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Fascist Justice: Italian Military Magistrates in the Colonies and Occupied Territories (1922–1945)

Introduction

Although the history of Italian military justice has been studied, little is known about the stories of the country's magistrates. To date, we know some general aspects concerning military law and regulations, and while most historiographic works focus on the role of military tribunals during the First World War, some recent research has shed light on their role in certain territories occupied by Fascist Italy in the 1930s–1940s. However, almost nothing is known about one of the most important institutions: The Supreme Military Court and its members, the military magistrates, are practically unknown. Why? This chapter attempts to answer this simple question, which requires some preliminary consideration.

We will divide this chapter on the Italian military magistrates into three sections.¹ After a brief introduction to military justice in the Fascist Era, the first section (parts 1–3) will present a synthesis of the recent historiographic developments, followed by an overview of the organisational and geographic dimensions of Italian military justice, and will then focus on the sources used to discuss some significant biographical trajectories (parts 4–8). In the second section, it will reconstruct the history and stories of four different magistrates from the beginning of their career, through the Fascist Era, up until the Italian Civil War that followed the armistice with the Allies on 8 September 1943, and its consequences. The third (parts 9–10) and final section will reflect on the role of magistrates within the longer history of Italian military justice. It will consider some future research paths based on the tentative conclusions presented in this chapter.

The aim of this chapter is to illustrate the careers of several military magistrates who mainly operated outside of Italy during the Fascist “ventennio” period, the twenty years of dictatorial rule (1922–1945). Some key questions addressed are: How can we talk about fascist military magistrates? What were their traits and how are these connected to Italian history in a more general sense?² To do

¹ The authors conceived and developed the article together. However, Focardi wrote the introduction and sections 1, 3, 6, 8, 10 and the conclusion, while Da Lio wrote sections 2, 4, 5, 7 and 9.

² Eugene R. Fidell, *Military Justice: A Very Short Introduction* (Oxford: Oxford University Press, 2016).

this, we need to understand more precisely the role of Italian military magistrates before 1922, as well as after 1945. But there is another important question: Who exactly were the Italian military magistrates? That includes: How many there were? What professional training did they have? What was their career progression? What was their mobility across the country like and in the overseas possessions? At present, we have some knowledge of Italian military justice as an institution and organisation, both during the liberal period and in the First World War, but we know very little about the individual magistrates, their lives, and their careers.³ Because of this, we cannot yet understand very much about their engagement with the dictatorship; simply “wearing a black shirt under the gown” was not enough to become a *fascist* military magistrate. We need to know a lot more about what it meant to be a *fascist* military magistrate.

1 Italian Military Justice in the Fascist Era

Starting with the First World War, and then under the fascist regime, military justice was no longer exercised exclusively towards soldiers (or, in exceptional times, towards civilians). The total mobilisation required by a modern industrial war led Italian authorities to expand military jurisdiction over the civilian population, and especially over workers employed in war production.⁴ The regime also used military justice to repress political dissidents within institutions, such as the Special Tribunal for the Defence of the State (*Tribunale Speciale per la difesa dello Stato*), which applied military law.

The regime retained the 1869 “liberal” Army Military Code and Naval Penal Edict (*Codice Penale Militare per l'Esercito* and *Editto Penale Marittimo*) for most of the 20 years of fascist government, adopting a new Peace Military Code and a new War Military Code in 1941 (*Codice Penale Militare di Pace* and *Codice Penale Militare di Guerra*). Italy had six territorial military courts, which increased to twelve in 1941 (Turin, Milan, Verona, Trieste, La Spezia, Bologna, Rome, Naples, Palermo, Cagliari, Zara/Zadar, and Taranto, plus the Albanian territorial military court in Tirana). During the war, army and army corps military courts were also

³ Marco Rovinello, “Fra essere e dover essere: Ufficiali e consigli di disciplina dell'esercito italiano in tempo di pace (1861–1914),” *Memoria e Ricerca*, 66 (2021): 161–184.

⁴ Nicolò Da Lio, “Fascist Warfare on the Home Front: War Mobilization and the Fragmentation of Italian Society, 1935–1943,” in *The Peoples' War? The Second World War in Sociopolitical Perspective*, ed. Alexander Wilson, Richard Hammond, Jonathan Fennell (Montreal & Kingston-London-Chicago: McGill-Queen's University Press, 2022).

created, which had jurisdiction over the respective mobilised troops and all enemy civilians within their territory. Anybody found guilty could appeal to the Supreme Military Tribunal in Rome, but this court actually intervened only if the sentence contained formal or methodological errors.

The military court was composed of five officers: a president, three ordinary officers, and a judge rapporteur. Usually, only the president and the rapporteur were professional military magistrates, while the others were provisional judges. The rapporteur materially wrote the sentence and therefore could influence the court's decisions. Also, the prosecutor (*avvocato militare* and, later, *procuratore militare*) was usually a professional military magistrate. The judges in territorial courts were nominated by the Commander in Chief, while army and corps commanders nominated the judges in their own tribunals. This meant that the judges themselves were clearly subject to their superiors and tended to act accordingly.⁵

During the nineteenth century, when the Kingdom of Sardinia completed the unification of the Italian states to become the Kingdom of Italy, military law had a central role in disciplining Italian society. After the unification, the new kingdom continued to use military law to control the population during emergencies. For example, in response to post-unification *brigantaggio* (brigandage, tied with the deposed House of Bourbon-Two Sicilies) in Southern Italy, social and political revolts (as in Sicily and Lunigiana in 1894 and in Milan in 1898), and natural disasters (as after the Messina and Reggio Calabria earthquakes in 1908). When Italy declared war on Austria-Hungary in 1915, military jurisdiction expanded. Millions of soldiers and, to some extent, civilians, became subject to military law. Compared to other territories, in war zones (*zone di guerra*), civilians were comparatively more scrutinised by military judges for war-related offences. War zones did not only span the rear areas in North-Eastern Italy, after Turin revolted in the summer of 1917, it too was declared a war zone. Therefore, military justice was used to discipline Italian industrial workers and the population at large, initially in Piedmont, and then, starting in December 1917, in all Northern Italy. In fact, all Italian citizens became subject to military law, albeit to different degrees, related to their affiliation to the Army and the Navy, their occupation, the territory in which they were located, or what they did.⁶

In the second half of 1919, ordinary law was reinstated but, as Mussolini and the fascists formed their government, military law was given three new distinct

5 Sergio Dini, *La bilancia e il moschetto: I Tribunali militari nella Seconda guerra mondiale* (Milano: Mursia, 2016), 14.

