**The witness who didn’t testify:
Sonia Lewkowicz’s missing testimony in the Demjanjuk trial**

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In September 1986, the last trial conducted Israel under the Nazis and Nazi Collaborators (Punishment) Law, 5710-1950, commenced in Jerusalem District Court. It was the trial of John Ivan Demjanjuk, accused of having been the operator of the gas chambers at the Treblinka extermination camp in 1942–1943. The indictment that the prosecution presented to the court attributed to the defendant three types of offenses: crimes against the Jewish people, crimes against humanity, and war crimes. Specified in the indictment were acts of murder and abuse that the defendant had perpetrated against Jews who had been led to the gas chambers and against forced laborers in the camp, on account of which he had been called “Ivan the Terrible’. Eight names appeared prominently on the top of the list of prosecution witnesses that was attached to the indictment. They were the eight Treblinka survivors who were alive at the time, the only ones who identified the defendant in the police investigation that preceded the trial. Among the eight, however, only five ultimately testified. Unfortunately, two survivors died around the time the proceeding began. Another survivor whose name appeared on the list—Sonia Lewkowicz—refused vehemently to take the witness stand; all attempts by the prosecution to change her stance were of no use.[[1]](#footnote-1)

Lewkowicz, born in Poland, was led together with her family on 14 December 1942, in a transport from the transit camp in Gielbosian, near Grodno, to Treblinka. Her parents, sister, and four grandparents were murdered in the gas chambers. Lewkowicz herself—20 years old at the time—was taken aside, naked, from the group of women who waiting to have their hair shorn before being sent to their death. Apparently due to her beauty, she was selected to be a forced labor, one of only approximately 50 women who were forced laborers in Treblinka. She was employed as a launderer at the laundry facility that served the Ukrainian Wachmänner in the camp. Three months later, in March 1943, another laundry facility was established in the part of the camp that was near the gas chambers, for the use of the Jewish forced laborers; Sonia was assigned to work there together with 15 or so other women. Accordingly, like the other five witnesses and in contrast to other survivors who had been put to forced labor elsewhere in the camp, she had witnessed the defendant’s actions with her own eyes.

Little is known about the specific hardships that Lewkowicz and the other women inmates in Treblinka had faced. In historical research, it is noted that ‘the women prisoners were at the mercy of the SS men, who often exploited them sexually’.[[2]](#footnote-2) One of the male survivors related: ‘I heard that the kapos amused themselves with them’[[3]](#footnote-3) and that women in the camp were ‘“divided up” among the kapos “for private use”. The Germans allowed the kapos to visit the young women each evening between 6:00 and 10:00 in the evening”’.[[4]](#footnote-4) In contrast, there were survivors who described a more complex reality involving relationships between some of the women and prisoners who held positions: ‘Of course most of the—few—girls who were there paired off with somebody. Love? It’s hard to say; relationship, strong friendship, yes—and yes, perhaps love’.[[5]](#footnote-5) Lewkowicz herself never spoke publicly about this aspect of her internment as a prisoner in Treblinka. However, in her book *Into the Darkness,* the historian and investigative journalist Gitta Sereny, basing herself on interviews with the commander of the Treblinka camp, Franz Stangl, and additional SS men, as well as with some of the survivors of Treblinka, suggests that Lewkowicz had conducted a love affair with Kuba Zinger, the Lagerälteste (“camp elder”) of Treblinka, who was suspected of informing to the Germans.[[6]](#footnote-6) On 2 August 1943, when the Treblinka uprising began, Lewkowicz managed to flee from the camp into the forests and thus was one of only two women who survived Treblinka.[[7]](#footnote-7) Only she was still alive at the time the trial took place. She was then married and the mother of a daughter.

