Former SS officers sentenced for massacre in Marzabotto, Italy

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More than 60 years ago, German SS units carried out a brutal massacre in the northern Italian town of Marzabatto, in which hundreds were killed. An Italian military court in La Spezia has only now sentenced, in absentia, the ten SS officers involved to life imprisonment and ordered they pay compensation of €100 million to the survivors and relatives of the victims. A further seven accused were acquitted.

Those condemned by the court were Paul Albers (88), Josef Baumann (82), Hubert Bichler (87), Max Roithmeier (85), Max Schneider (81), Heinz Fritz Traeger (84), Georg Wache (86), Helmut Wulf (84), Adolf Schneider (87) and Kurt Spieler (81).

Commenting on the verdict, a member of the Association of the Relatives of the Marzabotto Victims said, "Justice has prevailed at last. We waited for decades for this verdict."

Ferruccio Laffi, who lost 14 relatives in the massacre, said after the verdict was announced, "Justice was carried out—at least a little bit."

The judgement had a predominantly symbolic significance as far as the punishment of the perpetrators is concerned, since they all live in Germany and will probably not be extradited to Italy. Based on past experiences with similar cases and the advanced age of the accused it is unlikely they will face a German court for the crimes they have committed.

The massacre of the civilian population of Marzabotto, carried out between September 29 and October 1, 1944, by units of the 16th SS Armoured Infantry Division under the leadership of the notorious SS Sturmbannführer Walter Reder, was one of the worst and most brutal Nazi crimes of the Second World War. Some 800 people, mainly women, children and older men, were mown down and murdered in Marzabotto alone, with a further 1,000 killed in surrounding villages. The victims included some 200 children, some only a few days old.

The SS soldiers broke into houses, schools and churches, shooting their victims with machine guns, throwing hand grenades into houses and setting fire to buildings and churches. They even continued to shoot into the growing mountain of corpses. The few who survived only escaped death because they were covered by the corpses of their relatives and neighbours, or were able to hide.

A few weeks earlier, on August 12, 1944, the same SS unit, as well as Wehrmacht (regular army) soldiers, had taken part in the massacre of Sant'Anna di Stazzema, which claimed 560 victims within just a few hours.

The description of these events provided by military historian Gerhard Schreiber in his book *German War Crimes in Italy—Culprits, Victims, Prosecution* indicates the cruelty and brutality of the actions of the Wehrmacht and SS troops:

"Wehrmacht and SS troops, as well as Italian SS men, moved on Sant'Anna in four directions of attack, carrying out several massacres on the way. In Vaccareccia, 70 people were locked in a stable and then murdered by soldiers with hand grenades and submachine guns, finally using a flame thrower. The entire village was reduced to ashes. The same happened in Franchi and Pero. Those unable to flee in time were pitilessly annihilated."

"In Sant'Anna itself, Himmler's armoured infantry rounded up the inhabitants and those that had fled there in the square before the church, which was enclosed by a wall."

Schreiber then describes what followed, "Since there was only one entrance to the square, the people were in a perfect trap. The murderers now began their work; afterwards, the mortal remains of 132 men, women, children and infants formed a mountain of corpses. Then the flame throwers were deployed, which is why so many of the dead could never be identified. As the troops finally left, moving down the valley to Valdicastello, the SS men, who then killed 14 in Mulino Rosso and six in Capezzano di Pietrasanta, left some 560 bodies behind. The authorities were only able to establish the identities of 390 of the dead, including 75 children aged 10 years or less. The youngest victim was aged three months, the oldest 86 years."

The massacres of Italian civilians were in revenge and retaliation for the resistance carried out by the Italian population and groups of partisans against the German occupation. According to the orders of the Nazi and Wehrmacht leadership, 50 Italians were to be killed for every German victim. In the course of the operations in the Marzabotto area this ratio became one hundred to one.

The massacres of Sant'Anna di Stazzema and Marzabotto were two of many war crimes and crimes against humanity committed by the Wehrmacht, the SS and other German forces during the Second World War in the Soviet Union, Yugoslavia, Eastern Europe and in other occupied areas. In Italy, this massacre counts among innumerable other war crimes that became all the more brutal, cruel and reckless as the German troops were pushed back by the allied advance and the resistance of the partisans.

After the war, only SS Sturmbannführer Walter Reder, who led the 16th Armoured Infantry Division, was held legally accountable for the massacres of Sant'Anna di Stazzema and Marzabotto.

On October 31, 1951, an Italian military court in Bologna sentenced him to lifelong imprisonment. An appeal confirmed the judgement in 1954. Following massive pressure behind the scenes from the German government and Vatican representatives, a military court in Bari heard his case again in 1980, reducing his sentence. Five years later, on January 24, 1985, Waffen-SS officer Walter Reder was a free man who could return to his homeland Austria, where he was greeted by Defence Minster Friedhelm Frischenschlager, a member of Jörg

Haider's far-right Austrian Freedom Party.

