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Interpretation in the Supreme National Tribunal in Poland (1946-1948)

1. Introduction

At the end of the Second World War, a series of trials took place in Poland before the courts of general jurisdiction to judge Nazi war criminals. Soviet-Polish Special Criminal Courts were set up to judge the Nazis and the guards of concentration camps liberated by the Red Army already in 1944. The first trial took place in Lublin from November 27 to December 2 1944 following the liberation of the concentration camp in Majdanek on the outskirts of Lublin on July 23, 1944. It was the 'First Majdanek Trial' followed by a series of others in the years 1946-1948. After the war, a Soviet-Polish Criminal Court in Gdańsk tried the SS staff of the concentration camp in Stutthof. The trial started on the April 25th and ended June 1st 1946. Later, trials of other SS guards of the concentration camp in Stutthof took place between the years 1946-1948 in Gdańsk and Toruń. However the major Polish war criminal trials, which could be compared to those in the International Military Tribunal in Nuremberg [Behr, Corpataux, 2006; Gaiba, 1998; Kalverkämper, Schipfel, 2008; Rybalkina, 2011] and the International Military Tribunal for the Far East in Tokyo [Takeda, 2007, 2009; Watanabe, 2007] in terms of the international attention focused on them and their use of interpretation, including simultaneous interpretation, took place before the Supreme National Tribunal (in Polish Najwyższy Trybunał Narodowy, hereinafter 'SNT'), a special court established on the basis of a decree

of the Polish National Council issued on 22 January 1946. The Tribunal was composed of three professional judges and four lay judges chosen among the members of the Polish National Council. Its sentences were unappealable and definitive, although the sentenced had the right to petition for pardon with the President of the Republic. The SNT began to function on 18 February 1946 and tried cases until 1948, although it was never dissolved by any legal act. Its aim was to try Nazis for crimes perpetrated on occupied Polish territory, as well as Reichdeutsch, Volksdeutsch and Polish 'national traitors'. After 1948, other war criminals trials took place before courts of general jurisdiction.

The aim of the present article is to explore the ways in which Polish official policy frameworks for court interpreting developed in response to the problems of recruiting interpreters and establishing standards for court interpreters. The system which was developed 'on the ground' on this occasion was unique as Poland lacked skilled and experienced interpreters, no training was organized prior to the trials and no evaluation norms of the interpreting were applied. The unique standard was to get the job done in due time which was imposed by political authorities.

2. The National Supreme Tribunal

The trials before the Supreme National Tribunal during which the interpreters played a crucial role, similarly as in Nuremberg and Tokyo, have attracted relatively little academic attention, except its legal concerns [Cyprian, Sawicki, 1962; Gumkowski, Kułakowski, 1961], although their political and social issues for the post-war Poland was of great importance. SNT Judge Alfred Eimer called attention to this fact in a letter addressed on the October 9, 1947 to the Polish Minister of Foreign Affairs concerning the trials, imbued with a significant international dimension, of Rudolf Höss and the members of the SS staff serving in the Auschwitz-Birkenau concentration camp. In his letter he wrote:

In light of the need to emphasize Poland's contributions in the fight against Hitler, and taking into consideration the international character of the trial (since members of almost all the nations of Europe were interned in the Auschwitz concentration camp), it would be highly beneficial to have foreign observers and members of the foreign press in attendance at the trial.

Special seating can be reserved for them. As in Nuremberg and Warsaw [reference to the Höss trial – M.T.] the trial will be conducted in four languages – Russian, French, English, and German. As far as foreign witnesses of the events are concerned, every attempt should be made to secure witnesses currently occupying important social positions and functions and able to offer testimony concerning the overall complex of camp relations, in particular with respect to Auschwitz (Archives of the National Institute of Remembrance, in Polish Instytut Pamięci Narodowej, hereinafter IPN, IPN/GK 196/8 – translation by the author of the present article).

In the years 1946-1948 seven trials were held in the SNT:

- 1) the trial of Arthur Greiser, the Gauleiter of Reichsgau Warthegau, in Poznań from 21 June until 9 July 1946;
- 2) the trial of Amon Goeth, commandant of the concentration camp in Płaszów, in Cracow, from 27 July until 5 September 1946;
- 3) the trial of Ludwig Fischer, Governor of the Warsaw district, together with his vice-governors Ludwig Leist, Josef Meisinger, and Max Daum, in Warsaw, from 17 December 1946 until 3 March 1947;
- 4) the trial of Rudolf Höss, commandant of the Auschwitz-Birkenau concentration camp, in Warsaw, from 11 March until 2 April 1947;
- 5) the trial of the SS staff of the Auschwitz-Birkenau concentration camp, the so-called First Auschwitz trial, in Cracow, from 24 November until 22 December 1947;
- 6) the trial of Albert Foster, Gauleiter of Reichsgau Danzig-Westpreußen, in Gdańsk, from 5 until 29 April 1948;
- 7) the trial of Joseph Bühler, head of the General Government (Generalgouvernement für die besetzten polnischen Gebiete), in Cracow from 17 June until 10 July 1948 [Cyprian, Sawicki, 1962].

