

## Freiheitskämpfer oder Terroristen?

### Dilemmata von Besetzung, Widerstand und Vergeltung im Zweiten Weltkrieg.

#### Am Beispiel von Oradour-sur-Glane, Via Rasella, Rom, und Lidice

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My purpose is to discuss three incidents that occurred in three different countries and which, through their complex stories, should shed some light on the legal, moral, and political problems of military occupation and resistance in Europe during WWII. What I have in mind is the massacres at Lidice, Oradour, and the Ardeatine Caves.

I do not need to emphasize here how relevant these problems are today when millions of people live under foreign occupation -- or what they perceive to be foreign occupation -- and when a vast number of civilians feel entitled to take up arms against the occupiers, the collaborators, and against one another.

Partisan warfare, acts of terror, counter-terror by the occupation forces, the killing of hostages, etc, are as old as human history, but these activities greatly increased during WWII, a period not only of massive armies but also of widespread underground resistance to occupation forces. Admittedly, however, the extent of the underground resistance varied greatly in such places, at one end of the spectrum, as Yugoslavia, Poland, and Russia, where partisan forces tied down several German army divisions, to such places, at the other end of the spectrum, as Denmark, Hungary, and Austria where the anti-Nazi resistance gave no headache to the occupier. I would even argue that the employment of civilians in the struggle against occupation forces and, even more, the propagandistic glorification of civilian action against the military, are among the most lasting and most influential legacies of WWII. Today, the most popular hero of WWII is, first of all, the elite soldier, the commando, the ranger, the Waffen SS man, and second, the Partisan, the guerrilla, the underground fighter. The latter has been rather irresponsibly romanticized by both Western cinematographers and, as long as the Soviet Union lasted, Soviet propagandists.

The arch-typical example of this glorification is Ernest Hemingway's novel, *For Whom the Bell Tolls*, and the film that is based on the novel. Here the beautiful guerrilla girl, Ingrid Bergman, with a red beret on her head and a red kerchief around her lovely neck, as well as the silent American hero, Gary Cooper, heroically blow up a huge railroad bridge just when the Spanish fascist troops and tanks are crossing. The film does not explain

that such actions were extremely rare; nor does it say anything about the inevitable revenge the fascists would take on the local population.

Today's terrorist culture must be seen as growing out of the diverse resistance activities in the early 1940s. The main difference is that today's terrorists are more ruthless than those of WWII. During that war, uninvolved civilians were never the intended targets of resistance activity, although they often became unintended victims such as, for instance, the wounded, the nurses, the wives and children in a German military train crossing Poland or France. Today, innocent civilians are considered legitimate and desirable targets, such as all Irishmen in a Belfast pub, be they Catholics or Protestants, or ordinary Iraqi civilians in Baghdad. Note that such extremist action and the praising of such actions in the Western media began in the Algerian war when Arab freedom fighters lobbed bombs indiscriminately into crowded cafés.

Still, all armed resisters, whether during WWII or today, pursue the same goal, namely to create a chaotic situation in an atmosphere of fear and intimidation that allows for no neutrality and that forces ordinary citizens to take sides.

Please note that resistance activity did not completely coincide with the years of WWII, namely 1939-1945. There was very little armed resistance in Hitler's Europe before the German attack on the Soviet Union in June 1941; conversely, partisan activity in Eastern Europe did not stop with the end of the war; in Poland, Ukraine, and the Baltic countries, guerrilla activities continued – against the Soviet occupiers – until the 1950s. There was also some armed resistance in occupied Germany to the Soviet and the Western forces as well as to the German collaborators.

This brings us to the problem of the Soviet occupation, which often paralleled German occupation, and to which civilians responded with the same ferocity as to the German occupation. In fact, the first time we come across the term "partisan," it is not in connection with German-occupied Europe but with Soviet-occupied Lithuania in 1940.

A few more general considerations before I turn to the three incidents. You may agree with me that what we are experiencing since WWII is the simultaneous professionalization and de-professionalization of warfare. Armies of conscripts have become obsolete, but armies are still terribly important: the best trained and best-equipped professionals win the war, but even the best-trained and best-equipped professionals are often powerless when confronted with a relatively small group of dedicated civilian warriors who fight in disguise.