6 Carlotta Latini, *Cittadini e nemici: Giustizia militare e giustizia penale in Italia tra Otto e Novecento* (Firenze: Le Monnier, 2010), 310–321.

roles within the fascist regime. First, in 1925, the enlarged “emergency” military jurisdiction experienced during the First World War was progressively ingrained in ordinary law, with the approval of a series of laws aimed at “organising the nation for war”, and with the institutionalisation of war mobilisation. Second, in 1926, military law was used as a basis to create the Special Tribunal for the Defence of the State, with which communists, socialists and, more generally, political opponents were to be repressed by military judges according to military codes. Both these reforms were part of the broader process with which fascists institutionalised their totalitarian state in which the “experience of war” and “strengthening of the State” went hand in hand.⁷ Finally, the regime used military justice to reinforce a propagandistic image of Italy in its colonies and in occupied territories. Fascist Italy and its military law supposedly responded to traditional principles of classical Roman law: a strict but fair, swift, and public prosecution, verdict, and execution of the sentence. The symbol of fascism itself, the *fascio littorio*, was a reminder of the “imperial” justice of ancient Rome. Military justice was, therefore, both a propaganda tool and a tool of dominion. Military magistrates were eager to implement military law at home and on legitimising military violence both in the colonies and in occupied territories.

2 The Historiography: Why is it Limited?

While a lot of research has been done on military war tribunals of the First World War, very little has been done on the Second World War or the Cold War.⁸ Giorgio Rochat, who is regarded as the most important Italian military historian, wrote on the eight military tribunals active during the Second World War in the national territory (civilians working in certain types of companies and industries were also tried) and in the territories occupied by Italian troops until 1943. To do so, he mostly used documents kept in the Archive of the Historical Office of the

7 Leonardo Pompeo D'Alessandro, *Giustizia fascista: Storia del Tribunale speciale (1926–1943)* (Bologna: Il Mulino, 2020), 23.

8 For an overview, see: Nicola Labanca and Pier Paolo Rivello, *Fonti e problemi per la storia della giustizia militare* (Torino: Giappichelli, 2004). After the pioneering work of Enzo Forcella and Alberto Monticone, *Plotone d'esecuzione: i processi della prima guerra mondiale* (Roma-Bari: Laterza, 1968), see – among their many important studies – the latest book by Irene Guerrini and Marco Pluviano, *Fucilati senza un processo: il Memoriale Tommasi sulle esecuzioni sommarie nella grande guerra* (Udine: Gaspari, 2019); Luciano Santin and Andrea Zannini, *Fucilati per l'esempio: la giustizia militare nella grande guerra e il caso di Cercivento*, (Udine: Forum, 2017).

Italian Army Chief of Staff (AUSSME), focusing on the analysis of 200 sentences.⁹ Recently, researchers have analysed Italian occupation policies using judicial sources, therefore the problem of Italian military justice, and its role in the “fascist wars” is finally starting to be addressed.¹⁰ Regarding the 1943–1945 civil war in Italy, Antonio Grilli’s book presents the activities of the various institutions that administered justice in the *Repubblica Sociale Italiana* (RSI).¹¹ In the context of the civil war, the rules for the administration of civil and military justice were hardly applied. According to Grilli, this made it “impossible” to hold truly legal trials and the result was “a barbarised justice system”.

To our knowledge, almost no memoirs or autobiographies have ever been written by military magistrates. Just recently, studies have appeared on two specific military judges: Carlo Merler, who later committed himself to the Italian Resistance alongside the partisans,¹² and Giuseppe Bedendo,¹³ already serving in the 1930s in the colonies of Libya, being a close collaborator of General Rodolfo Graziani.¹⁴ The latter is remembered as the “butcher of the Arabs” for his ruthless repression against the civilian population both in those territories, and then a number years later in Ethiopia.¹⁵

The history of military justice has generally received little research for a number of reasons. Firstly, excluding the final decisions made by military courts,

9 Giorgio Rochat, *Duecento sentenze nel bene e nel male: La giustizia militare nella guerra 1940–1943* (Udine: Gaspari editore, 2002).

10 Goddi and Fonzi focused their research on the events of the Italian military occupation in Montenegro and Greece respectively: Federico Goddi, *Fronte Montenegro: Occupazione italiana e giustizia militare (1941–1943)* (Gorizia: Leg, 2018); Paolo Fonzi, *Fame di Guerra: L’occupazione italiana della Grecia (1941–43)* (Roma: Carocci, 2019).

11 Antoni Grilli specifies “a) ordinary courts; b) territorial military courts; c) ordinary and extraordinary military war courts; d) special tribunal for the defence of the state; e) extraordinary provincial courts; f) German courts. The short list, however, ignored the summary justice bodies that were now dramatically increasing in number: the illegal and improvised *ad hoc* tribunals” in *Una legalità impossibile: RSI, giustizia e guerra civile (1943–1945)* (Roma: Carocci, 2019), 243–244.

12 Sandro Schmid, *Carlo Merler “Aroldo”: Magistrato trentino partigiano combattente* (Rovereto: Osiris Editions, 2016).

13 Alessandro Volterra and Maurizio Zinni, *Il leone, il giudice e il capestro: Storia e immagini della repressione italiana in Cirenaica (1928–1932)* (Roma: Donzelli, 2021).

