

Misiuk - Peace at any price from 14

only a crime against Polish constitutional law but also against international law—thus each one had monumental global effects. The first Three Partitions inaugurated the era of universal oppression that begot World War I. The Fourth Partition triggered World War II. The Fifth Partition instigated the Cold War, which was miraculously defused without bloodshed forty years later by the peaceful uprising of Polish nation against the communist tyranny. Nonetheless, the Ribbentrop-Molotov Line agreed upon by Hitlerite Germany and Stalinist Russia in 1939 and confirmed by the West in 1944 has remained the eastern border of Poland; malapropos, it is the eastern boundary of the European Union as well.

Although the study of Polish history is very often minimized and marginalized, an objective examination of the causes of World War II and their consequences is yet another impetus for scholars and students alike to reevaluate their knowledge of Poland. There are two major lessons to be learned from the analysis of World War II. The first is an ethical one: injustice is cumulative—one injustice breeds further and greater injustices. The greatest of these injustices—the various Partitions of Poland—have produced devastating consequences each time. The second is a historical-political one. Historian Norman Davies articulates this lesson best: *“The fate of the Poles themselves must be of the greatest concern to everyone. Poland’s destiny, in the cockpit of European conflict, is one of the few indicators of the destiny which lies in store for the rest of the continent. [...] Poland is not just a clod, or even a distant promontory; it is the heart of Europe.”*²⁵

Notes:

¹¹ Stresemann, *His Diaries, Letters, and Papers*, 503

¹² Beck, *Ostatni raport*, 220

¹³ Davies, *God’s Playground*, 291

¹⁴ Peszke, *The Polish Underground Army, the Western Allies, and the Failure of Strategic Unity in World War II*, 11

¹⁵ Poland’s predictions were correct since many Southern and Eastern European countries that signed on to the Axis Pact would be occupied by Nazi Germany during World War II and the Soviet Union after the War.

¹⁶ Chamberlain, *In Search of Peace*, 216

¹⁷ Baliszewski, *Prawdziwa historia Polaków*, 19

¹⁸ Olsen, *Troublesome Young Men*, 194

¹⁹ Prompted by Germany’s betrayal of Japan

²⁰ Hempel, *Poland in World War II*, 23

²¹ Pogonowski, *Poland: An Illustrated History*, 218

²² Mosier, *The Blitzkrieg Myth*, 75

²³ Rees, *World War II Behind Closed Doors*, 122

²⁴ Lukas, *The Strange Allies*, 145

²⁵ Davies, *Heart of Europe*, 462-463

(Nineteen year old Bogumił is a second year student at Seton Hall University)

Justyna Ball from 3

to time served, which is what we agreed to, to 50 years. That’s a long -- big difference.”

KING: He told you so?

SILVER: Yes, he told us that and he told us other things. He directed Mr. Dalton, Polański’s lawyer, to say certain things during court. He directed the prosecutor, Mr. Guncin to say certain things the next day. Directed me to do things. This is unheard of.

KING: Inviting him to flee?

SILVER: I don’t know about that.

KING: 50 years ...

SILVER: Well, I don’t know about inviting him to flee. But he also said that he might consider reducing it if Polański would self-deport himself. This is a state court judge, he has no jurisdiction over immigration, naturalization matters. So this change of position by the judge excused Polański. And there was an agreement. An agreement that was a good agreement! It addressed the interests of all parties ...”

Revealing the name of the young victim would obviously bring more media attention, something that the judge craved the most.

Geimer was invited to the King show after writing a piece for the LA Times asking people to judge Polański by his work and not by his past. At the time, Polański’s “Pianist” was nominated for an Oscar.

Geimer forgave Polański a long time ago and in the 90s received an undisclosed monetary settlement. She is a married woman, a mother living happily in Hawaii. Asked by one of the callers on the show if she would contact police if her own daughter (She is a mother of three boys.) was in the same situation, Geimer replied that she would have not as she was more damaged by the trial and the media hoopla over it, rather than by the incident itself.

Zenovich’ documentary shows the trial and witnesses overhearing Judge Rittenband at the exclusive Hillcrest Country Club saying, “We’re going to put that little Polish pig away for the rest of his life.” Tells you a lot about the US justice system...

We know that judge Rittenband’s famous clients included Elvis Presley, Marlon Brando, Cary Grant and others... kept him busy collecting news clipping for his, as famous, scrap book...

In today’s America, the girl’s mother would most likely also have to face criticism. What Hollywood mother would take her underage daughter - although an aspiring model - to an American playboy’s house (Jack Nicholson) to pose privately for a famous European playboy?

Unless she wants her daughter to become sort of the next Nastasja Kiński.

And all Polański had to do was to follow Jerry Lee Lewis’s example, who after raping his 13 year old cousin, simply ... married her. Lewis created a scandal, of course, but according to Alabama law, back then their marriage was legal. Even if they lied about her age, nobody pressed charges and he did not serve time.

At one of the scenes in “Wanted and Desired,” during the interrogation, the police officer even asked Samantha if she was married to Mr. Polański (which she of obviously denied) ... So I guess that would make a difference...