The great achievement of the 18. and 19. centuries was the careful separation of non-combatants from combatants. Earlier, during the Thirty Years' War, for instance, soldiers were nearly undistinguishable from non-soldiers; anyone with some kind of a weapon could participate in the slaughter. In the 18. century, however, during the so-called dynastic wars, soldiers were put in uniform; they were fed, clothed, and paid by the state. They marched in disciplined units and within a strictly organized command structure. This represented a huge step forward in civilized behavior, made possible by increased industrial and agricultural production as well as by the standardization of weapons, clothing, footwear, and food. In the 18. century wars, the civilian population often remained quite uninvolved.

This new system was gravely endangered during the French revolutionary and Napoleonic wars by the practice of the *levée en masse*, mass mobilization, the creation of militia forces, and guerrilla activities in Spain and Russia; also by brutal retribution practiced by the Napoleonic armies. Following the conservative restoration in 1815, however, armies again became highly trained, relatively small institutions, made up of long-serving soldiers and led by career officers. Even the introduction of universal military service, mostly in the 1860s, did not basically change the situation: civilians in uniform were now trained to become efficient murderers on behalf of the fatherland, but when not in uniform, they were strictly forbidden to use violence in any form. This, too, was a great achievement, which gave Europeans a sense of security and allowed for extraordinary economic and social progress.

The crowning events of the drive to organize and to humanize war were the Hague conventions on Land Warfare of 1899 and 1907 and the diverse Geneva Conventions, especially that of 1929, which were binding to the signatories.

The basic principle of these conventions was that wars are fought by soldiers in uniform who must abide by a number of internationally accepted rules. These rules forbid the mistreatment of civilians; nor do they allow the occupier to introduce fundamental political changes in the occupied country. During the war, there is to be no aerial bombardment of civilian targets, no use of dum-dum bullets or of chemical weapons; nor is the artillery allowed to attack undefended cities. Furthermore, POWs are to be treated like one's own soldiers; the wounded must be taken care of, etc.

The 1907 The Hague convention regulated relations between occupier and the non-combatant civilian inhabitants in the occupied country. Its essence was that civilians were to obey rational orders; if they disobey, they would expose themselves to severe reprisals. Thus a certain degree of collaboration with the enemy was expected.

At The Hague, however, one minor concession was made to such poor countries that lacked the ability to maintain a large standing army: civilians were allowed to resist the invader but only during the time of invasion. Furthermore, the armed civilians had to fulfill four crucial conditions: to display their arms openly; to wear a distinguishing mark, such as an armband; to belong to a clearly identifiable command structure, and to obey the laws of war. In brief, the civilian fighters were to do exactly what the resisters of World War II would not dream of doing.

One more proviso was accepted at the Hague, namely that the occupying power must be able to enforce law and order; the more partisan activity, the less law and order, the less the occupier has the right to suppress partisan activity.

WWI brought many disappointments to promoters of orderly warfare. One of the unexpected problems was the hysterical fear of occupying armies from guerrilla attacks. Witness Belgium in 1914 where the Germans' fear from mostly non-existent franc-tireurs caused them to engage in brutal repression. [On this, see John Horne and Alan Kramer, *German atrocities, 1914: a History of Denial* (2002). Also, Charles Fryer, *The Destruction of Serbia in 1915* (1997).] All in all, many massacres perpetrated during WWI, mainly by the German, A-H, Russian, and Turkish armies.

After WWI, renewed attempts were made to legislate warfare; simultaneously, statesmen attempted to outlaw aggression, such as in the Kellogg-Briand Pact, which was signed in 1928. Their attempts failed because no aggressor ever admits to fighting an aggressive war; all aggressors claim to act in self-defense.

The first two years of WWII amounted to a European war. German brutality was practiced only in the East, that is in Poland. In general, throughout the war, armies in the West respected the laws of war, especially with regard to captured soldiers.

(However, there were such serious exceptions as, for instance, the Germana' mistreatment of some but not all captured Jewish GIs).