14 Rodolfo Graziani, *Cirenaica pacificata* (Milano: Mondadori, 1932).

15 Angelo Del Boca, “Rodolfo Graziani,” in *Dizionario Biografico degli Italiani*, Vol. 58 (Roma: Istituto della Enciclopedia Italiana, 2002), 829–835; Luciano Martone, *La giustizia italiana nelle colonie* (Torino: Giappichelli, 2015); Ian Campbell, *Il massacro di Addis Abeba: Una vergogna italiana* (Milano: Rizzoli 2018); Ian Campbell, *The Addis Ababa Massacre: Italy’s National Shame* (London: Hurst, 2017).

access to military justice archives and documents are difficult to obtain. We lack material on the military justice system's organisation; therefore, we know relatively little of its inner working, or about its personnel. The scarce availability of archival sources is caused by both a lack of record inventories, and because for many years the archives were entirely inaccessible or unreachable. Secondly, the difficulty of accessing or finding archives seems to increase by the difficulty of studying its papers correctly, using legal and historical methodologies together; few jurists do archival research, and few historians are familiar enough with military criminal law to decode and interpret its technicalities. Finally, Italy was an aggressive occupying power, which invaded other states, and was not a victim.¹⁶ Many Italians shared the racist and imperialist aims guiding the Fascist internal and foreign policy, and many agreed with the German New European Order, and bore some responsibility for the war crimes that were committed between 1940 and 1943.¹⁷ Nonetheless, after the Italian surrender on 8 September 1943, Italians were described by the Allies and perceived themselves as Fascism's victims: there was no Nuremberg-like trial against Italian alleged war criminals, and other states – such as Yugoslavia, Ethiopia and Greece – that demanded high military officers and important civil officials be put on trial received no response.¹⁸ The British and Americans (and the Vatican) protected and pandered to the new Italian political ruling class. Therefore, in the following decades, Italy was almost always studied as a country that was a victim of Nazism, and not as a country that was an ally to Nazis. Consequently, Italian historiography did not delve into the role of Italian military justice in Axis-occupied countries.

To address these issues, five years ago, a research group dealing with extraordinary justice and military justice, coordinated by lawyer Dr. Maria Di Massa, was formed at the Istituto Piemontese per la Storia della Resistenza e della Società Contemporanea “Giorgio Agosti” (Istoreto) in Turin. The group consists of some 20 scholars from various geographical locations and from different backgrounds of studies and professions.¹⁹

¹⁶ Thomas Schlemmer, *Invasori, non vittime: La campagna italiana di Russia, 1941–43* (Roma-Bari: Laterza, 2019); Davide Rodogno, *Il nuovo ordine mediterraneo* (Torino: Bollati Boringhieri, 2003); Davide Rodogno, *Fascism's European Empire: Italian Occupation during the Second World War* (Cambridge: Cambridge University Press, 2006).

¹⁷ Mario Avagliano and Marco Palmieri, *Vincere e vinceremo! Gli italiani al fronte, 1940–1943* (Bologna: Il Mulino, 2014).

¹⁸ Filippo Focardi, *Il cattivo tedesco e il bravo italiano: La rimozione delle colpe della Seconda guerra mondiale* (Roma-Bari: Laterza, 2013).

¹⁹ “For the latter, the research proposes the comparison of the military judicial sources with those coming from the Extraordinary Courts of Assizes, starting from the trials held by the Court of Turin between 1945 and 1947 and by the Military Court of Turin from the post-war period until

3 Sources: *Das Leben der Anderen*

Depending on the importance or the personal history of every single magistrate, their personnel files – made up of several subfiles – can range from a minimum of 100 to a maximum of 1000 sheets and are usually between 400–500 sheets. These files are now held in Rome at the *Archivio Centrale dello Stato* (Central State Archive), but until summer 2021, they were in the Roman Headquarters of the *Procura Generale Militare* (Military Attorney General). With these unpublished and little-known archival documents, we will illustrate the initial findings of a larger collective biography that considers all of these individuals, focusing on professional military magistrates of the Fascist Era.²⁰ In other words, magistrates employed in the African colonies and in the occupied territories during the war (in Slovenia and Albania), some of whom were considered war criminals by the governments of those states.

Personnel files can be used to obtain different kinds of information, for example: the magistrate's relationships with politicians, or Fascist *gerarchi* or *ras* (bosses); his letters of recommendation, including references by other high level civil or military servants; documents related to their work such as indictments or sentences; inspections and reports about them; newspaper articles; private information about the magistrate's family, house moves, the schools where his children studied, even down to what they wore; and their salary and retirement benefits. Therefore, personnel files, following the magistrates' career almost day by day can help us understand if and how the Fascist regime influenced military magistrates, their social, economic, and cultural standings, their work as individuals, professionals, and *commis de l'état*.

Most military magistrates had been front line officers during the First World War and, holding a law degree, had subsequently joined the corps of military judges. However, we collected the names of approximately 1,000 military magistrates (including approximately 80 generals and a similar number of colonels), discovering, when we started to file, that some 640 of them had entered service

the 1990s–2000s. [. . .] Finally, the project aims to place the so-called Italian transitional justice in an international context, by comparing it with the experience of other European countries (starting with France and Germany), with regard to purge practices, criminal proceedings, archives of judicial sources, legal and professional cultures." 'L' "occupante Tedesco" nelle carte dei processi', Istituto Piemontese per la Storia della Resistenza e della Società Contemporanea "Giorgio Agosti" (Istoreto). Accessed 18 June 2025, <http://www.istoreto.it/ricerca/progetto-giustizia-straordinaria-e-militare/>.

²⁰ Christophe Charle, "La prosopographie ou biographie collective: Bilan et perspectives," in *Homo historicus: Réflexions sur l'histoire, les historiens et les sciences sociales* (Paris: Armand Colin 2013), 98–102.

between 1940 and 1943. Several hundred military magistrates came from the legal profession and more than 200 came from the ordinary magistracy. About 400 of those filed remained in the military judiciary for the duration of the Second World War, after which they almost always returned to their previous professions.

One preliminary result concerns geographical origin: we found that out of approximately 600, a clear majority (66%) of military magistrates were from southern Italian regions. Campania and Sicily stand out, with respectively 134 and 119 judges coming from these two regions, possibly attributed to the presence of lawyers coming from the universities of Naples, Palermo, Catania, and Messina. It is important to remember that military magistrates were evaluated by their superiors annually. The reviewers were either senior officers or senior military officers, and there were usually two of them.

Furthermore, the sources revealed that the military institution was interested in every aspect of the personal, public, and professional standing and behaviour of its members. In this respect, military judges were treated in a similar way to both military officers and ordinary judges. The individual magistrate was informed of his evaluation, and the results impacted directly on his career prospects, even in the absence of official punishments.

4 Military Magistrates: A Detailed Profile

The Military Justice Corps was (and remains) the depository institution, by specific legislative provisions, for the administration of military justice, both in times of peace and war. However, during the first half of the twentieth century, other personnel administered it. Since studies on the role of Italian military justice are not as well developed as those of other national historiographies, this section aims at giving a first and partial account of the staff of the Military Justice Corps, as established and provided for, among others, by the laws issued between 1916 and 1941. The Army, Navy and, later, Air Force and Fascist Militia Officers (who often lacked a judicial background) acted as judges and administered military law to Italian soldiers and civilians, but also to foreign civilians in occupied territories, military prisoners, and natives of the Italian colonies. They were assisted by professional military magistrates recruited in the Military Justice Corps.