There is no doubt that from the prosecution’s standpoint, Lewkowicz was a ‘strong witness’ if not the strongest. Before the trial, Lewkowicz gave fluent, detailed, and reliable testimony to the police. According to its content, she identified the defendant authentically in the police interrogation and provided many details about what he had done. In addition, Lewkowicz had testified previously (in the 1960s and 1970s) in two legal proceedings in Germany that dealt with the Nazis’ crimes in Treblinka: the first Treblinka trial, in which 11 SS men who had belonged to the camp staff faced justice,[[8]](#footnote-8) and at the trial of the camp commander, Stangl (known as the ‘second Treblinka trial’.[[9]](#footnote-9) What is more, Lewkowicz was one of very few surviving witnesses from Treblinka who had also testified about Demjanjuk’s actions at the trial for revocation of his citizenship that proceeded in the United States shortly before he was extradited to Israel to face criminal justice there.[[10]](#footnote-10) Therefore, Lewkowicz’s inclusion as a prosecution witness in the indictment that was presented against Demjanjuk seemed much desired.

Apart from the heavy evidentiary weight of her expected testimony, Lewkowicz’s personal circumstances made it all the more important: Until she retired several years before the trial, Lewkowicz had worked for the Testimonies Department of Yad Vashem at the Tel Aviv branch and was in charge of taking testimony from survivors and editing it. In this capacity, she had assisted, *inter alia,* Dr. Yitzhak Arad, chair of the Yad Vashem Directorate, in gathering testimonies from survivors of Treblinka. As the trial proceeded, Arad was subpoenaed as an expert witness for the prosecution and was the first to take the witness stand. Therefore, Lewkowicz was well acquainted with the historical circumstances under which the Nazis’ crimes in Treblinka had been perpetrated not only at the documentary investigative level but also at the personal level, having experienced the horrors of the camp in her own flesh. Thus, the potential contribution of her testimony to convicting Demjanjuk was decisive.

Nevertheless, ultimately Lewkowicz vehemently refused to testify at the trial. In the file reserved for the trial in the Israel State Archives, I found a handwritten letter that Lewkowicz had sent Jerusalem District Court three days before she was summoned to testify. Thus she wrote: ‘Today I received a subpoena to appear as a witness [at the trial]. … Unfortunately, I am unable to respond to the subpoena because my state of health rules it out’.[[11]](#footnote-11) However, in conversations that I held with the judges and the prosecutor at the trial, as well as with Lewkowicz’s daughter, I found that the letter was written in order to obtain official permission to ignore the subpoena and not in response to medical circumstances that prevented her from taking the stand. In actuality, she refused to testify due to fear of the way her personal story would be publicly revealed and of being asked ‘Why did you, of all people, survive’? This fear intensified in view of the broad public resonance and daily media coverage of the trial, and it escalated all the more grew after the other survivors who had testified at the trial were subjected to cross-examinations that they experienced as aggressive, offensive, and casting doubt on the reliability of their story.

The article deals with Lewkowicz’s exceptional story and tries to explain why she refused to testify at the trial and what her experience may teach us, more broadly, about the limitations of criminal justice in dealing with the Nazis’ crimes. As is presented in the article, the criminal proceeding was typified by dichotomy and black-and-white representation of the picture. It struggles to accommodate the ‘gray zone’, a term coined by Primo Levi to denote the narrow space for choice that prisoners in the camps retained; the difficulty in distinguishing between good and evil; and the collapse of the familiar value and moral system.[[12]](#footnote-12) As is claimed in the article, Lewkowicz wisely realized that criminal justice is limited in its ability to present a complex picture, one populated by imperfect victims, and, accordingly, she preferred to hold her silence even at the heavy price of exonerating the defendant in his trial.