Until 1941, there was very little partisan activity in Europe, mainly because the Soviet Union was a German ally. Then the German attack on the Soviet Union on June 22, 1941, opened an ideological crusade against Bolshevism and Jewry. The crusade received significant support in the rest of Europe. Now Stalin ordered immediate partisan activity; scattered Red Army units were ordered to fight to the death; anything less was considered treason, punishable by death. Meanwhile, however, over a million Soviet citizens joined the German side.

At last, the Communists became active in the resistance, which changed the situation completely. The Communists were the most experienced and the most dedicated resisters who hoped to bring about a social revolution through a determined fight against German fascism and the fascists' domestic allies. They were confident of success because of their conception of fascism as the last resort of crumbling capitalism.

Others in the resistance were more hesitant. For many in the non-Communist anti-Nazi resistance, such as the Norwegian Milorg, the NSZ in Poland, the Chetniks in Serbia, the EDES group in Greece, etc., Communists represented the true long-term threat, not the German Nazis.

Time for us to turn to our case histories

1. Czechoslovakia was the first genuine victim of Nazi aggression. The years 1938-39 witnessed first the occupation of the Sudetenland, then the country's quick transition to an authoritarian system, and finally the creation of the German Protectorate. This was followed by the first anti-Nazi demonstrations organized by students in Prague, which led to the imprisonment of thousands. There was, however, almost no sabotage activity.

Now President Edvard Benes entered the picture from his British exile. He had resigned in Nov. 1938, then changed his mind on the issue, proclaimed himself president again, working hard to overcome British suspicions, even hostility. His goals were (1) to re-create Czechoslovakia that had fallen apart in 1938-39; (2) to solve the question of national minorities by getting rid of the country's Germans and Hungarians. In other words, Benes wished for Czechoslovakia to live up to the fundamental East European lie, namely that theirs was a nation-state.

Benes needed to prove that Czechoslovakia was worthy of pursuing its own nationality policy, and that he should be in charge of that policy. This was no easy task because, at home, there existed a legitimate government that Benes himself had recognized. This government was maintaining extensive and mutually beneficial relations with the German occupiers.

Benes now sought the assistance of the SOE (Special Operations Executive) that Churchill had created in order, as he said, "to set Europe aflame." The Czechoslovak exile government and the SOE together developed a plan to assassinate someone important in the Protectorate so as to create a revolutionary situation. For that purpose they used parachutists flying out of England; as it turned out, the Deputy Reichsprotektor, Reinhard Heydrich, the real ruler of the Czech lands, presented an ideal target. He was

mortally wounded on May 27, 1942, by two parachutists, Jan Kubis and Josef Gabcik; the two were, however, soon betrayed by a fellow-parachutist, Karel Curda. Kubis and Gabcik were killed and the Gestapo eliminated their entire network. It seems that because of the fear of reprisals, most of the Czech public was also against the SOE agents.

German reprisal, which altogether demanded about 1,500 victims, took the most specific form in the village of Lidice where, on June 9, 1942, 198 men were shot while 195 women and 98 children were deported to concentration camps. Subsequently, Lidice became the symbol of Czechoslovak resistance. T

The post-Heydrich reprisals greatly weakened the Czech resistance movement.

Czechs and Slovaks continued to enjoy a privileged status but, at least in Slovakia, there was a massive uprising in the summer of 1944. The Czech resistance itself must be judged a failure, hence, the increasing propagandistic importance of Lidice, which the Benes government fully exploited. Lidice became the defining moment, the great heroic symbol of WWII Czechoslovak history. What an irony when we think that other, more realistic symbols could also have been chosen such as the collaborating Skoda engineers and workers, or the Czechs civil service and police, which diligently assisted in the deportation and hence the nearly total annihilation of the Czech Jews. Or the Slovak parliament that voted unanimously, with the single exception of a Hungarian deputy, for the anti-Jewish laws and the deportation of the Slovak Jews.

Theoretically, the German reprisals were not illegal. The attack on Heydrich was a choice example of internationally outlawed activity. Now the Germans restored law and order at a relatively small cost. Politically, however, Lidice proved to be suicidal for the Germans because it doomed nearly three million Sudeten Germans. Following liberation in May 1945, thousands of them were killed and millions were expelled from Czechoslovakia.