Between 1915 and 1950, there were 300 “*stricto sensu*” members of the Military Justice Corps, which was divided into two roles: judicial and chancery (an

administrative, executive and secretariat role).²¹ This number increased rapidly during the war years – by several hundred, or perhaps more, during the two world wars (estimated to be approximately 1,500 magistrates).²² Provisional judges were recruited from many different backgrounds. In fact, among their ranks we find officers from other arms, men from the ordinary judiciary, from the legal profession (lawyers) and from universities (law professors). Professional military judges were recruited through public exams from among civil magistrates or males with a university law degree. Many professional military judges, though, served as provisional military judges, often for a number of years. The Military Justice Corps was therefore composed of people coming from considerably different backgrounds, recruitment processes, and training. Nonetheless, the small cadre of professional judges had to train the larger number of reserve personnel with which it had to run the different types of military court.

The distinction between officers “borrowed” as military judges, both provisional and professional, raises an important question: When studying military judges, especially professional military judges or reserve troop officers acting as military judges, are we talking about “civilian military magistrates” or “military magistrates”? We argue that both classifications are correct as it really depends on which years are being considered. Professional military magistrates were considered civilians until 1918 and then were classified as military officers until 1923, when the Military Justice Corps was demilitarised. They were thus again civilians until 1935, when they were militarised again and remained military officers until 1981. This distinction had important practical effects and was used by the military judges to their advantage.

We should briefly mention that Italian military magistrates were able to administer military justice by assisting military occupations in various countries and territories. The early twentieth century saw Italy pursue its goals in the late season of imperialism. For example, the war against the Ottoman Empire in 1911 led Italian troops to the shores of Africa in the Mediterranean, to Benghazi and Tripoli. Within a few months, the conflict ended, and a thirty-year occupation began, marked by ruthless control of the local populations governed by military and civilian authorities. During the Fascist Era, military judges were posted in various parts of Italian East Africa (Somalia, Eritrea, and Ethiopia). By 1936, those

21 Michele Albertini, “La giustizia militare italiana durante il fascismo (1922–1940), con un approfondimento sul caso del Tribunale militare territoriale di Torino” (PhD diss., University of Eastern Piedmont, XXII cycle, 2010).

22 About 600 were enrolled during the occupation of Ethiopia and used in the Italian East Africa (*Africa Orientale Italiana*) between 1936 and 1940. Matteo Dominioni, *Lo sfascio dell'impero* (Roma-Bari: Laterza, 2008).

lands became parts of the Italian Empire. In addition, military judges followed “voluntary” legionnaires into the Spanish Civil War and then went to Albania with the invading Italian troops in 1939. During the Second World War, military judges were present with the Italian Army in the various campaigns in which it was engaged: France, Greece, Yugoslavia (some locations were sadly known for becoming headquarters of war tribunals: Ljubljana, Cetinje, etc.) and the Soviet Union.

With the armistice of 8 September 1943, the Italian war changed its course and scenario. Southern Italy was occupied by Allied troops and, in Apulia, the royal government survived. In northern Italy, the fascist RSI was formed, characterised by a strong German military occupation. Although some military judges were captured by the Germans and deported to Germany, while a few others were engaged in the Italian resistance movement, the overwhelming majority were in the service of the RSI, or in the surviving kingdom in the south.

We will now examine some of the documents and forms that can be found in the personnel files. We have chosen a few magistrates as examples to reflect on their choice of offices and assignments during the dictatorship, and we have tried to understand their career progression. More precisely, we attempt to better understand the nature of their ties with fascism, their relations with certain politicians, their convinced adherence to or – conversely – indifference to or distance from the laws enacted during the dictatorship, as well as the operational directives in the occupied territories.

We analyse four military magistrates, two left mostly unscrutinised by historians (Cascella and Castellani), while the other two (Macis and Merler) are better known. Their personnel files made it possible to reconstruct not only their careers in the military magistracy, but more generally their private lives, which in some cases intersected with the public dimension of their service under the fascist dictatorship. This “intimate” perspective allowed us to understand and explain some magistrates who were very brilliant, such as Cascella, which otherwise would have been incomprehensible. These documents allowed us also to better describe the way in which some magistrates were able to secure their professional survival in the democratic Republic after 1945, despite having been compromised by their association with fascism (Macis).

5 Cascella: The Protégé

Cascella was born in Bari in 1888. He began his career as a postal official in 1908, and, after achieving a degree in Law at the University of Turin in 1910, moved on

to military justice in 1912.²³ He started his service in Bari and, in 1916, was transferred to the XX Army Corps Military Court. In August 1918, he became a professional officer and was assigned, as a captain, to the Military Justice Corps. He remained assigned to the *Comando Supremo* (High Command) until December, when he was then transferred as judge-rapporteur to the Palermo Military Tribunal. Less than two months later he was assigned to the Ministry of the Colonies and then moved as a military persecutor to the Tripoli Military Tribunal in March 1919. He was praised for his ability to handle difficult cases, involving “material and political” interests with a wide and “electric” public resonance. While acting as prosecutor in the Special Military Court in Zawia, for example, he was up to the “grave historic hours” faced by Italian colonial authorities. He remained in the Italian colony in North African until 1923, when he moved back to Rome, following his return to the Ministry of the Colonies, and then, one year later, was transferred back to the War Ministry, who nominated him as judge-rapporteur for the Florence Military Tribunal. In November 1925, he was back in Libya, now in Benghazi, where he worked as prosecutor at the local Military Tribunal. For his work in Cyrenaica, he was congratulated by the fascist governor Attilio Teruzzi, who highlighted his attitude in the “assertion and affirmation of our rights, of our prestige and of our duty as a civil nation in the severe repression of political and common crimes”. In his work, Cascella was “faithful to the good traditions of our Magistrature”, practicing “justice in severity”.²⁴ In fact, he was also praised because, as an “old colonial”, he “reconcile[d] the needs of justice with the political contingencies” and he “support [ed] [. . .] the political-military action”.²⁵

Cascella became a member of the Fascist Party after 1 January 1926 and in 1928, returned to Italy. In 1931, he was, nominally, at the Military Tribunal in Palermo and, again nominally, at Trieste in 1933. In fact, between July 1928 and in March 1935, he was transferred to the Ministry of Public Works as a personal secretary to the Minister, Araldo di Crollalanza, who happened to be his brother-in-law (who in 1936 promoted him to the rank of *Commendatore* for the Order of the Italian Crown and *Cavaliere* for the Order of Saints Maurice and Lazarus).²⁶ In 1937, he preferred not to accept the request to go with the Italian troops in Spain and went to Ethiopia instead, to the Harar War Tribunal. In April 1939, Cas-

²³ All documents mentioned, unless otherwise indicated, are to be found in the personal file: Acs, Pgm, Cascella.