The description of the interpretation activities which accompanied the trials in the SNT enable us to not only present the relations between power, trust, and control which were established between the interpreters and the judicial authorities, but also to present the picture of unknown interpreters executing their interpretation tasks, often for the first time in their lives, with no training or experience in exceptional circumstances, i.e. during trials with great political, propaganda, and international dimensions. What is more, the courtroom interpretation, including

simultaneous interpretation, was for the first time widely commented upon and closely observed, also by the international and Polish press.

3. The interpreters

a. The Arthur Greiser trial in Poznań

In Poland, simultaneous interpretation in the courtroom was used for the first time before the Supreme National Tribunal in the trial of Arthur Greiser. This trial took place in the main hall of the University of Poznań [Tryuk, 2004]. As related by the contemporary press, foreign journalists were “given tables with earphones for French, English, and Russian versions of the trial, given by the interpreters” [Kožniewski, 1950]. The interpreters who provided the interpretation services are identified in the protocol [IPN Archives, IPN/GK 196/38]:

German: Kazimierz Suchowiak, judge of the Court of Appeal in Poznań, and Edward Janik, judge in the District Court in Poznań;

French: Professor Mieczysław Zerbe, secondary school teacher in Poznań, and Maria Dębicka, court secretary;

English: Wanda Libicka, assistant prosecutor in the District Court in Poznań, dr. Irena Dogrzycka, associate professor at the University of Poznań [this is a mistaken transposition of her real name, which, in fact, was Irena Dobrzycka – M.T.];

Russian: Irena Sikorska and Eugenia Łuczko, secondary school teachers in Poznań.

As can be seen from the above list, the interpreters were mainly law professionals, judges, and prosecutors with no experience as translators or interpreters of any kind. A secondary group of interpreters was constituted of teachers of foreign languages, since the legal professions could not supply enough people capable of producing professional interpretations. Mieczysław Zerbe was, prior to the war, a teacher of French and German languages in the renowned ‘Karol Marcinkowski Secondary School’ in Poznań, while Irena Dobrzycka worked as an associate professor of English language and literature at the University of Poznań. Three of the above-named interpreters – Kazimierz Suchowiak, Edward Janik, and Mieczysław Zerbe were later appointed as interpreters in subsequent trials, where they appeared as acknowledged high-quality court interpreters.

b. The trial of Ludwig Fischer, Ludwig Leist, Joseph Meisinger and Max Daum in Warsaw

Several months following the completion of the Greiser trial, in December 1946, the SNT began a trial in Warsaw against Ludwig Fischer, former Governor of the Warsaw District, and his vice-governors [Gumkowski, Kułakowski, 1961: 82-84]. The interpreters were the now-seasoned Judge Kazimierz Suchowiak, Judge Edward Janik, Professor Mieczysław Zerbe, and Bogdan Miądowicz, M.A. in law [IPN Archives, IPN/GK 196/72].

c. The Rudolf Höss trial in Warsaw

The trial of Ludwig Fischer and his associates ended only in the latter half of February 1947, and upon its conclusion the date was established for the next trial, i.e. of Rudolf Höss, commandant of the concentration and extermination camp of Auschwitz-Birkenau. The venue for the trial was debated over for some time, although it was finally decided that, owing to the international nature of the trial, it should take place in Warsaw. This decision was aided by the fact that the auditorium used as a courtroom in Warsaw – located in the Polish Teachers' Union building on Smulikowski street in the district of Powiśle, which was also the location of the recently completed Fischer et al. trial – was already partially equipped with the necessary components to conduct such a trial, including installations enabling simultaneous interpretation of the proceedings. In addition, it was the only large auditorium available in war-ravaged Warsaw which could serve such a purpose, being capable of accommodating about 500 persons. Political, social, and trade union organizations made strenuous efforts to obtain seating. Taking into account the forecasted arrival of a series of foreign observers and news correspondents, the decision was made to interpret the Höss trial into four languages: German, French, English, and Russian. The section reserved for foreign correspondents included the presence of an eight-member American delegation comprised of persons who worked with general Telford Taylor, the chief prosecutor for the International Military Tribunal in Nuremberg. Two Norwegian observers as well as a French delegation also attended the trial. Gumkowski i Kułakowski [1961: 83] recall in their work that:

At nine o'clock [11 March 1947 – M.T.] the auditorium, filled to capacity, awaited the commencement of the trial with nervous anticipation. The technicians for Polish Radio checked the speakers in the improvised courtroom as well as the complicated installations pursuant to which the defendant, foreign observers, and foreign press would be able to hear the proceedings by earphone, interpreted into the chosen languages of the courtroom by interpreters placed in specially prepared booths [...].