True, it can be argued that the post-WWII expulsion formed a part of the great German retreat from Eastern Europe that would have taken place with or without Lidice. In any case, from the point of view of the Czech exile leadership, the killing of the Reich Protector was a highly successful move; among other things, the exiled leaders were definitely recognized as legitimate representatives of the fighting Czechoslovak people. At Potsdam, in 1945, the Three Greats legitimized the most massive ethnic cleansing in human history.

2. Via Rasella.

Italy was the most important German ally in Europe, yet its armies were miserably unsuccessful in Greece, France, Libya, on the high seas, and at the Russian front. One example of this national debacle was the annihilation of the 8th Italian Army at the Don River in the winter of 1942-1943.

In July 1943, the Allied forces landed in Sicily; soon thereafter, his own underlings arrested the Duce. The war continued but secret negotiations began with the Allies. On September 3, the new prime minister, Marshal Pietro Badoglio, signed a secret capitulation; subsequently both king and government fled to the south into areas occupied by the Allies.

One must admit to the brilliance of the German counter-measures; not only did they succeed in stopping the Allied advance but they completely disarmed the Italian army which was ten times the size of the German forces present in Italy and the Balkans. But now Italy was officially an enemy of Germany; the puppet fascist regime under the Duce at Salò was widely unpopular among Italians.

In Italy, unlike in the Czech Protectorate, there developed a massive resistance to the German occupation but there arose also the inevitable disagreements within the resistance forces. Basically, there were three groupings: the Monarchists (Badoglio); the moderates (Christian Democrats, Social Democrats), and the Communists as well as the allied Socialists. The monarchists favored restoring the pre-war regime; the moderates hoped for a republic and democracy, and the Communists fought for a social revolution. All also shared in a common political goal, which was to prove the innocence of the nation. At the very least, they hoped to atone for Italian crimes committed in Abyssinia and the Balkans.

Let us now turn to the Via Rasella incident created by Italian Communist guerrillas. The target was a German military police company, which marched through the same little narrow passage in the center of Rome, the via Rasella, every single day at exactly the same time, and incidentally always singing the same song. There, some twenty odd young guerrillas waited for them who, among other things, placed a powerful bomb in the way of the Germans while disguised as street cleaners. The explosion killed 33 Germans and wounded more, blinding several among them. Ironically, the soldiers, mostly middle-aged men, were from Bolsano/Bozen, which means that before the war they were Italian citizens. The terrified soldiers in turn shot several bystanders in the neighboring buildings. All the partisans escaped unscathed. (Best source: Robert Katz, *Battle for Rome*. GAP, Gappisti (Patriotic Action Group); Carla Capponi (Elena), Rosario Bentivegna (Paolo))

There were in Rome at that time very few Germans; the Gestapo was a minuscule force; the fascist police not much larger. What was the occupier to do? Three possible alternatives were considered. Hitler was for massive retaliation and the destruction of a part of Rome; the commander of the German forces in Italy, Field Marshal

Albert suggested the shooting of ten Italians for every German killed, and the local German diplomats argued for no retribution. (Karl Wolff, Herbert Kappler, Erich Priebke, Kurt Malzer, von Mackensen, Ernst von Weizsäcker; Pietro Caruso, Pietro Koch.) Finally, a middle of the road solution was adopted, namely to execute ten Italians for every German killed.

Gestapo Chief Lt Colonel Herbert Kappler initially planned to execute only those who were doomed in any case. Because only three Italians were found in the prisons of Rome who were under death sentence, one had to enlarge the search among political prisoners. As a horrible irony, the SS added 78 innocent Jews to the group, presumably because the Jews were *Todeskandidaten* in any case. Characteristically, no one cared about the fate of these Jews, least of all Pope Pius XII who was infuriated by this latest Communist outrage that threatened the hoped-for status of Rome as an Open City.

Altogether 335 Italians were killed in the so-called Ardeatine Caves, under gruesome circumstances. The victims included generals, priests, resistance fighters, criminals, innocent bystanders from the Via Rasella area and, of course, the Jews. Only one of the hostages tried to escape but was caught immediately; He turned out to be an Austrian military deserter who had tried to pass as an Italian. He was not executed because in the Ardeatine caves only Italian citizens were to be massacred. In fact, the Austrian deserter survived the war.

