Auschwitz bookkeeper Gröning sentenced to four years in prison

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The district court of Lüneburg, Germany sentenced 94-year-old former SS volunteer Oskar Gröning to four years in prison on Wednesday for his participation in the murder of more than 300,000 Jews in the Auschwitz concentration camp.

The sentence, handed down by presiding Judge Franz Kompisch, is a half year longer than that proposed by the public prosecutor's office. The prosecution and the defense have one week to appeal the decision.

Due to his poor health it is doubtful whether Gröning will ever serve time in prison. Despite this, most of the plaintiffs and their attorneys appeared satisfied with the verdict. For them, the trial was about letting the perpetrators of the crimes of the Holocaust know that they should not feel safe from prosecution, even if their crimes were committed many years ago.

The sentence is, above all, a damning indictment of the German judicial system, which was pervaded by former Nazi judges in the postwar period and, until the first Auschwitz trial in 1963, had not prosecuted a single criminal who had been involved in operating the concentration camps.

For decades only direct involvement in an act of murder was considered to be worthy of prosecution as accessory to murder. Law enforcement would require concrete proof that the accused was directly involved in a killing, something which was generally impossible after decades had passed. This changed with the trial of John Demjanjuk in Munich in 2011. (See: Demjanjuk Nazi war crimes trial ends in Munich)

The legislature had prevented Nazi criminals from being brought to trial or convicted. In 1979, against considerable opposition in the Bundestag, a statute of limitations on murder was prevented at the last minute, something which would have made any further prosecutions impossible.

Gröning's defense in Lüneburg also argued in favor of an acquittal on the grounds that he had not directly participated in an act of murder. However, the court rejected this line of reasoning. Judge Kompisch explained in his ruling that Auschwitz was "a machinery created for the purpose of killing human beings," in which everyone who took part was guilty under the law.

In order to consider only those who participated directly in an act of murder as accessories to that murder, one would have to do something comparable to what took place during the planning of the concentration camps. "One has taken apart the entire thing and divided it into parts." Kompisch called this "a strange administration of justice."

Following the correct criteria now established by the court in Lüneburg, tens or hundreds of thousands who took part in the murder machinery of the Nazis would have been brought to justice rather than leading comfortable, quiet lives and making careers for themselves in the Federal Republic after the war.

Gröning's own role in Auschwitz was known for decades. An investigation into him was opened in 1978, during which he willingly testified. His case was closed in 1985.

In 1984, Gröning testified as a witness against Gottfried Weise, who had executed children in Auschwitz and was sentenced to life in prison. In 2005, he gave extensive interviews to the BBC and *Der Spiegel* in which he discussed his experiences in Auschwitz.

Gröning had admitted from the very start of the trial that he was morally complicit in the crimes, but said that he had only been "a poor, minor non-commissioned officer."

The court recognized that Gröning, as a bookkeeper

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who meticulously fulfilled his duty, was complicit in vile crimes. In a statement read out by his attorney, he declared: “I am aware that through my actions in the management of prisoner money I made myself complicit in the Holocaust, however small my part in it may have been.”

Gröning grew up in a strict, nationalist oriented family (his father was a member of the right-wing “Steel Helmets”). As a young man he became a convinced National Socialist and volunteered for the SS, signing a declaration of commitment which swore him to the strictest confidentiality.

He was assigned to Auschwitz where, as a skilled banking official, it was his job to count the money stolen from deportees, sort it by currency and transfer it to Berlin.

Occasionally, he also served as guard at the platform where incoming prisoners were divided into groups. The majority of them were led into the gas chambers while a smaller number were faced with “extermination through work” in order to make the cheapest labor available to German businesses. According to his own statements, Gröning only guarded the luggage taken from the prisoners.

Judge Kompisch correctly dismissed excuses for the small role that Gröning had supposedly played: “Mr. Gröning, you do not want to tell us that you did not see the suffering of the people. Of course you saw it!” Gröning's claim that he only guarded the luggage did not diminish his guilt, according to the judge. “Guarding the luggage is enough in order to provide aid for the smooth running of things,” said the judge.

In the view of the court, neither the spirit of the times nor the conservative upbringing of the accused justified the role he played. “You were a totally normal person, Mr. Gröning,” said the judge. “You were trained to work in a savings bank, did sports, were social. You also had the ability to think for yourself. Of course there was indoctrination, but people did not cease to be able to think. You decided that you wanted to be involved. You wanted to belong to the dashing and daring troops of the SS. That is a decision.”

The judge said he bore responsibility for this decision, “certainly in view of the times,” but he was “not unfree.” Gröning would obviously have preferred to be in Auschwitz to being at the front, the judge argued. “I don't want to call you cowardly, Mr. Gröning, but you decided here for the more secure desk job,” he said.

The fact that Gröning was completely conscious of the criminal character of his activity was made clear by the fact that he applied twice for a transfer, after especially gruesome events, but then reconciled himself to them. His efforts at gaining a transfer were only successful after his third attempt.

The first incident took place on the ramp in 1942. He saw how an SS soldier picked up a crying baby left behind among the belongings of the prisoners. “He hit it against a truck and the crying stopped,” he said. “My heart stopped.” He said that he went to the man and said “That is unthinkable.” He said that when he applied for a transfer, he emphatically reminded his superior of his formal obligations.

However, he reconciled himself with the denial of his application for a transfer and continued to count and sort the money of the dead, numbing himself with vodka.

In order not to endanger the trial by prolonging it, the charges were restricted to the so-called Hungary Action. As the historian Stefan Hördler explained in a previous session of the trial, the Auschwitz concentration camp was intentionally prepared for the mass extermination of the Hungarian Jews. “Killing experts were brought to Auschwitz specifically for the Hungary Action,” he told the court.

In the two months between May 16, 1944 and July 11, 1944, the SS deported approximately 425,000 Hungarian Jews to Auschwitz. At least 320,000 of them were killed immediately in the gas chambers.

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