The remaining observers, from the general public, did not have access to earphones nor, hence, to the interpretation provided. The complete list of interpreters is preserved in the protocol [IPN Archives, IPN/GK 196/114/2]:

Prof. M. Zerbe – German interpreter in the courtroom
 Judge E. Janik – German interpreter at the microphone
 Judge E. Miądowicz – German interpreter at the microphone
 Stella Szacherska – English interpreter at the microphone
 Maria Skibniewska – English interpreter at the microphone
 Monika Załuska – French interpreter at the microphone
 Maria Kos – French interpreter at the microphone
 Jerzy Kroński – French interpreter at the microphone
 Waleria Nawrocka – Russian interpreter at the microphone
 Olga Jakowleff – Russian interpreter at the microphone
 Walerian Makszejew – Russian interpreter at the microphone
 Stanisław Derliński – Yugoslavian interpreter in the courtroom
 Jan Raychman – Czech interpreter in the courtroom
 Dagny Bengtson – Norwegian interpreter in the courtroom

The list of interpreters includes, besides those known from previous processes: Judge Edward Janik, Judge Bogdan Miadowicz, and Professor Mieczysław Zerbe from Poznań, employees of Polish Radio such as Maria Kos, Monika Załuska, Walerian Makszejew, Waleria Nawrocka, Maria Skibniewska and one interpreter hired from the Warsaw company “St. Barcikowski and Co”, Olga Jakowleff [IPN Archives, IPN/GK 196/544]. It is interesting to note that there were two distinct groups of interpreters during this trial: interpreters ‘at the microphone’ and interpreters ‘in the courtroom’. It would seem logical to assume that the former did simultaneous interpretation while the latter engaged in consecutive interpretation.

d. The Trial of the SS Staff of the Auschwitz-Birkenau concentration camp in Cracow

Less than nine months following the Höss trial the SNT began the trial of 40 SS guards who carried out duties in the Auschwitz-Birkenau concentration camp, dubbed the 'First Auschwitz Trial.' This trial lasted from 24 November until 16 December, 1947, and took place in Cracow, in the National Museum Hall. It was originally planned to take place in the former Auschwitz concentration camp, but there was some resistance to this idea and it was eventually agreed to hold the trial in Cracow. Similarly as in the Höss trial the courtroom proceedings were interpreted into four languages. Special guests from France included lieutenant Yves Lemerle – President of the French War Tribunal in Rastadt and the main prosecutor in that Tribunal, as well as lieutenant Joseph Grenier. They were seated in the first row of spectators, and like the rest of observers, gazed with much curiosity on the accused in the section for the defendants. Kazimierz Koźniewski [1950], a journalist from the Polish magazine *Przekrój* described some time later the specificity of the simultaneous interpretation as follows:

The interpreters, seated in sealed booths and listening to the courtroom proceedings through earphones, interpret it immediately into their given languages, and those seated in the courtroom can hear the interpretation through earphones simultaneously with the person speaking in the courtroom.

Based on the protocols of the proceeding preserved in archives, it has been possible to identify the list of interpreters [IPN Archives, IPN/GK 196/161/CD]. They were sworn interpreters, as follows:

German: Ferdynand Freund, Zofia Berska, Helena Gawlikowa, Mieczysław Pemper

French: Maria Połys, Jan Sowa

English: Gertruda Falkiewicz, Lesław Stankiewicz

Russian: Stanisław Konca, Grzegorz Paszkiewicz, prof. Jakubowicz

Russian and English: Daniel Hrehorowicz

Czech: Franciszek Wessely.

The court in the main hall in the National Museum was organized as it is usually in a Polish tribunal. The judges' bench was in the central part of the auditorium, the defendants and their guards sat on one side

together with the defense counsel. In the middle of the floor were the witness box and the stenographer. The prosecution was seated in front of the defendants. In the middle there were sections for international press and representatives of various political and social authorities. There was also a separate section for the German press. The interpreters' booths (called in the diagram 'telephone booths') were set up at the left behind the seats of Polish press. There were four separate booths for four languages used during the trial. Unlike in Nuremberg and in Tokyo, it was a Polish company "RAMAR" from Poznań who undertook the task of 'radiophoning' the courtroom, as they had done for the Greiser trial in Poznań and the Höss trial in Warsaw. Seats for the public were placed behind the section for the authorities in front of the judges' bench.

e. The Joseph Bühler trial in Cracow

The next trial was that of Joseph Bühler, head of the General Government established by the Nazis in Poland. This trial took place in the spring of 1948 in Cracow, and two interpreters were called into service, chosen from among those whose performance at previous SNT trials confirmed their competence. The two interpreters chosen were Mieczysław Pemper and Maria Gawlikowa.

f. The Albert Foster trial in Gdańsk

The archives of IPN do not include any materials indicating the presence of interpreters at the trial of Albert Foster in Gdańsk in April, 1948. Photographs of the trial, however, include a picture of the defendant with earphones, which constitutes almost certain proof that simultaneous interpretation took place. One may assume, however, that the photo concerns the reading of the official indictment to the defendant, interpreted into German. The Polish judges in the picture are not using earphones.

g. The Amon Goeth trial in Cracow

As in the case of the last trial before the SNT, in the archives of the Institute of National Remembrance, there are no indications concerning interpreters nor interpreting facilities during this trial.