From a German point of view, the retribution at the Ardeatine Caves must be judged a partial success. The incident greatly weakened the Italian resistance in Rome; moreover, the Pope and much of the public condemned the Via Rasella attack. The Germans were safe in Rome for the next few weeks.

Again theoretically, the German action was not illegal. Hostage taking (and hence hostage shooting) as well as similar reprisals were recognized as legal at one of the so-called Follow Up Nuremberg American trials in 1948. That trial concerned the Southeast European field of military operation where Field Marshal Wilhelm List had been commander. In Rome in 1948, Gestapo Chief Herbert Kappler was tried and sentenced, not for killing 330, but for killing five extras. In the parlance of the Soviet Union, he had over-fulfilled the norm. Kappler admitted that when it had turned out that there were an extra five hostages in the cave, he ordered their execution so that they would be forever silenced from telling the gruesome story. Caves.

Not a single one of the more than twenty partisans presented themselves to the fascist authorities in order to spare the lives of at least some of the hostages. None ever expressed regrets. All of the group survived the war, and some among them as, for instance, the famous Elena and Paolo, received the highest Italian decoration for heroism. The two were married; Paolo became a Communist deputy in parliament.

As I have already mentioned before, hostage taking was considered legal; today, however, this is no longer the case as the UN outlawed such activity in 1949. While it was legal, no one stated how many hostages one was entitled to shoot for every soldier who had been killed. During WWI, generally only a few were executed for one murdered soldier; during WWII, as practiced by the Germans, ten for one was considered a minimum. In Serbia, for example, the German army usually shot people at the ratio of 50 or 100 for one.

The Ardeatine Caves massacre was morally indefensible but an army of occupation doesn't have much choice in the matter. Only the Communists understood the true nature of this type of activity. The killing of soldiers from stealth by "peasants in black pajamas," as was the case in Vietnam, invites massive retaliation and wholesale massacres. Communists turned this recognition into a deadly weapon against the occupier but also against their rivals in the resistance movement.

In the long run, however, the Italian Communists failed because their dream of triumphant socialism did not materialize; instead, almost immediately after the war, Italy became a part of the American-led imperialist bloc. From the Italian patriotic point-of view, however, Via Rasella was not a futile exercise because it strengthened the image of the Italians as victims. Italian diplomacy, literature, and the film industry fully exploited this line of argument projecting the image especially of the Italian soldier as a poor, little, bumbling, opera-singing victims. Yet the Italians too could have chosen as their national symbol not the Ardeatine Caves but, for instance, the Italian bombing and gassing of thousands of peasants in the Abyssinian war.

3. At Oradour the situation was somewhat different from that in Lidice and Rome. Oradour, which is in the Limousin region in west-central France, formed a part of Vichy France after June 1940. The Germans occupied the area in Nov. 1942. It was a rather poor farming region in which the Communist Party was traditionally very strong.

On June 10, 1944, four days after the first Allied landings, a company (120 men) of the SS Panzer Division "Das Reich" entered the village and following several hours of systematic preparation, burned alive all the women and children in the village church. Almost all the men were shot. The total number of dead was 642. Only one woman, a certain Mme Rouffanche escaped from the burning church; she was to serve later as a crown witness at the trial of the Oradour murderers. Two children also survived; altogether there were 80 survivors, but this includes those from the village who were in German POW camps at that time. The official French history of the event states that, at Oradour, no previous attacks on the occupier had taken place, and that the victims were without exception innocent. The German retribution was for attacks committed elsewhere.

Unlike the case of Lidice and that of the Via Rasella it remains unclear from where orders for this atrocity originated. The affair reminds me of the US massacre at My Lai during the Vietnam war where the soldiers

seemed to avenge attacks committed elsewhere and where the chain of command could similarly never really be established. In the My Lai case, only a young US lieutenant was punished and even he only symbolically. The commander of the SS division, General Heinz Lammerding, never spent a day in jail. A French court sentenced him to death in absentia in 1951 (mainly for atrocities committed at Tulle and elsewhere), but the British occupation authorities refused to extradite him. In turn, the German criminal proceedings against Lammerding were closed because of the French proceedings. Lammerding became a highly successful engineer in West Germany and died much later in his own bed. Other perpetrators were killed during the war, most important among them Captain Adolf Dickmann, the company commander, whose activities even extreme German nationalists tend to condemn.