1. Y. D. Deston, *Der Demjanjuk-Prozess Göttingen* (Vandenhoeck & Ruprecht, Schriften des Dubnow-Instituts, Bd. 35, forthcoming 2023) (in German, on file with author). [↑](#footnote-ref-1)
2. Y. Arad, *Belżec, Sobibor, Treblinka: The Operation Reinhard Death Camps* (Yad Vashem, Jerusalem, Second edition, 2013) (in Hebrew), p. 199. [↑](#footnote-ref-2)
3. Translation from German of Eliasz Rosenberg’s testimony at the Treblinka trial, day of Hearing 30 (21 December 1964), p. 249. The testimony is kept in Landesarchiv NRW, Rep 388 Nr. 808 (1964), Abteilung Rheinland in Duisburg, StA Düsseldorf. [↑](#footnote-ref-3)
4. Rosenberg testimony, 24 December 1947, in German, given to Tuvia Friedman as part of the activity of the Documentation Center in [Vienna](https://en.wikipedia.org/wiki/Vienna). The testimony was entered as Defense Exhibit *nun*/7and its Hebrew translation was entered as Prosecution Exhibit *tet*/12 (Israel State Archives, Courts, Jerusalem District Court, Criminal Case 373/86, State of Israel v. Ivan Demjanjuk, Cases b-22394/5 and b-22392/3, respectively). The quotation is from page 11 of the Hebrew translation of the testimony. Another translation of the testimony was produced on 1 July 1996 and is kept in the Yad Vashem Archives, O.33/39. [↑](#footnote-ref-4)
5. Testimony of Richard Glazer, quoted in G. Sereny, *Into that Darkness: An Examination of Conscience* (Vintage, New York, 2011), p. 194. [↑](#footnote-ref-5)
6. *Ibid.,* pp. 195–194. Lewkowicz is mentioned in this source under the pseudonym ‘Sabina”. Lewkowicz’s name does not appear on the list of interviewees in the book, but according to her daughter, she spoke with Sereny at length and their friendship lasted even after the book was published. Presumably she did not want to disclose her identity at the time. As for Zinger, see Arad, *Belżec, Sobibor, Treblinka,* p. 409. [↑](#footnote-ref-6)
7. The other survivor is Bronka Sukno, who gave testimony to the Israel Police ahead of the Treblinka trial in 1960. (See Yad Vashem Archives, TR.11, Criminal Case 01121.) On 7 February 1965, Sukno testified in Tel Aviv Magistrate’s Court as part of the first Treblinka trial when the court in Düsseldorf visited Israel to hear her testimony, because she was unable to fly to Germany due to her state of health. Her testimony was read out a week later at a session of the German court. See testimony of Bronka Sukno, day of Hearing 48 (15 February 1865). The testimony is kept in Landesarchiv NRW, Rep 388 Nr. 808 (1964), Abteilung Rheinland in Duisburg, StA Düsseldorf. See also (no other given), ‘Woman Witness Recounts the Horrors of Treblinka: “the Stench of the Smoke from the Crematoria Choked Us All the Time”’, *Kol ha-’Am*, 8 February 1965. [↑](#footnote-ref-7)
8. Testimony of Sonia Lewkowicz, day of Hearing 35 (15 February 1965). The testimony is kept in Landesarchiv NRW, Rep 388 Nr. 808 (1964), Abteilung Rheinland in Duisburg, StA Düsseldorf. [↑](#footnote-ref-8)
9. Testimony of Sonia Lewkowicz, court session of 25 September 1970. The testimony is kept in Landesarchiv NRW, Rep 388 Nr. 0256 (1970), Abteilung Rheinland in Duisburg, StA Düsseldorf. [↑](#footnote-ref-9)
10. Lewkowicz testified at the citizenship revocation trial in the United States on 20 February 1981. Her testimony is kept at the State Archives, Ministry of Justice File, Container ‘Demjanjuk Trial—Sonja Lewkowicz in the Indictment (Did Not Testify)’, Roll 21534. [↑](#footnote-ref-10)
11. State Archives, Ministry of Justice File, Container ‘Demjanjuk Trial—Sonja Lewkowicz in the Indictment (Did Not Testify)’, Roll 21534. [↑](#footnote-ref-11)
12. P. Levi, *The Drowned and the Saved* (trans. Raymond Rosenthal (Vintage, New York, 1989), pp. 45–44, 49, 59. *See also* A. Brown, *Judging Privileged Jews: Holocaust Ethics, Representation, and the ‘Gray Zone’,* pp. 15–16 (2013); S. H. Lee, ‘Primo Levi’s Gray Zone: Implications for Post-Holocaust Ethics’, 30 (2) *Holocaust and Genocide Studies* (2016) 277, 278–280; D. Porat, *Bitter Reckoning: Israel Tries Holocaust Survivors as Nazi Collaborators* (Harvard University Press, Cambridge, MA, 2019), pp. 9–10, [↑](#footnote-ref-12)