Below is the diagram of the courtroom [IPN Archives, IPN/GK 196/8]:

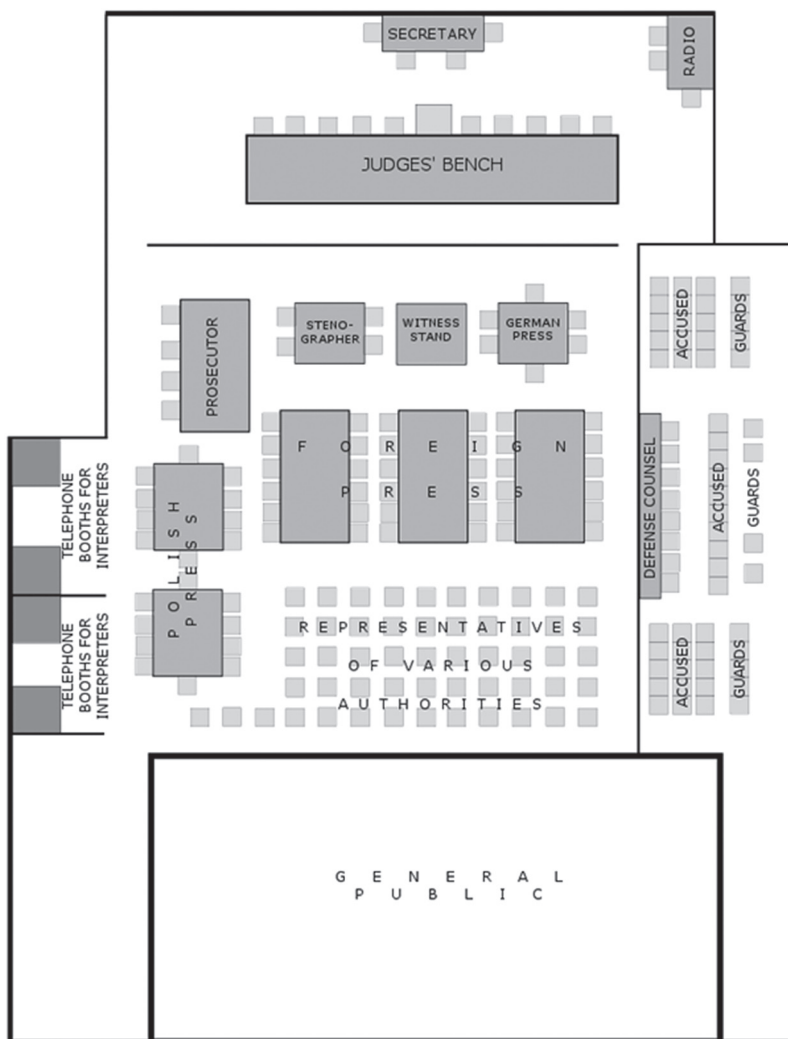


Fig. 1. Courtroom of trial of the SS Staff of the Auschwitz-Birkenau concentration camp [IPN Archives, IPN/GK 196/8]

4. After the trials

Following the conclusion of the trials held before the SNT, all traces of the recruitment and use of interpreters disappear from the official documentation. Neither Maria Skibniewska (1904-1984), the famous translator of British and American literature nor Professor Irena Dobrzycka (1909-2007), the long-time director of the English Institute of the University of Warsaw, ever made public reference to this period in their lives. Nor did Mieczysław (Mietek) Pemper (1920-2011) who was not only a witness in the trial of Amon Göth, but also served as interpreter in subsequent SNT trials in Cracow (the Auschwitz trial and the trial of Joseph Bühler). It appears that these Polish 'pioneers' of courtroom interpretation did not want to continue in the profession, nor even refer to that period of their lives in public. In part this may have been owing to personal reasons, and in part because there were no academic institutes at that time which offered interpreter training, where the courtroom experience of the above-cited interpreters could have been used to great advantage. The first Polish academic institute which offered training for the professions of translation and interpretation training was the Higher Institute of Foreign Languages (in Polish Wyższe Studium Języków Obcych) of the University of Warsaw, which was established only in 1963 [Kopczyński, 2009]. Another reason may have been the lack of official recognition of the profession by the authorities (which were of a political nature), and the specific nature of courtroom translation and interpretation. The fate of the 'Polish pioneers' in this respect differed significantly from that of the interpreters who served in the International Military Tribunal in Nuremberg. For many of them, their experience in the Nuremberg trials constituted a springboard for the launch of their subsequent careers in the profession: following the conclusion of the Nuremberg trial they worked for some of the most renowned politicians of the post-war years. Later they found employment in the interpretation services of leading European organizations. Many of them also became involved in academic institutes offering interpretation training: among others at the École de Traduction et d'Interprétation (ETI) at the University of Geneva and at the École Supérieure de Traduction et d'Interprétation (ESIT) at the Sorbonne-Nouvelle University in Paris. Their names also figure prominently in the founding and administration of AIIC, the largest professional association of conference interpreters in the world.