²⁴ Cascella, Rapporto informativo, 4 marzo 1929.

²⁵ Cascella, Governo generale dell’Africa Orientale Italiana, Rapporto, 18 ottobre 1938, e Rapporto, 25 ottobre 1938.

²⁶ He married Perla dei Nobili di Crollalanza in 1911, they had two daughters.

cella was back in Italy and was transferred from Trieste to La Spezia, but in January 1941, he went back to Trieste. He was called up on 10 June 1940, when Italy entered the Second World War. For his service as a military magistrate in time of war he was described as “stern, energetic, earnest, resolute, [. . .] authoritarian”.²⁷ On 22 November 1943, he was nominated general prosecutor in the Territorial Military Tribunal in Trieste. He swore his allegiance to the *Repubblica Sociale* on 19 March 1944, also in Trieste, and was later transferred to Brixia. In 1946, he was discharged by the Epuration Committee because, despite having abandoned his post after the armistice and having worked as a military judge for the Republican Supreme Military Tribunal, he was pensioned by the post-war War Ministry.²⁸ He then worked as a lawyer.

6 Castellani: The Ideal Fascist Type

In the military judiciary, complications could also arise from the ways in which the offices were deployed in the war zones. This is the case for Leopoldo Castellani (born 1 August 1888).²⁹ In 1910, he received a law degree and began work as a lawyer in Rome. He was mobilised in September 1915. In 1917, he was chosen to work as a secretary in the XII Army Corps War Tribunal (21 June 1917). In August, he worked as a judge-rapporteur and, in September, he officially became a reserve member of the Military Justice Corps. In June 1918, he was moved to the 6th Army War Tribunal, where he worked as a prosecutor. In December 1920, he was transferred to the new Italian Military Court in Trieste. Later he went to Constantinople and Rhodes. From 1925 to 1931, he served in the Supreme Court in Rome and, from 1932 onwards, in Naples. He was not only a military judge, but cooperated with the Italian authorities in Constantinople, dealing with diplomats and the Allied occupation government. His work was considered so precious that one of his superiors hoped that “he [could] remain indefinitely with the [Military Justice] Corps”. He was later tasked with administrative duties for the General Prosecution in the *Tribunale Supremo Militare* (Supreme Military Tribunal) as a secretariat, doing human resources management for different tribunals, and working as an archivist. As a judge, he worked in the different roles of *judge-rapporteur* and prosecutor and kept statistical data about Italian military justice. He co-

²⁷ Cascella, Stato matricolare, Comunicazione, 11 gennaio 1943.

²⁸ Cascella, Commissione epurazione, Verbale n. 1624, 25 luglio 1946.

²⁹ All documents mentioned, unless otherwise indicated, are to be found in the personal file: Acs, Pgm, Castellani.

authored, for instance, a statistical analysis of Italian military justice during the First World War with Giorgio Mortara, a work for which he was widely praised.³⁰ Because of this he was assigned as chief of staff of the General Prosecutor until July 1931, when he was transferred back to a military tribunal in Naples.

He looked to be the ideal type of military judge since his decisions were “soberly founded on the examination of the facts” and he applied the law rightfully, but “without useless or verbose juridical disquisitions”. This is one of the typical *topoi* of what military justice (and fascist justice) was meant to have been. We could wonder what the limit might be (or the difference) between the two concepts, nonetheless Castellani demonstrated his close ties to fascism’s policies and models: he was chosen to speak at a number of conferences on *Diritto corporativo* (Corporative right), and he was praised by the General Military Persecutor, Ovidio Ciancarini, and General Federico Baistrocchi (a fascist-leaning war under-secretary) for the “zeal, competence, and fervour” with which he spoke.³¹ Nonetheless, his personal standing veered clear of the qualities which made a true fascist; he was congratulated for his “great politeness, tact, exquisite correctness, perfect equilibrium” – qualities of a respectable bourgeois.³²

In 1937, he volunteered to fight in Spain (where he was promoted colonel in 1938) and dealt with military justice in the Volunteer Troops Corps (*Corpo Truppe Volontarie* – CTV). He was praised by General Mario Roatta, first commander of the CTV, for having personally followed some cases at the front, but especially for having prepared in Rome, and then refined in Spain, the “bando” regulating the judicial conditions of the Italian troops fighting for the rebels.³³ With the end of the Spanish Civil War, he returned home and, as the Second World war began, he was first sent to Naples, then to La Spezia. In the summer of 1941, he was in occupied Yugoslavia and participated in the repression of the resistance movement there. General Vittorio Ambrosio praised him for having organised the 2nd Army’s War Tribunal and he was later congratulated for his stern approach, both by Ambrosio and, again, Mario Roatta.³⁴

In July 1943, he returned to Italy, where he was “surprised by the *coup d’état*” which ousted Mussolini. Arriving in Rome to discuss the transformation of the Sebenico war tribunal section into an autonomous court, he stumbled upon a

³⁰ Giorgio Mortara and Leopoldo Castellani, *Statistica dello sforzo militare italiano nella guerra mondiale: dati sulla giustizia e disciplina militare* (Roma: Provveditorato generale dello Stato, 1927).

³¹ Castellani, Conferenze di diritto corporativo, 30 giugno 1934.

³² Castellani, Rapporto informativo, 22 settembre 1938.

³³ Castellani, Rapporto personale, 7 giugno 1937.

³⁴ Castellani, Rapporto personale, 19 gennaio 1942; Rapporto personale, 31 dicembre 1942.

demonstration praising Giacomo Matteotti, the socialist leader killed by fascist thugs in 1924. He chose to face the protesters and ordered the local police commander to use his men to disperse them, citing the recent orders “forbidding any mustering”. He then returned to Sussak where he led the local military court and continued to keep “the policy aimed at fighting the partisan communist movement” in the occupied territories. With the new Badoglio government, nonetheless, the tribunal did not actually have the opportunity for any hearing.

