

# **The Eichmann Trial Study Guide**

## **The Eichmann Trial by Deborah Lipstadt**

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## Plot Summary

Years after the Holocaust, the search for war criminals had all but come to an end. A Jew living in Argentina came into information about a high-ranking Nazi official who was living nearby. He contacted Israeli officials and the wheels of justice slowly began to turn. Months passed before the man was identified as Adolf Eichmann who had been responsible for sending thousands of Jews to their deaths. Israelis then faced the daunting task of arresting Eichmann and bringing him to trial. To accomplish that, they literally kidnapped him and took him out of Argentina. The arresting officers had expected an impressive former Nazi officer but found an old man, apparently compliant wearing old clothes and false teeth.

There was no international courtroom for the event and the trial was eventually slated for Israel. Eichmann's defense was not that he was innocent of the crimes but that he had been following orders. The prosecution mapped out the charges they intended to bring against him and sought more than just the crimes to which Eichmann could be directly connected. Toward that end, they brought survivors to testify about the atrocities they witnessed, even with Eichmann couldn't be placed at the scene of a specific event. The prosecution also brought evidence that Eichmann had issued orders, though he continued to insist that he had only followed orders from his superiors. His attorney argued that the judges couldn't be impartial, that the trial was illegal because Eichmann had been kidnapped in order to stand trial, and that witnesses who could clear Eichmann couldn't be called because they would be arrested if they showed up for court. All the objections were dismissed.

There was an international audience as the trial began and there were some who said the trial proceeded more fairly than had originally been expected. Three judges sat as a tribunal to hear the case. Eichmann took the stand in his own defense. When he was questioned, he tended to give long, rambling lectures that often didn't even address the question. Despite being warned by the judges to give direct answers, he continued in this vein.

The judges returned with several parts to their ruling, including that the victims' testimonies, though heart-rending, were irrelevant to the sentencing. Eichmann was sentenced to death. That sentence was carried out and his body cremated. Officials scattered his ashes at sea to preclude anti-Semites from building a shrine at his burial spot.

Among those covering the trial was a German Jew named Hannah Arendt. Arendt's coverage of the trial drew wide-spread criticism because she compared the Nazis to the Jews, touted a non-Jewish hero but failed to recognize any of the Jewish people who were widely considered heroic, and heaped all Jews into a single category as "victims." It wasn't clear what brought her to this line of thought but it could have been that she was trying to appear impartial and strayed to the opposite side.

In the conclusion, the author said the victims' testimonies, though ruled inconsequential by the judges, were heard internationally for the first time during the Eichmann trial. It was those testimonies that may have prompted such wide-spread interest in the Holocaust.



# Chapter 1

## Chapter 1 Summary and Analysis

On May 23, 1960, Prime Minister David Ben-Gurion told members of Israel's Knesset that Adolf Eichmann, one of those responsible for the Final Solution, had been captured and would soon stand trial. The announcement was brief though the charges were the end of a lengthy search. The author pointed out that Eichmann's capture is often attributed to the work of Nazi hunters Simon Wiesenthal and Tuvia Friedman, two survivors who dedicated their lives to finding Nazi war criminals. But Eichmann's capture was actually a combination of "amateur sleuthing and dumb luck," according to the author.

Eichmann had used the alias Ricardo Klement, gotten a Red Cross passport, and made his way to Buenos Aires. By this time, the Allied Forces are faced with an increasing worry about the Cold War and are fearful of shattering a new alliance with Germany. These factors make the search for Nazi war criminals less pressing. Eichmann's wife, Vera, had applied for a widow's pension, claiming that her husband was dead. It was Wiesenthal who discovered that the witness to Eichmann's death was his brother-in-law. That put a stop to the formal death declaration. Wiesenthal claimed his action contributed to Eichmann's eventual capture because no one would have looked for him if he'd been declared legally dead.

In 1952, Vera and her two sons disappeared from their home. They took nothing with them and Wiesenthal reportedly believed that she'd gone to meet her husband. Wiesenthal also reportedly provided officials with Eichmann's Argentina address but Eichmann was already under surveillance by that time and his arrest was imminent. The author said that Wiesenthal exaggerated the number of non-Jewish victims of the Holocaust in an effort to garner support for the hunt for Eichmann. She said that many people took that number for fact and that it was touted as such. When Wiesenthal was asked for proof of his claim, he reportedly called his accuser of being concerned "only about Jews." According to the author, the Nazis would eventually have murdered many more non-Jews but considered the Jews the most immediate threat, therefore focused mainly on the Jewish population.

The author said it was a combination of three people who prompted the arrest of Eichmann. One was Lothar Hermann. He had been in an internment camp and was almost blind. His fear of the many Nazis in Argentina caused him to hide his Jewish identity. His teenage daughter, Sylvia, was dating Eichmann's son, Klaus, who bragged about his father's role in the Nazi military. When Hermann read an article listing Eichmann as one of the officers still at large, he sought a way to reveal Eichmann's location without compromising his own identity. In addition to Hermann and Sylvia, the cast of important people included Fritz Bauer. He had also spent time in concentration camps. He was a lawyer from Stuttgart but later returned to Germany to accept an appointment as attorney general in order to be in a position to bring Nazi war criminals



to justice. It was Bauer who Hermann contacted with Eichmann's whereabouts. Bauer sends Israel's security force, Massad, to check out Hermann's information. The case hits a dead end for awhile. Isser Harel, head of Massad, doesn't take the situation seriously until new information arrives from another source. At that point, surveillance is stepped up and Eichmann is found living with his family in a cinder block house they built themselves. There is no electricity and no running water. Eichmann is working at Mercedes-Benz.