There is incidentally also a German nationalist version of the story according to which French partisans captured, and burned to death, four German soldiers, and it was members of their company who subsequently descended on the village in a fury. Some German sources also claim that the church was not set on fire but that the ammunition hidden by the partisans there exploded, killing the women and the children. The Germans nationalists' claims must be judged false. Note, however, that neither in Czechoslovakia, nor in Italy or France were the German massacres completely unprovoked; the genocide of the non-Jewish population was the goal of the Germans only in Poland and Soviet Russia.

What happened in France in the days of Allied landings is best analyzed in Tzvetan Todorov, *A French Tragedy: Scenes of Civil War, Summer 1944* (1996), which deals with a place called Saint-Armand, and where events assumed the character of what French historians call, *la guerre franco-française*. Combatants on both sides were acquainted with each other; often they were former friends. The main victims in Saint Armand, just as in Rome, were again the Jews whose survival counted for little in the eyes of the combatants.

At Oradour, the victims were the local population. No doubt, the SS division had been harassed by the maquis but there was no immediate reason, no rational explanation for massacre; Oradour remains morally and legally unacceptable.

(Best source on this is Sarah Farmer: *Martyred Village* (1999))

The Oradour tragedy was followed by a tragicomedy. At the so-called Bordeaux trial, held in 1953, it soon transpired that 14 out of the 21 SS defendants were French citizens. They were Alsations who, with a single exception, claimed to have been forcibly drafted into the SS. These were the so-called "malgré nous" whom the Alsatian politicians and press ardently defended. Such an excuse would have been rejected not only in Stalin's courts but even at Nuremberg which categorically repudiated the alibi of superior orders. At Bordeaux, however, the defendants were luckier; in their case, politics took precedence over morality and legality, the

loyalty of Alsace-Lorraine being judged more important than that of a southern French province that had no choice but to remain loyal and whose inhabitants had been voting Communist in any case. There were enormous demonstrations in Alsace-Lorraine on behalf of the defendants and so, at the end, only one German SS man was sentenced to death and no one was executed. All the accused were let go within a few years.

The consequence of the Bordeaux trial was that the unity of France was preserved; the French people were reassured that, rather than being accomplices, they were victims of Nazi oppression. Yet, simultaneously, France's West-German allies were not alienated either; after all, this was 1953. Thus all were winners, except the families of the Oradour victims. Had the trial taken place in 1945-46, there can be little doubt that many of the SS men would have been hanged for crimes committed in what now is officially called the "martyred village."

## CONCLUSION

The principles of legality and morality in war have been long established and, in fact, acts of terror and ethnic oppression recently led to public condemnation, even to military intervention in places like Kosovo and Iraq. Still, we must admit that the laws of war are often brutally violated. One might even say that the breakdown of bourgeois order brought back the Stone Age when everybody was a warrior and yet no one was a warrior. For this sad state of affairs WWII and the glorification of the underground fighter are partly responsible. And yet, it is also true that, during WWII, armed resistance was justified because of the satanic nature of German Nazism.

Italians today are proud of such heroes as Paolo and Elena of the Via Rasella incident for having risked death in the struggle for a better society, but we must also be aware of the consequences of their actions, which were often detrimental to the people they thought they were helping. In sum then, WWII armed resistance was both moral and immoral; moral because it combated the Nazis, and immoral because of the general suffering it caused. From a military point of view, only a few resistance groups, such as those in Yugoslavia, Russia, and Poland became so powerful as to cause serious trouble to the German army. On the other hand, it is also true that the wartime resistance movements exercised a profound influence on post-war democratic developments. Without them, a return to the bad old pre-war politics would have come even faster.

What then should we think of today's resistance fighters, whether in the Basque country, the Gaza Strip, Sri Lanka, Afghanistan or Iraq? I would tend to call them terrorists and I condemn them, but I am also very much aware of the fact that my terrorist might well be your freedom fighter.