5. Trust and control

For many decades the work of the Polish interpreters during the SNT trials has remained unknown to the wider public, including the community of academic interpreters and teachers of interpretation dealing with the history of interpretation. Yet their role and work, comparable to that performed in the international trials held at Nuremberg and Tokyo, deserves a deeper and separate analysis. Their contribution to the practice of interpretation is all the greater because, unlike most of their colleagues at Nuremberg, not only did they lack any formal professional training in conference interpretation, but none of them had any experience in the specific task of courtroom interpretation. The questions of trust, power, and control were equally evident and relevant to the SNT trials in Poland as in Nuremberg or Tokyo or in any of the other war crimes trials [Takeda, 2009]. In describing the trial before of the International Military Tribunal in Tokyo, Takeda [2007: 30] calls attention to the fact that:

In an interpreter-mediated event, when different parties represent different interests, the party wielding the authority to select the interpreters will most likely avoid using interpreters who seem to have a conflict of interest, due to suspicions that they may act ‘in bad faith’ to advance their agenda. Such suspicions arise from the ‘power’ that the interpreters are perceived to possess.

This caution seems justified, since interpreters, fluent in the two languages involved and knowledgeable in the respective cultures represented, are in a position to control the entire interaction. For this reason lawyers seek to regulate the work of interpreters, trying to impose on them codes of procedure mirroring those regulating the work of courtroom lawyers.

In the court the question of trust in the interpreter can be, was, and is resolved in different ways. A wide variety of methods were applied in the Polish SNT trials as well. They included:

5.1. Recruitment of interpreters

In the IMT in Nuremberg the court recruited mainly graduates of the ETI in Geneva as interpreters. In addition, the majority of them underwent additional training to prepare them for work in a courtroom [Gaiba,

1998; Rybalkina, 2011]. Simulated trials were conducted, with the participation of real-life judges, prosecutors, and defense lawyers. A similar recruitment procedure took place in Tokyo prior to the beginning, in March 1946, of the Tokyo trial before the International Military Tribunal for the Far East [Watanabe, 2009: 61]. In comparison with the linguistic and professional preparation for Nuremberg and Tokyo trials, there were no specific planning for the SNT trials in Poland. The archives of the Chief Commission Investigating Hitler's Crimes in Poland (in Polish Główna Komisja Badania Zbrodni Hitlerowskich w Polsce), currently archived in the IPN, does not shed any light on the recruitment of interpreters for the Polish trials. It is known only that interpreters whose work proved their professionalism and acquired qualifications were re-appointed in subsequent trials, as was the case with the Judges Sochowiak, Janik, law-educated Miądowicz, as well as the professor of foreign languages Mieczysław Zerbe.

5.2. The interpreter's oath

Requiring interpreters to take an oath constitutes another method of control. The IPN archives contains the following description of the interpreter's oath in proceedings in front of the SNT [IPN Archives, IPN/GK 196/38]:

Professor M. Zerbe, Bogdan Miądowicz, M.A., and Judge Edward Janik, in front of the Chairman of the SNT, swore to an oath in accordance with Articles 133 and 140 of the Code of Criminal Procedure, as follows: 'I do solemnly swear in front of God the Almighty and All-knowing, that I will execute the interpretation tasks assigned to me with utmost conscientiousness and impartiality, so help me God'.

An oath of similar content is attached to the protocol concerning Mieczysław Pemper and Maria Gawlikowa.

It sometimes happened, however, that the court waived the swearing-in of interpreters. The IPN archives contain the following description of the interrogation of Arthur Greiser [IPN Archives, IPN/GK 196/38]:

By mutual agreement of the parties the Tribunal waived the swearing-in of the interpreters. The Chairman instructed the interpreters with respect

to their obligation to interpret conscientiously and precisely and that they could be found criminally liable for intentionally distorting any testimony, after which the interpreters took up their duties.

On the first day of the trial the President of the Court, Waclaw Barcikowski, waived the swearing-in of the interpreters and instructed them as follows [IPN Archives, IPN/GK 196/528/17]:

I remind you of your duty to interpret conscientiously and precisely and that you can be found criminally liable for intentionally distorting any testimony.

