannot be taken by mere administrative functionaries. Indeed, church-state policies are supervised by Kazimierz Barcikowski, a member of the Politburo and secretary of the Central Committee. General Kiszczak, who as Minister of Internal Affairs was the supervisor of the four people in the docks, is a deputy member of the Politburo.

Nonetheless, the court "failed" to establish any connection, direct or indirect, between the perpetrators of the crime and the government or the party hierarchy. All three, Piotrowski, Pękala and Chmielewski, stated during the investigation that several generals and also the security police chief and deputy Minister of Internal Affairs, General Władysław Ciaston himself, might have been aware of the action against Fr Popiełuszko. All four men withdrew their statements in the court and denied any knowledge of possible involvement by their superiors. The court itself went to great lengths to prove that the affair concerned only the four men in the dock. The judge, Artur Kujawa, a member of the regional party committee, not only cut short any statement which even hinted at anything to the contrary but even reprimanded the defendants whenever any reference was made to the involvement of someone at a high level. In the end the only other person in authority to testify before the court was Adam Pietruszka's immediate superior, General Zenon Płatek, head of department IV within the Ministry of the Interior. However, despite the ambiguities and the inconsistencies of his answers, the court could not find enough evidence to prove his complicity in the abduction of Fr Popiełuszko.² Pękala's revelation that there had been similar "cases" before fell on deaf ears as far as the judges were concerned and was censored from the report published by the Catholic weekly *Tygodnik Powszechny* (The Universal Weekly). At the end of the trial the court reassured the public that if there were any instigators of the crime then they were definitely not within the Polish Ministry of the Interior, or for that matter in any other Polish state department. One of the state prosecutors even suggested that it was possible that some "western circles interested in destabilising the Polish regime were behind the kidnapping". So far this option has not been pursued further but rumours started to spread in Poland about a mysterious Swiss bank account belonging to Captain Piotrowski.

As the trial developed it became increasingly clear that its main aim was not to establish the truth about the murder but rather to discredit Fr

Popiełuszko's reputation as a "Martyr of Solidarity" and to undermine the authority of the Catholic Church. In effect Fr Popiełuszko was placed in the dock with his killers from the very start of the trial and became the target of attacks not only from the four police officers but also from court officials. The crime was portrayed as an almost "natural reaction" on the part of the killers, "frustrated at the sight of Fr Popiełuszko's activity which was seriously harming the interests of the state." Leszek Pietrasinski, the deputy procurator of the Procurator General's Office, went furthest in his verbal assaults on the murdered priest. In his final speech he claimed the murderers were equal with their victim: "they are guilty of the same crime" he stated, "in a provocative attack against the policy of reconciliation and dialogue pursued by the Polish government." Fr Popiełuszko was depicted as a "terrorist", a "fanatic" and a leader of a "counter-revolutionary organisation" which had allegedly been influenced by some unspecified foreign "espionage centres". According to Pietrasinski, the priest embodied "hatred for the Polish socialist state, its institutions, its political system and all people supporting the policy of internal peace and understanding." All these slanders were publicised daily throughout the country.

In addition, allegations were made in court about other members of the Catholic Church. Archbishop Henryk Gulbinowicz of Wrocław* was accused of hiding large amounts of Solidarity funds, and Bishop Ignacy Tokarczuk of Przemyśl was vilified as a "Nazi collaborator" by both Piotrowski and Pietruszka. (Both bishops are outspoken government critics.) Much publicity was also given to the case of Fr Sylwester Zych, described by Piotrowski as a "convicted murderer". (Fr Zych was sentenced to seven years imprisonment in 1982 for associating with two young men who had killed a policeman and for having helped to conceal the weapon they used.) Another allegation concerned two Roman Catholic priests who had been tried in early January amidst great publicity. Fr Eugeniusz Kubowicz of Tarnów and the Jesuit priest Władysław Siennicki of Warsaw were both charged with manslaughter. Both priests have suffered from mental disorders, a fact fully acknowledged by medical experts and by the judiciary. During the Toruń trial, General Płatek implied that he had frequent confidential meetings with Archbishop Bronisław Dąbrowski and other members of the church hierarchy. He also stated that the police kept files on all the activities of practically every Polish cleric and that any accusations against them were reported regularly to the individual bishops concerned.