This unleashed a wave of indignation in Italy. Survivors and relatives of the victims had opposed this war criminal being granted a pardon. Heaping yet more scorn on his victims, one year after his release Reder rescinded the apology he had given the municipality of Marzabotto during his detention, as well as the expression of "regret" during his trial in Bari. Reder died in Vienna in 1991 at the age of 75 years.

After the Second World War, only a few of the chief leaders of the Nazi regime faced an international tribunal in Nuremberg as war criminals. Shortly afterwards, interest in any further pursuit of those responsible for Nazi crimes noticeably cooled. The main reason was the beginning of the Cold War against the Soviet Union, in which the newly established Federal Republic of Germany played an important role as a NATO ally.

Many of those—in the armed forces, in the administrative machinery, in business and in the judicial system—who had got their hands dirty participating in crimes were now needed. Above all, the working class had to be prevented from making a reckoning with the social breeding ground of the Nazi regime, the capitalist system. The German legal system, in particular, had no interest in probing the crimes of the Nazi period, since many of those responsible had continued their careers in the Federal Republic uninterrupted.

In Italy, with the exception of a few military tribunals in the immediate postwar period, there was also little interest in prosecuting Nazi and fascist crimes.

In April 2004, as the trial of those responsible for the massacre in Sant'Anna di Stazzema opened in La Spezia, the *Frankfurter Rundschau* wrote, "It is not only in Germany that the wheels of justice grind slowly, in Italy also the prosecution of countless massacres of the civilian population by German troops in the final phase of the Second World War has largely petered out. In the early 1950s, when memories were still fresh and many of the culprits—German soldiers and Italian fascists—could still be apprehended, many of the files were closed."

In addition to the fact that West Germany and Italy were NATO allies, a significant factor was also their close economic collaboration as members of the European Economic Community (EEC), the forerunner of the European Union. But the unstable social equilibrium and the security of bourgeois rule in Italy were of even greater concern in ruling circles, since the Italian working class also had to be prevented from making any real accounting with fascism and capitalism.

The central responsibility for this is born by the Stalinist Italian Communist Party (PCI) under its leader Palmiro Togliatti. Before returning to Italy in 1944, Togliatti had spent 18 years in exile, mostly in Moscow, as a close and trusted friend of Stalin. While many members and supporters of the Communist Party had fought in the resistance movement against fascism and the German occupation, Togliatti joined the bourgeois coalition government in Rome as the representative of the PCI, in order to secure the survival of capitalism in Italy, becoming justice minister and deputy prime minister.

In his role as justice minister, Togliatti issued a general amnesty in June 1946, in the name of "national reconciliation." As a result, most of the fascists were released from detention: By July 31, 1946, 7,000 of some 12,000 detained fascists had been released. In July 1947, only 2,000 still remained in prison; in 1952 merely 266 were imprisoned. A further amnesty on November 19, 1953, led not only to the release of nearly all remaining prisoners, but also applied to those fascists, who had gone underground (*Transnationale Vergangenheitspolitik. Der Umgang mit deutschen Kriegsverbrechern in Europa nach dem Zweiten Weltkrieg* ("Transnational Policies for Dealing with the Past: The Treatment of German War Criminals in Europe following the Second World War"), Norbert Frei, editor, Göttingen: 2006, pp. 556).

The resumption of the trial of German war criminals for the massacres of Sant'Anna di Stazzema and Marzabotto by the military court in La Spezia in 2004 meant at least some of those responsible faced charges and were found guilty. In June 2005, 10 former German SS soldiers were sentenced to life imprisonment in absentia for the massacre in Sant'Anna di Stazzema.

However, the German legal system did nothing to ensure that the war criminals living in Germany were called to account. The whereabouts of two of the former SS men found guilty in Italy were uncovered by investigative journalists and Nazi hunters and their role made public.

In August 2006, *Kontrast* magazine reported on 82-year-old Karl Gropler, who was involved in the massacre in Sant'Anna di Stazzema and who had lived undisturbed for decades in Wollin, a village in Brandenburg.

Since early 2005, Gerhard Sommer, also sentenced by the court in La Spezia for his participation in the Sant'Anna di Stazzema massacre, has lived in an old people's home in Hamburg. The public prosecutor's office refuses to level charges against the war criminal in this case as well.

German justice, which for decades has failed to make any accounting with Nazi war crimes, and which has blocked compensation claims by survivors and their relatives, has also shown little interest in reinvestigating these crimes in light of the recent court case in Italy.

The ever increasing participation of German troops and Special Forces in numerous international war missions, and German participation in the so-called "war against terrorism," means that the government is eager to avoid any precedent whereby those responsible for actions that are illegal under international law are held responsible before the courts.