It should be noted that the majority of interpreters hired by SNT were also lawyers, which may explain the circumstances surrounding the waiver of the interpreters' oath.

5.3. Waiving interpretation

This is a relatively common practice in court, which also took place during proceedings in the SNT. Lawyers with knowledge of the foreign language being spoken may resign from the interpretation of testimony, presumably in order to better concentrate on the verbal and non-verbal behavior of the witness, or in order to speed up the proceedings or interrogation. This occurred during the preliminary proceedings in the Höss trial. In the IPN archives we can read the following [IPN Archives, IPN/GK 196/11]:

[...] the suspect [Rudolf Höss – M.T.] gave his testimony in German, a language understood by the interrogator, hence no interpreter was called for. Following the reading of the official protocol and its interpretation into German, the suspect declared: “Das vorstehende Protokoll ist mir vollinhaltlich in die deutsche Sprache übersetzt worden. Die Aufnahme wiedergibt meine Aussagen wort- und sinngemäss. Als Beweis dessen zeichne ich das Protokoll eigenhändig”.

His declaration however was not interpreted into Polish, or at least no interpretation thereof is contained in the official Act of the case. Waiver of the right to have an interpretation was relatively common in the trials in front of the SNT. The waivers usually concerned the interrogation of

witnesses, as is reflected in the official Acts contained in the archives [IPN Archives, IPN/GK 196/82, 83, 88]. In such cases the Judges, interrogators, stenographers and the commission knew and understood German sufficiently well that interpretation was not deemed necessary. Such waivers are apparently not exceptional. A similar action by a tribunal is described by Hannah Arendt in her work on the Eichmann trial in 1961 [Arendt, 1963/1998]. From the inception of the trial it was understood that a claim of poor interpretation was ruled out, because practically the entire panel of judges consisted of lawyers born and educated in Germany, hence the interpretation of the witness's testimony was waived.

5.4. Affidavit

An affidavit filed by the interpreter at the end of his or her service may replace an oath. During the proceedings conducted in front of an American tribunal against Amon Göth, the former commandant of the concentration camp in Płaszów, the interpreters signed the following affidavit underneath the interpreted and transcribed testimony of the witnesses [IPN Archives, IPN/GK 196/44]:

I, M. Majewska, being first duly sworn, state that the foregoing is a true and correct translation of the sworn statement of KREMMER Anna, given at Augsburg on May 20, 1946, made to the best of my ability.

5.5. Other measures

As previously mentioned, most of the interpreters recruited by the SNT had a legal education and experience, and were either judges or prosecutors, which had significant repercussions in terms of trust and control. It was different in the American army in command of its Allied zone of Germany, where preliminary interrogations were conducted in preparation for the trials of Nazi criminals. The qualifications of such interpreters are referred to in one of the interrogation reports contained in the archives [IPN Archives, IPN/GK 196/125, v. 43, 125]:

Sgt Erwin Kurzrock 36326625 appeared before the Investigator-Examiner as interpreter and was questioned as to his qualifications as interpreter as follows:

- Q.: State your name, grade, and serial number.
A.: Erwin KURZROCK, Sergeant, 36326625.
Q.: What is your present assignment?
A.: Interpreter, for War Crimes Branch, APO 757, US Army.
Q.: What languages do you speak?
A.: German and English.
Q.: What is your native tongue?
A.: German.
Q.: How long have you lived in Germany?
A.: I lived in Vienna twenty six (26) years.
Q.: Where did you learn to speak English?
A.: In high school in Vienna.
Q.: When did you go to the United States?
A.: March 1939.
Q.: When did you come overseas with the Army?
A.: 24 September 1945.
Q.: Prior to your present duty assignment, have you ever served as an interpreter of German into English and English into German?
A.: No.

Like many army interpreters, the interpreter interviewed was undertaking an interpretation assignment for the first time, yet his answers were considered sufficient proof of his qualifications for the job.

5.6. Ongoing monitoring of interpreters' work

The international tribunals in Nuremberg and Tokyo, as well as the British Military Tribunal which tried war criminals between 1945-1949, elaborated some other specific methods for controlling an interpreter in the course of a proceeding. If an interpreter failed to gain the trust of the court owing to his national origin, religion, or political views, or if for any other reason his credibility was questioned, it was necessary to introduce a system of monitoring or control directly into the courtroom. In order to do this it was necessary to recruit and appoint someone as a supervisor of the interpretation. It should be noted that except for the Nuremberg and Tokyo tribunals no other international tribunal has ever employed this method. The tasks of such a supervisor differed from one

tribunal to another. During the Nuremberg trials in the International Military Tribunal the supervisor sat next to the interpreter booths. The task of supervisor was entrusted to persons with the greatest professional experience, who also previously participated in the recruitment of interpreters. These were experienced practitioners of the craft, most of whom had polished their courtroom skills in the pre-war League of Nations. Among other things, their activities consisted of:

- organizing the work of the entire team of interpreters (establishing schedules, hours, substitutes, etc.);
- enabling interpreters to access the documents which were to be read during the proceedings;
- supervising the functioning of the technical equipment (above all speakers);
- ensuring that the interpretation assignments were doable.