Moreover the Catholic Church was made to appear at least partly responsible for what had happened. As Leszek Pietrasinski put it in his summing-up speech, the church hierarchy had persistently shown tolerance of "certain priests" who used their religious position to agitate

* Created Cardinal in April 1985 — *Ed.*

against the government. This implied that had such activity been prevented by Fr Popiełuszko's bishop in time, there would have been no need for the vigilant policemen to resort to murder. This charge was reinforced by official and semi-official statements from prominent government figures. The Minister for Religious Affairs, Adam Lopatka, in an interview with the national daily *Rzeczpospolita* (Republic) on 26 January 1985 spoke of "belligerent clericalism" and accused the church of being too tolerant of political priests. He even appealed for "appropriate changes" which would eliminate activities such as Fr Popiełuszko's. The following day Warsaw radio carried lengthy extracts from the article "An affront to the feelings" by Jan Rem (the pen name of Jerzy Urban, the government spokesman) which demanded legal protection for atheists. He complained that atheism and atheists were openly reviled by "fanatical" Catholic critics while Catholicism enjoyed the full protection of the law. Rem suggested that Polish law should be adapted to the "new situation", so that "equal protection" could be provided for representatives of both views.

Throughout the trial the church refused to engage publicly in any argument over the alleged attacks. Only once, on 1 February 1985, did Archbishop Bronisław Dąbrowski, the secretary of the Polish Episcopate, lodge a formal protest against the state-owned radio and TV committee. He objected to what he described as "manipulation of information and of public opinion" by the media which in their reports of the trial had highlighted those statements which were openly hostile to the church and its representatives. A formal church statement on the trial was issued on 14 February at the end of the 204th conference of the Polish Episcopate. In the communiqué, which was read out in churches throughout the country and published in *Tygodnik Powszechny* (24 February 1985) the bishops praised the public and the authorities for the prompt arrest of the security officers who committed the crime, but deplored the "illegal methods" used by department IV and "the atmosphere of crime" that existed there. They also condemned the "deliberate propaganda campaign, disguised by the device of censoring so-called 'extra-religious activity' by the clergy." The bishops reminded the Polish authorities that while the church would not, under any circumstances, interfere in the government of a secular state, it had the duty and therefore should have the freedom to "pass moral judgment on even political issues" if these are related to "basic human rights or the salvation of souls".

The most shocking and revealing statement made before the court was the admission by both Pękala and Chmielewski that not only were they absolutely convinced of their own impunity, but that they had also hoped to further their professional careers by participating in the crime. They had reason to believe that they would go unpunished. The Polish Helsinki Monitoring Group, established in the country during martial law, has

listed over one hundred known victims of the police since 13 December 1981, when martial law was declared.³ Only in one case was a full investigation ordered. This was after a 19-year-old student, Grzegorz Przemyski, died as a result of a "questioning session" with the security police in Warsaw in May 1983. The secret policemen were put on trial. However, despite the full testimony made by the dying victim to a doctor in the Warsaw hospital, the secret policemen were found innocent. (The court decided that it was the people manning the ambulance which took Przemyski to the hospital who were guilty of his death.) The Toruń trial itself revealed that the operation against Fr Popiełuszko and other priests had often been discussed in the Ministry over a long period of time and that the possibility of intimidation had not been discounted. Both Pietruszka and Piotrowski admitted in court that several priests appeared on the department IV "hit-list" in the capital alone and that ways had been sought to "make it impossible for them to use the pulpits for delivering sermons hostile to the state authorities and socialism." Some details of these "consultation meetings" which took place in September and October 1984, when the details of the action against Fr Popiełuszko were discussed, were also revealed. The meetings were official though the court never even tried to establish whether written reports on them had been made. However there was no question that the subject had been regarded as fully legitimate and falling within the scope of officers' normal duties as policemen.