After the armistice, he followed orders and organised the evacuation of Sussak, freeing a number of the prisoners held by the Italian military authorities. He departed Sussak on 9 September and arrived in Venice two days later. After landing, he opposed the military commander in Venice, who proposed to sail to an Allied-occupied port, and moved with two ships toward the Venetian port of Chioggia, at the southern end of the Venetian Lagoon. In Chioggia, one of the ships was sunk by German bombers. Nonetheless, he directed the disembarkation of men and other materials on board. From Chioggia, while avoiding German patrols, he moved to Chieti, where he lived with his wife. After learning of the Graziani speech, with which the general called up former Royal Army Officers to serve in the *Repubblica Sociale* armed forces, on 4 October, he tried to reach Rome. However, his train was attacked and destroyed by an Allied aircraft. He was finally able to reach the Italian capital in February 1944, when the chief of the Province of Chieti lent him a car to undertake the “dangerous travel”. He subsequently swore an oath to the RSI and took part in a series of meetings with the fascist authorities that began to set up the Republican military justice system, especially the Northern Section of the Supreme Military Tribunal. In this period, he moved between Rome, Bergamo (where the Army Chief of Staff was relocated), and Desenzano on Lake Garda (where Graziani set up his Defence Ministry). After this tour, in April, he was tasked with organising the military justice office in Brixia. On 12 June 1944, he was promoted to military Attorney General but, at the end of the war, he was too much of a compromised figure and retired in November 1945.

Castellani received a War Cross (*Croce di Guerra*) and a Bronze Medal for Military Valour because of his effective leadership qualities under fire, and then moved to the Military Justice Corps, at first as a reserve officer, and then, in 1925, as a permanent judge. He could boast being part of the fascist movement since the very foundation of the *Fasci di Combattimento* in March 1919. He then built a successful career because of his ability to present himself as a good military officer, an efficient judge, and a loyal fascist as he worked in the Italian *possedimenti* (domains) in the Aegean Sea. Castellani’s colonial experience played a specific role. For example, other magistrates accepted colonial posts in order to preserve their career but, for Castellani, it represented one of the foundations upon which

he built a career which grew with, and in, the dictatorship. He then volunteered in the *CTV* during the Spanish Civil War (being awarded both Italian and Spanish medals) and later led an Italian war tribunal in occupied Yugoslavia (where he received a Croat medal). He clearly opposed the return of anti-fascist parties after Mussolini was ousted and joined the Fascist *Repubblica Sociale*, acting as a military judge in the Italian Civil War. Nonetheless, he was one of the few military judges too compromised by his involvement with the Fascist Regime and was unable to reinvent himself in the new Italian democratic republic. But despite this pedigree, he managed to avoid being formally persecuted after the war; because he was pensioned by the Military Justice Corps, the epuration proceeding stopped.³⁵

7 Macis: Gramsci's Prosecutor, Anti-fascist Partisan, and War Criminal?

Macis was born in Cagliari in 1894 and enlisted to the army in 1914. In October 1915, he was wounded in a lung and an arm while on the front line. He then served at the Military Court of Palermo from 1920, then, for a few months, at the Military Court of Cagliari from 1924. He was then sent to the Territorial Military Court of Milan in June of that year. In 1925, Macis was put on leave because he was appointed military magistrate, and in 1931 he was sent to Bologna. In May 1936, he was called back into service and sent to Massawa. The following year he was moved to Asmara and was appointed as a military prosecutor in the Amhara governorate after the proclamation of the empire. Returning to Italy in 1938, he was sent to the Military Court in Turin, where he would later be assigned during the Second World War.³⁶

Although in the *Army Yearbooks* Macis was always marked as serving at the Military Court in Turin, in reality he was detached to the 2nd Army in Ljubljana, where a section of the Military Court of the Higher Command of the Armed Forces, "Slovenia and Dalmatia", had been set up in November 1941. There he was promoted to the rank of colonel and, as deputy prosecutor, he found himself in a

35 Castellani, Commissione epurazione personali civili del Ministero Guerra, Verbale N. 1217, 20 febbraio 1946; Procuratore militare Castellani Leopoldo, 2 marzo 1946; Magg.gen. G.M.r.o. (ora ris) Castellani Leopoldo, 15 settembre 1952.

36 All documents mentioned, unless otherwise indicated, are to be found in the personal file: Acs, Pgm, Macis; about Macis see also Leonardo Pompeo D'Alessandro, *Giustizia fascista. Storia del Tribunale speciale (1926–1943)* (Bologna: il Mulino, 2020).

position that later led to him being accused of war crimes. However, having fallen ill, he was sent back to Italy in August 1943. On 8 September, he avoided being captured “in occupied metropolitan territory [and was able] to rejoin an Italian Command”, later he joined the “clandestine patriotic organisations”, and became a partisan in the Monferrato area (Piedmont) in 1944–1945. After the end of the war, Macis emerged professionally unscathed through the regime crisis and the civil war that shook Italy between 1943–1945. After the war, he was sent to La Spezia and, in 1947 (and once again in 1963), he swore allegiance to the Italian Republic, ending his career as the military procurator general.

8 Merler: A Partisan Judge

Carlo Merler was born in Trento (Trient) in 1903, then part of the Austro-Hungarian Empire. Being a student, he postponed his mandatory military service for one year, but he then served as a reserve officer between 1923 and 1926.³⁷ In 1929, he was awarded a law degree at the University of Rome, where he lived until 1933. In that year, he began his career as an ordinary judge and became a military investigating judge in 1935. Being assigned to the Turin Territorial Military Court, he declared to his superiors that he “asked to be transferred to our [military] administration in order to leave the [ordinary] office in Nuoro [in Sardinia] and immediately revealed that he had no knowledge of the Military Penal Law”. He then worked with “lively intelligence” in the three different roles as military investigating judge, prosecutor, and a judge-rapporteur. After having quickly learnt his new profession, he switched between the first two roles about every month and worked briefly as rapporteur in the autumn and winter of 1936–1937. He proved himself as a methodical, precise, clear, and effective investigating judge, but as a prosecutor and as a rapporteur he was found lacking in competencies. His decisions were “elegant”, but his slowness in writing them attracted the attention of the Royal General Military Prosecutor. Finally, he was sometimes fooled by the defence attorneys and his dialectic had to improve. His superiors in Eritrea did not notice these shortcomings, or did not think they were important enough for a colonial officer and praised his “maturity”, “intuition”, “professional capacities”, “tact and elegance”.³⁸ Because of this, his commanding officer, Colonel Silvio Iannuccelli, proposed him for an encomium. Merler had

³⁷ All documents mentioned, unless otherwise indicated, are to be found in the personal file: Acs, Pgm, Merler.