As regards the latter task, the supervisor had at his disposal two buttons which activated light bulbs in front of the speaker: a yellow light indicated the speaker was speaking too fast, and a red light indicated that the interpretation had become impossible and that it was necessary to take a break in the proceedings [Gaiba, 1998: 75-82]. The supervisor also looked after the flow of the interpreter's speech, supplied lexical equivalents when necessary, and controlled the breathing, rhythm, and physical condition of the interpreters, deciding who needed a break and providing a substitute when necessary. He also paid attention to the interpreter's psychological state. However, the actual monitoring of the interpreter's utterances was not necessary. As has been noted, the vast majority of the interpreters received proper training and education, some of them being graduates of the ETI in Geneva. Others could boast of significant professional experience, often at the League of Nations. A significant fact is that the interpreters' backgrounds were known. None of them had been Nazis, so the question of trust in the interpreter never arose in that context.

The British Military Tribunal introduced the function of 'Master Interpreter,' whose task was to recruit and train interpreters, as well as to inform his superiors of any doubts with respect to the interpreters' work. The Master Interpreter was also responsible for the quality of the interpretation. Of particular importance was the issue of an interpreter's objectivity, since a large number of recruits came from the local German

population. Captain Foster, one of the Master Interpreters, described the situation as follows [Tobia, 2010: 290-291]:

[...] The German civilian solution was only acceptable within a strict framework of careful pre-selection and testing. In all cases Germans could only operate as war crimes interpreters if they were supervised and moderated by English-born linguists or by former refugees who became NCOs after being naturalized: they could never be allowed to work alone; always together with a British Officer or NCO. The risks of misinterpretation were too big.

The International Tribunal for the Far East in Tokyo used a different system of control. Even though the interpreters' work was organized along the pattern established by the International Military Tribunal in Nuremberg, the actual situation was considerably different. The Nuremberg system relied to a large extent on highly qualified and experienced interpreters, who practically did not exist in Tokyo. Thus an original three-tiered hierarchical system of interpretation and its supervision was employed. At the bottom were the English-Japanese interpreters, mostly Japanese from the Ministry of Foreign Affairs and Tokyo Radio. None of them had any formal training or experience however; they came mainly from the bilingual families of diplomats or the privileged levels of society. Next a group of so-called monitors was organized from among Americans of Japanese ancestry (so-called *Nisei*) and *Kobei* (*Nisei* who were sent before the war to complete their education or study there). Supposedly their level of Japanese was usually lower than the Japanese interpreters' knowledge of English. Even though they were not prepared for the task of supervising the quality of the interpretation, the American authorities uncritically accepted them and assigned them: the task to correct linguistic mistakes, point out gaps in the interpretation, and even to 'add to' the interpretation. In this way their position in the hierarchy was strengthened, which in itself acted as a kind of proof of their engagement in their tasks. They played their most important role in the interrogation of the former premier, General Tojo. Yet, the Americans realized that the 'monitors' also needed to be supervised. Thus a third level needed to be created, assigned the function of so-called 'language arbiter.' This function could only be fulfilled by American officers. The first officer to fulfill the function was Major Lardner Moore, and the other officer to fulfill the function was Edward Kraft, who had had a year-long course in Japanese. They created

the so-called Language Arbitration Board, which decided on the final version of interpretations. Their task was mainly to remind the Japanese who won the war. Major Moore had the final word in any matter concerning not only the Japanese language [Watanabe, 2009: 76-78]. The system of control used in Tokyo only serves to confirm the opinion of Lefevere [1992: 2] that the trust in the interpreter is more important than the quality of the interpretation. This is especially visible in courtroom interpretation. Besides the evident political dimension, the control exercised over interpreters in Tokyo led to changes in the approach to interpretation, as well as the expectations with respect to interpreters. The principles established at the outset of the trial underwent changes in accordance with changes in the courtroom proceeding itself.

The control over interpreters at the trials in Nuremberg and Tokyo had two different faces. The trials in Nuremberg led to rapidly increased progress in the professional training and practice of interpreters, *inter alia* by influencing the public perception of interpretation and gaining acknowledgement of the complex nature of simultaneous and courtroom interpretation and its status as a full-fledged separate profession. The supervision exercised also promoted appreciation of the importance of the conditions in which an interpreter works, i.e. the tempo of the speaker, the difference between types of texts (improvised and read), and the need for direct contact with speaker. In Tokyo the control was focused on preserving the ideological, propaganda nature of the process.