Celebrity status helped at some point in history, long ago, but these days it may be quite different. Look at Martha Stewart’s trial, another scapegoat... If she was Martha Nobody from Nowhere, New Jersey, nobody would pay attention and Dominick Dunne would not waste any ink on the pages of Vanity Fair... If Polański’s name was Smith, no Swiss policeman would care to report, after 35 years, a predator of a sexually active 13 year old “child” who was no stranger to Quaalude herself. Was that an uncommon occurrence back then? Not so as Mackenzie Phillips comes to mind. Mackenzie just recently came on Oprah and claimed to have a 10 year affair with her father, John Phillips the legend, the genius behind the Mamas & the Papas. For some, the California dreaming was induced by drugs - lots of drugs... Sex with an under-aged was not an exclusively European trend back then...

Keep in mind, that it was the era when on the big screen, young girls, with pretty faces, who portrayed prostitutes, sex objects were in style.

Remember how in “Taxi Driver,” 13 years old Jodie Foster played a 12 year old prostitute named Iris tried to escape her pimp (Harvey Keitel) in De Niro’s taxi?

Before being given the part, Foster was subjected to psychological testing to “ensure that she would not be emotionally scarred by her role” in accordance with California Labor Board requirements.

In 1978’s “Pretty Face,” 12 year old Violet’s virginity (Violet is played by a 12 year old Brooke Shields) is sold in an auction after her mother leaves her behind in a brothel... In the uncut version of the movie, Shields appears nude. Who did not hear about this movie back then?

In “Lolita” (made in 1962), it is said that the age of the female character was raised from 12 to 14 to meet MPAA (Motion Pictures Association of America) standards, and it is said that the actress was picked by director Kubrick himself, based mainly on the size of her breasts.

If Samantha were Jewish, at her age, two weeks shy of her 14th birthday, she may have already had her bat mitzvah - passed her “coming of age ceremony” and from this point “responsible for her actions...” What it means is that according to the Jewish law, she could legally own property or even be legally married, I’m not sure what the responsibilities of a Jewish wife may be, but I’m guessing that they may be similar to a non-Jewish wife...

Samantha did not have to take any responsibilities back then. In our culture she was still considered a child. But she is responsible for herself now and she is asking over and over to drop the charges. She is a different person now; he is a different man...

35 years has passed, time has healed the wounds... You think the justice will be served if we put a 76 year old man in jail, probably for the rest of his life, separating his wife and two children (Elvis is 9, Morgane 16) from their father?

America, please grow up! Oh, by the way, if Polański gets jail time, and I hope he does not, can we Poles at least have Rafał Pietrzak out of a Texas prison?

Rafał was accused (by Child Protective Services) of sexual molestation of his girlfriend’s 5 years old daughter... although his girlfriend stands by his side and denies the charge, so does the girl. The child was brought to the hospital by the couple (both immigrants with limited English. He is from Poland. She’s from El Salvador.) Rafał was accused, convicted and is serving (since 1998) 30 years for a crime he did not commit. The trial was a farce. Rafał’s attorney was not allowed to present any witnesses in his favor, and a so called “rape kit” was “negative.” The jurors sat down and each came up with a different sentence. Then they took an average of the number they came up with and that was...30. So much for justice... During the trial the prosecutor used ethnic slurs to which she later admitted privately but did not apologize in public.

Rafał’s mother and father, both died trying to get him out of prison, and now his aunt carries on with the campaign.

It is true, that in 1977, Polański may not have fully understood the seriousness of the crime he had committed; however, there are people who if the judge changes the sentence from 3 months and probation to 50 years behind bars, most likely would flee too. It is all about fairness in the trial. (It was obvious that neither Polański nor Pietrzak could get a fair trial in the US court.)

Oh well, if there is no other option but to extradite him, the lawyers could always book a flight to LA on Air France with a layover in Paris... □

Legal - Immigrants from 3

expect an employer to always know if an employee is authorized to work. There is a policy of “good faith defense”. This means that if an employer has employed an undocumented worker, compliance with I-9 procedures can serve as a defense for the employer, showing that they acted in good faith. This can serve to save the employer from possible fines or even prosecution.

This is why the employer’s I9 records and other compliance with the verification procedures is so important. *United States v. Walden Station, Inc.*, 8 OCAHO 1053, at 813, OCAHO Case No. 99A00040 (Apr. 21, 2000); *See* INA §274A(b)(6)(A) (An employer that has adhered to the requirements of employment verification has an affirmative defense against a charge of unlawful hiring. *Id.*)

Completion of the I-9 form creates a presumption that the employer has not knowingly hired an unauthorized alien. It is then up to the government to prove that the documents relied upon by the employer were obviously fake, or that the employer helped the employee to obtain fake documents. H.R. Rep. No. 99-682, at 57 (1986), as quoted in *Collins Foods, supra* note 17.

The good faith defense does not apply for employers who have “a pattern and practice of hiring undocumented workers”, whatever that means.

In short, the best thing for an employer to do is to establish procedures in the workplace complying with the verification rules and then training its HR staff to properly carry them out. INA §274A(b)(6)(B)-(C), (2005). Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRAIRA) §411. “Technical or paperwork violations of the employer sanctions provisions are exempted, as long as there has been a “good faith attempt” by an employer to comply with the verification requirement. The exemption will not apply if the employer fails to cure the violations within a 10-day window or if the employer has engaged in pattern and practice violations. This section applies to violations occurring on or after Sept. 30, 1996.” In this time of increased enforcement by ICE against employers of immigrants, this is ever more important. □

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