³⁸ Merler, *Rapporto Tribunale di Guerra dell'Eritrea*, 23 giugno 1937.

therefore the opportunity to further demonstrate his qualities when Colonel Iannuccelli made him delegate to the Maccallè Section of the Eritrean War Tribunal. In the two months in which Merler held his office, he gained the respect of the Italian colonial authorities, and of both the Italian and local populations. Allegedly, the local inhabitants were particularly saddened when he was later posted elsewhere. He was then transferred to Gorbetà (Cobertà?) to tackle the local rebels. There Merler's investigations allowed the prosecutors to achieve "extremely severe punishments (some were even death sentences) leaving, among the Azebù-Galla, the most vivid impression of his wise endeavour as an agent of the law". Because of this, Colonel Iannuccelli, before starting his four-month leave in Italy, nominated Merler as temporary commander of the Eritrean Military Court.

In the spring of 1939, he returned to Italy, due to his deteriorating health, and went back to the military court in Turin. In June 1940, he was mobilised and assigned to the XII Army Corps War Tribunal in Sicily and, in August 1940, was posted to the Maritime Tribunal in Taranto, where he worked as a judge-rapporteur until January 1941, when he moved to the 4th Army War Military Tribunal. In January 1942, he was assigned to the military court in Corfù (Kerkyra). When the armistice was signed, he was residing in San Pellegrino, an alpine town near Bergamo, in northern Italy, having taken leave from the Corfù tribunal in August 1943. He refused to work for the fascist RSI and, after having gone back to his native Trento (annexed to the Third Reich after the armistice), in April 1944, he joined the resistance movement there. In September 1944, he was able to help set up a partisan detachment on the Brenta mountain group. He was affiliated to the left leaning *Partito d'Azione* and was nominated as President of the Justice Commission.³⁹ Arrested by the *Gestapo* in March 1945, as he was liberated from the concentration camp in Bolzano on 30 April 1945, he was immediately sent to the local hospital to cure a bronchial pneumonia he had contracted while imprisoned. After the war, he was transferred to Milan, and was sent on a mission, first in Bologna, and then in Rome. He then moved as judge-rapporteur and afterwards military prosecutor in Verona in July 1946, where he remained until his death in 1972. He kept ties with the catholic-leaning partisan association *Associazione Volontari della Libertà*.⁴⁰

³⁹ Merler, Dichiarazione CLN Trento, 24 maggio 1945.

⁴⁰ He was invited to a pilgrimage in Dachau, 5 May 1964.

9 Choices: How they Decided to Take Sides after 8 September 1943

The armistice of 8 September 1943 is an era-defining date. The fascist war was definitely over, and Italy, now an occupied country, fought both a civil war and a war of national liberation. What did the military magistrates do during this time? Schematising, Italians at large, and military magistrates specifically, could choose several paths. But for military magistrates, it seems that their choice depended especially on the geographical location of the military magistrates in those days. It mattered a great deal whether one was serving in southern Italy, or in the centre-north, or abroad. What these military magistrates decided in July and September 1943, when first the Fascist Party and then the monarchical state collapsed in Italy, with the consequent change of alliances.

Individual loyalty was also a determining factor. Many had to choose between their sworn allegiance to the king, their *esprit de corps*, or their faith in the *Duce*, and to the regime. The range of motivations and decisions made by this group of magistrates and high-ranking military officers varied widely. The following list represents an attempt to group magistrates' decisions according to the possible motives that might have informed them:

- a. Magistrates who stayed at their workplaces as long as conditions made it possible, before going into hiding
- b. Magistrates who joined the resistance on 8 September 1943 or the following weeks and those who joined the National Liberation Committee
- c. Magistrates who were in Allied occupied territory or who moved south to continue their service with the king's government (with Marshal Badoglio)
- d. Magistrates who moved north (or were in German-occupied territory) and served for the RSI
- e. Magistrates who – being in occupied territories abroad or in Italy – suffered imprisonment, internment, and arrest
- f. Magistrates who at the time were hospitalised, on leave or in convalescence.⁴¹

We cannot but make an albeit partial list here (see Table 1). In fact, some joined the RSI, either moving north (Castellani), or by continuing to exercise their role with the Nazi-fascist authorities from their post in northern Italy (Cascella). Others joined the resistance (Merler, Macis) while some ended up among the Ital-

⁴¹ We take this schema from Edoardo Grassia, "L'8 settembre 1943 e la Regia 'fascistissima' Aeronautica," *Diacronie: Studi di Storia Contemporanea*, 25.1 (2016).

Table 1: Summary of career trajectories of select military magistrates.

Name	Born	Service	1943 and after
Ciancarini	1880	Served as a military judge and advocate general of the Supreme Military Tribunal in 1931	Not purged
Traina	1882	Constantinople/Istanbul (1920) Ethiopia (1936–1938) Albania (1940) Considered a war criminal in Albania	Arrested in Corsica by the Germans and deported in 1943
Olivieri	1885	Greece (1918–1920) Libya (1924) Cyrenaica, Libya (1928–1930)	Became a partisan in 1943
Meranghini	1885	Rodi (1912) Greece (1940) Albania (1942–1943) Considered a war criminal in Albania in 1948	Retired in 1945 Worked as a lawyer until 1970
Castellani	1888	Constantinople/Istanbul (1920–1921) Spain (1937–1939) Member of the fascist movement in 1921	Joined the RSI in 1943
Farinacci	1887	Brother of Roberto Farinacci, national secretary, and member of the National Fascist Party (PNF)	Joined the RSI in 1943
Iannuccelli	1894	Libya (1931–1935) Eritrea (1936–1941)	Prisoner of War (1941–1947)
Bedendo	1878	Libya (1928–1932) Note: Friends with R. Graziani	Died in 1943
Macis	1894	East Africa (1936–1938) Slovenia (1942–1943) Considered a war criminal in Yugoslavia	Partisan in 1943 (not purged) Retired in 1963
Merler	1903	Eritrea (1937–1939) Corfù (1942)	Partisan in 1943

ian military internees (as prisoners of war) and deported by the Germans (Traina). Moreover, if we also look at the post-8 September period, we find some paths (choices) hard to interpret. After the end of the war, in May 1945, for example, Traina and Macis were considered war criminals by Albania and Yugoslavia respectively but, during the civil war, the latter had joined the anti-fascist partisans.