In the SNT trials no such control was imposed on the interpreters as their task was different in nature. The ideological issues were more important and the questions of interpretation quality never had been raised during the proceedings. The political authorities were concerned with the problem of 'getting the job' as quickly as possible with no other issues which marked the Nuremberg or Tokyo trials, such as the quality. The supervision was not necessary for yet another reason, that is that all the interpreters were Polish citizens and what counted the most was exclusively their legal experience.

6. Conclusion

One may ask whether the fears of interpreter disloyalty or infidelity still require the kinds of control over interpreters that were applied in

the post-Second World War trials. One may also ask whether the proper conclusions have been drawn from the experiences of the courts with respect to court interpretation. It would seem that they have, since the procedures for recruiting and training both conference and court interpreters today differ radically from those used in the war crimes' tribunals of the 1940s. There are not only professional or ethical codes, but also numerous court decisions concerning the practice of court interpretation. Still, one may ponder the extent of the influence of the control exercised in Nuremberg and Tokyo on the quality of the interpretation. In the SNT trials the main concern was certainly whether the end result of the interpretation met the non-linguistic, political expectations and needs of the authorities. True 'professional' control, however, should cause the interpreter to feel not only supervision, but also constant support, which can only positively affect the quality of the interpretation. The interpreters in the SNT trials in Poland were engaged in courtroom interpretation for the first time in their lives with no training or preparation for the job of any kind. Above all, they interpreted in new and undefined conditions, without the knowledge of established principles and norms contained in regulations. In addition the trials themselves were of a new and specific nature in a changed international environment, concerning a new definition of crimes – crimes against humanity. The interpretation took place using new technical devices (booths and equipment for simultaneous interpretation). An important aspect of the trials was time. The trials specifically were designed to take place and conclude quickly, hence there was intense pressure to ensure that the interpretation went smoothly and no problems or delays were caused by unprofessional interpretation. Although the contributions of the Polish interpreters to the craft of courtroom interpretation became forgotten following the conclusion of the SNT trials, the work of the 'Polish pioneers' of courtroom interpretation was by any account exceptional. It constituted the beginning link to today's practice of courtroom and conference interpretation in Poland.

ARCHIVAL SOURCES

The archives of the Institute of National Remembrance – Commission for the Prosecution of Crimes against the Polish Nation (in Polish Instytut Pamięci

- Narodowej – Komisja Ścigania Zbrodni przeciwko Narodowi Polskiemu, hereinafter IPN):
- IPN/GK 196/1-10: personal records, financial records, compensation, and protocols from the closed session and general organization of the SNT, including correspondence and miscellaneous items.
- IPN/GK 196/11-38 The Arthur Greiser Trial.
- IPN/GK 196/39-48 The Amon Goeth Trial.
- IPN/GK 196/48-81 The Trial of Ludwig Fischer and his associates.
- IPN/GK 196/82-115 The Rudolph Höss Trial.
- IPN/GK 196/116-175 The trial of the SS Staff in the Auschwitz-Birkenau concentration camp.
- IPN/GK 196/176-238 The Albert Foster Trial.
- IPN/GK 196/239-523 The Joseph Bühler Trial.
- IPN/GK 196/528-541 Stenograph transcript from the A. Greiser Trial.
- IPN/GK 196/542-547, 550, 553 Miscellaneous items.

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SUMMARY

This article presents the work of interpreters in the trials before the National Supreme Tribunal established in Poland in 1946 to judge Nazi criminals after the Second World War. Based on archival sources of the Institute of National Remembrance – Commission for the Prosecution of Crimes against the Polish Nation, it presents for the first time the identities of the interpreters recruited for this unique tribunal in the history of the Polish judicial system as well as for the practice of conference and court interpreting in Poland. It examines the interpreting practices during seven multilingual and multicultural trials, where simultaneous interpreting was applied for the first time, and discusses the issues of trust and control over the interpreters involved in war crimes tribunals.

Key words: Second World War, war crime trials, National Supreme Tribunal, court interpreting

STRESZCZENIE

Niniejszy artykuł prezentuje działalność tłumaczy ustnych podczas procesów przed Najwyższym Trybunałem Narodowym ustanowionym w 1946 r. w celu osądzenia zbrodniarzy hitlerowskich po II wojnie światowej. Praca powstała w oparciu o materiały archiwalne zgromadzone w Instytucie Pamięci Narodowej i przedstawia po raz pierwszy sylwetki tłumaczy, którzy zostali zaangażowani do pracy w charakterze tłumaczy sądowych, a jednocześnie byli tłumaczami symultanicznymi lub konsekutywnymi. Artykuł omawia także kwestie zaufania wobec tłumaczy i ich kontroli podczas procesów zbrodniarzy wojennych.

Słowa kluczowe: druga wojna światowa, procesy zbrodniarzy wojennych, Najwyższy Trybunał Narodowy, tłumaczenie sądowe