Why then did the trial take place and why were the murderers given long prison sentences?⁴ The answer lies in the words of the deputy prosecutor of the Procurator General's Office in Warsaw: if the defendants had to be punished it was not so much because they had killed a man, but "because they smeared the good name of the Ministry" — in other words, they were punished for incompetence. After all, if Piotrowski's "operational group" had put more thought and care into their assignment, then both Fr Popiełuszko and Waldemar Chrostowski would have died in a mysterious accident like others before them — among them Kazimierz Kluz, the auxiliary bishop of Gdańsk (1982); Fr Honoriusz Kowalczyk, a Dominican university chaplain in Poznań (1983); Piotr Bartoszcze (1984) and over a hundred others. In no case, under Polish communist law, was there enough proof for any, even partial, investigation though the circumstantial evidence was incriminating.

What further undermines the legitimacy of the trial and the alleged determination of the Polish authorities to uphold law and order are the numerous incidents involving Roman Catholic priests since Fr Popiełuszko's tragic murder. First came the torture by "unknown hooligans" of two priests, Frs Ziomek and Eugeniusz Kościółko, both living in the Lublin area (south-east Poland). Then in November last year another priest, Fr Rufin Abramek, a Pauline monk from the monastery

of Jasna Góra, was almost killed and left badly injured in a mysterious car accident. The car in which he was travelling was hit by a heavy lorry after the driver had ignored a stop sign at a road junction. Although all his particulars were taken down by the police, so far no proceedings have been brought against this "careless driver". On 24 February, "unknown assailants" threw a stone through the windscreen of the car in which two pro-Solidarity priests from Mistrzejowice, near Kraków, Frs Kazimierz Janecz and Tadeusz Zaleski, were travelling. On 6 April Fr Tadeusz Zaleski was returning home from church to his parents' flat when he was knocked out by masked men. Using a gas spray, they burnt a letter "V" on the priest's forehead and another on his chest. Then they set his anorak alight and left him unconscious in the cellar of the block of flats where his parents live. The church protested publicly and demanded that the incident be investigated. However a preliminary investigation could find no "proof of the crime committed" and the proceedings were discontinued.

The open trial of secret policemen in a communist country, and the fact that in the end they were found guilty of murdering a Catholic priest, impressed many people in the West. The Poles however, are more cautious in their enthusiasm. They point to the show trials of high-ranking secret policemen in the late 1950s, during the short period of the "post-Stalinist thaw". Among others, a deputy minister of Internal Affairs, Roman Romkowski, and Józef Różanski, the head of the investigation section within the Ministry, notorious for his brutality, were sentenced to 15 and 14 years respectively. Yet shortly afterwards they both were freed quietly (Różanski was seen walking in Warsaw as soon as 1960). Poles are asking who will be able to verify independently whether the four found guilty of Fr Popiełuszko's murder will actually serve their sentences, or whether they will be quietly granted an amnesty.

¹For an account of Fr Popiełuszko's ministry, and extracts from his sermons, see Grażyna Sikorska, "To Kneel only before God", *RCL*, Vol. 12, No. 2, pp. 149-56.

²General Płatek had been suspended from his position shortly before Piotrowski's arrest for "failing to exercise adequate supervision".

³*RFE — RL Background Report* No. 17, 11 March 1985.

⁴Grzegorz Piotrowski was sentenced to 25 years in prison, and his two associates, Leszek Pękala and Waldemar Chmielewski, to 15 and 14 years in prison respectively. Adam Pietruszka was sentenced to 25 years in prison. On 22 April 1985 the Supreme Court in Warsaw upheld the sentences against the appeal made by the four defendants.