More generally, we can note that – after the reform of 1924 (when military magistrates were again considered as civil judges) – as many as 13 out of 37 of

those who entered service in that year remained in service after 1945. Moreover, ten who entered the military judiciary between 1905 and 1918 remained in service after 1945 (including one case from 1906 to 1951 and another from 1912 to 1958), demonstrating that it was possible to pursue a long career through three very different political regimes. As in other sectors of the public institutions – civil and military – of the Italian monarchy, these long careers show us that this specific sector also saw the non-punishment of fascist military magistrates.

10 Reflecting on Military Magistrates within the Military Justice System

In the Fascist Era, military justice played three roles. It was supposed to discipline both civilians and soldiers in time of war, it was to be used to suppress political opposition in time of peace, it had to support military occupation and colonial forces outside Italy. Therefore, Italian military justice expanded both its prerogatives, and the territories over which it exercised its power.⁴²

Italian colonial dominions offered a career opportunity to military magistrates. Typically, the judges chose to go to the colonies at the beginning of their career, often because they were ordered to do so. But then, they tended to stay abroad for several years to accelerate their careers, as well as to earn more money and a variety of benefits. In the colonies, judges also managed relations between local and settler populations (both military and civilian). During the decade of fascist wars (1935–1945), this role was also carried out in occupied territories, and military magistrates performed both their functions as military judges and as administrators of the institutions of Italian occupation. Military justice almost always followed the broader pattern of “meridionalisation” of its personnel, in the same way as the army as well as in the public administration.⁴³ In this sense, the twenty-year fascist period does not seem to have changed the recruit-

⁴² Giovanni Focardi, Nicolò Da Lio and Adriano Mansi, “*Amoveatur ut promoveatur: The Careers of Military Judges in Italy and the Colonies*,” in *Reimagining Mobilities across the Humanities*, ed. Lucio Biasiori, Federico Mazzini and Chiara Rabbiosi (London: Routledge, 2023), 95–109.

⁴³ For a general overview of the continued majority presence of personnel from southern Italian regions in public administrations, Guido Melis, *Storia dell'amministrazione italiana*, (Bologna: Il Mulino, 2020).

ment base, except for having greatly increased in numbers with its decade of wars.⁴⁴

So, what was the agenda driving the military magistrates while performing their duties? Were they comparatively more fascist? Did they act as a relatively autonomous professional body? Were they in tune with the *topoi* of military ethics? Giorgio Rochat has shown that, during the Second World War, if compared to their colleagues operating during the First World War, military judges were relatively less severe when disciplining Italian soldiers and civilians. This (relative) leniency attracted the ire of both fascist and military authorities. But the different attitude was also the long-term effect of the debate on military justice that emerged during and especially after the First World War. This was a debate which called for an overhaul of Italian military laws and procedures in order to guarantee minimal personal rights to the defendant and to “civilise” military justice. Despite this, the military code adopted in 1941 still subordinated the judges to military authorities and to central or army and corps commanders.

Regardless, to date we have not found a single military judge who had refused to carry out orders, even the strictest and harshest, especially when operating amongst Africa or Eastern European populations. Quite the contrary, as exemplified by Giuseppe Bedendo who, while roaming Ethiopia either by “aircraft, car, [or] donkey”, rarely respected the (in fact, few) procedural guarantees protecting native defendants. His trials took place in the public squares during market days, in order to show the actual strength of Italian (military) law. Bedendo, like many other prosecutors, engaged with the public, asking the population which punishment should be imposed. More often than not, the local population, with their “primitive [. . .] innate sense of justice” asked for the death penalty which, once granted by the Italian magistrate, was carried out on the spot, in fact denying the convict’s right for a second, methodical, trial.⁴⁵

Conclusion

There are no definitive conclusions to be made at this stage, but we are starting to trace some paths leading deeper in our research. The biographies of individual military judges suggest that they operated as agents in the service of the judiciary and as an instrument of governance, both at home and abroad. Italian military

⁴⁴ Marco Maria Aterrano and Karin Varley, *A Fascist Decade of War: 1935–1945 in International Perspective* (London, New York, NY: Routledge, 2020).

⁴⁵ Bedendo, Report on the Military Court’s activity, 16 March 1939 (Acs, Pgm, Bedendo).

magistrates lacked autonomy, certainly. But more often than not seemed to share the Fascist Regime's goals while imposing its laws or, at least, while imposing its laws against non-Italians. The sentences are even filled with a mixture of racial prejudices and Italian legal doctrine. This suggests that the Military Justice Corps was a key player in the policies of occupation, control, and repression of invaded territories, both in the colonies in Africa and in European countries throughout the fascist "ventennio" period (not to count the liberal colonial period). Italian citizens were the only ones affected (relatively) positively by the way in which Italian military law, the "civilianisation" of its institutes and procedures, and the creation of a separate professional corps of military judges occurred in early 1900. The debate trying to understand the relative leniency of "fascist" military judges, being focused only on the role of military justice in disciplining Italian citizens, should be tackled. Studying the history of military justice means accessing documents that the institution itself – following the instructions of the political, democratic, ruling class – had kept concealed, secret, and hidden, as they referred to "negative" histories, marked by military defeats, and possible war crimes which was better to keep hidden to preserve the Cold War diplomatic equilibrium.⁴⁶ These first steps taken using the personnel files of military magistrates, as discussed in this chapter, begin to address lingering questions about the exercise of "fascist justice" by members of the Italian military judiciary.

⁴⁶ Paolo Caroli, *Transitional Justice in Italy and the Crimes of Fascism and Nazism* (London: Routledge, 2022). After just a small number of post-war trials had been held, in 1960 the Italian Military Prosecutor General, Enrico Santacroce, illegally concealed 695 files documenting Nazi-Fascist war crimes and hid them in the infamous *Armoire of Shame* from the public. It was only in 1994 that the *Armoire* was discovered by accident, leading to the reopening of hundreds of criminal proceedings. Between 2002 and 2013, the Italian Military Courts imposed around 60 life sentences on German citizens for war crimes committed in Italy during the Second World War.