

SS massacre in Sant'Anna di Stazzema goes unpunished

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On October 1, 2012, the Stuttgart attorney's office announced it would not pursue charges against the surviving participants of the massacre carried out by German SS troops in Sant'Anna di Stazzema in northern Italy and was ending its decade-long investigation. The public prosecutor declared it was not possible to prove that the accused were involved in crimes that were not time-barred.

The judgement means that one of the most brutal war crimes committed by German troops in Italy at the end of World War II remains unpunished. Five hundred sixty women, children and men were killed by German troops in a bestial manner within a few hours.

On August 12, 1944, the armoured reconnaissance battalion 16 of the SS Panzer Division "Reichsführer SS" led by officer Walter Reder invaded the municipality of Stazzema in the province of Lucca as part of a so-called cleansing offensive. The squad left behind a trail of destruction and death.

On the way to Sant'Anna, the German army (Wehrmacht), assisted by both German and Italian SS troops, carried out a series of massacres of civilians. They moved into the town from four different directions in order to ensure that no one could escape.

In his book *German War Crimes in Italy—Culprits, Victims, Prosecution*, military historian Gerhard Schreiber indicates the cruelty and brutality of the Wehrmacht and SS troops:

"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 flamethrowers 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 6 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 massacre took place just days after British troops liberated the city of Florence from the German occupation. It takes its place among a series of German war crimes in Italy that became increasingly cruel and ruthless as German troops encountered mounting opposition from allied troops and the partisan resistance. The stated aim of the Nazi leadership was a scorched earth policy, and this order was subsequently passed on to the Wehrmacht and the SS.

At the end of the war, the crimes committed by the Wehrmacht and the SS in Italy were largely hushed up. Hardly any of the people responsible were brought to justice, including those involved in the massacre at Sant'Anna di Stazzema.

One reason was the Cold War against the Soviet Union. The allied powers decided that the investigation of German war crimes should not stand in the way of the rearmament and integration of the Federal Republic into the NATO alliance. The Italian judiciary quickly dropped its own investigations while German courts failed to express any interest.

It was only several decades later that the events at the

end of the war found a wider public. In 1994 and 1996, two historians, Friedrich Andrae and Gerhard Schreiber, published independent studies based on the analysis of military archives, war diaries and accounts of witnesses, documenting German war crimes in detail. Since then, a number of journalists and survivors of the atrocities have carried out research in order to bring to justice those responsible.

Sixty years after the massacre at Sant'Anna di Stazzema, on April 20, 2004, a military tribunal in La Spezia opened proceedings against three former members of the Waffen-SS—Gerhard Sommer, Ludwig Sonntag and Alfred Schönberg. The elderly defendants did not appear in court, however. They lived and continue to live unmolested in Germany.

In June 2005, the military tribunal in La Spezia convicted 10 former Nazi officers and sentenced them to life imprisonment due to their involvement in the massacre. The court judged that the brutal crime had been committed intentionally.

In Germany, the Stuttgart public prosecutor initiated its own investigation in 2000 against 17 persons. The prosecutor refused to name any of the accused, of whom 9 are now deceased. Amongst the 8 survivors is the now 91-year-old Gerhard Sommer, who has resided since 2005 in a housing facility for seniors in Hamburg.

In a press release, the prosecutor justified closing its case with the argument that there was insufficient evidence to demonstrate that the massacre was a “deliberately planned and commanded extermination campaign against the civilian population”. There remained the possibility “that the original aim of the intervention was to fight partisans and capture able-bodied men for the purpose of deportation to Germany, and the shooting of civilians was only ordered when it was clear that this goal could not be achieved.”

According to the argumentation of the prosecutors' office, under the above premise, “the shooting of civilians” in Stazzema by a unit of the Waffen SS could not be designated murder, and therefore charges against the former Nazi officers were to be dropped.

The judgement by the Stuttgart court is a major affront to the families and survivors of this horrendous

war crime, but is entirely consistent with the practice of the west German judiciary, which in the entire period since the Second World War has refrained from the systematic prosecution and condemnation of Nazi war crimes.



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