One evening, Eichmann was captured outside his home and taken to a safe house where officers set out to verify his identity. Some of his captors were amazed to discover that he wouldn't do anything without being told, including using the restroom. Eichmann gave the name Ricardo Klement and Otto Heninger, both aliases he'd used at various times. Then Eichmann gave both his Nazi Party number and his SS number. When asked again for his name, he said, "Adolf Eichmann."

The author spends a great deal of time discounting claims that Wiesenthal played any significant role in Eichmann's capture. It could be argued that her purpose was merely to set the record straight but the amount of space dedicated to this topic makes it seem as if she's intent only on discrediting Wiesenthal. The author said that she has been accused of being concerned only about Jews and of "ignoring" the millions of non-Jewish victims but adheres to her research, saying that Wiesenthal created that concept.

The author talked about the expectations of those who captured Eichmann. The captors probably had their own ideas of what a high-ranking Nazi official was like. They undoubtedly expected that he would be haughty, tough and demanding. What they found was someone who lived without running water in a cinder house he'd built himself, worked in a factory and wouldn't even begin to use the bathroom without permission. The reader could imagine that this is the result of years of control by the Nazi Party. Once Eichmann was back in the custody of officials, he slipped back into the habit of doing everything on command. It could also be that he'd simply tired of running or that he hoped being overly-compliant might somehow help his case.



# Chapter 2

## Chapter 2 Summary and Analysis

In chapter two, Eichmann's captors must next find a way to get him out of the country. He was given a fake passport and dressed as an El Al employee. An Israeli delegation was being flown to Tel Aviv in the El Al airplane and Harel made arrangements for Eichmann and his captors to be aboard. During the flight, the captain revealed Eichmann's identity. Several, including a mechanic who'd seen his parents and six-year-old brother die at the hands of the Nazis, began to cry. As soon as they arrived, Eichmann is taken to prison and Harel gives Ben-Gurion the news.

Argentina officials knew that Eichmann had been taken and were probably glad to have the Nazi officer out of their country, but once the news became public, they played the part of a wronged party. One Argentina official who defends the country's liberal policy on immigrants pointed out that they could have caught Eichmann but that would have also stopped Jews fleeing the Nazi regime. Another train of thought developed about that same time. Some Argentineans wanted to know why so many Nazis had chosen to locate there. Within a few months, officials consider the situation resolved but the Jewish community in Argentina frequently fell victim to violent attacks.

The next hurdle was the public perception of the impossibility that Israelis could conduct a fair trial for someone accused of the slaughter of millions of Jews. The suggestion of an international body to be responsible for the trial failed because such a body doesn't exist. Some suggested the trial be moved to Germany but German officials didn't want to be involved. Ben-Gurion, in the hope that his country could strengthen a newly-emerging bond with Germany, put an end to that idea while pressing home the idea that the post-war Germany was a completely different country to the one that had been under Nazi control.

The author pointed out that some Jews were opposed to Eichmann's trial though these were mainly those living and working in the upper classes of non-Jewish sectors. One of those was Oscar Handlin, who was a Harvard professor and writer. He said Eichmann's right to find refuge had been violated by his kidnapping and that the trial was "an act of revenge." He also described the Holocaust as "a private offense," which the author called "astonishing."

The next hurdle in getting the trial under way was to find a judge to hear the case. Ben-Gurion set out to gain the support of the American Jewish Committee. While Ben-Gurion is trying to establish the idea of a Jewish State, the "New York Post" ran an editorial attacking the idea, calling it an "imaginary Jewish ethnic identity."

The American Jewish Committee then tried to impress on Ben-Gurion the need to reach past the Jewish communities. Ben-Gurion was furious, openly hostile at the idea that Jewish leaders wanted him to downplay the Jewish suffering in favor of human suffering



in an effort to appeal to the sympathies of a greater audience. Eventually, there were compromises reached and diplomacy played an important role. There was also the question of where the trial should be held and some urged that Eichmann be handed over to some country other than Israel. Ben Gurion agreed to make it clear that Israel wasn't attempting to speak as a representative of all Jews. The author pointed out that Eichmann was being tried for his war crimes but that there were many other issues being decided through the trial.

The author's opinions were seen throughout the book. While most were clearly based on research, there were some that apparently weren't. For example, in chapter two the author pointed out that Ben-Gurion told journalists soon after Eichmann's capture that the event of his capture was of little real importance. He later changed that viewpoint and cited it as one of the major events of the year. Ben-Gurion's two statements were documented fact. But the author then went on to say that Ben-Gurion had changed his stand on the subject because of public opinion. The author didn't cite her source for this information and it seemed to be the author's opinion, however she didn't say it was an opinion. It's left to the reader to determine whether the author had sufficient evidence to present this as fact.

The author pointed out that there was a lot more at stake than just the guilt of innocence of Adolf Eichmann because the trial was also bound to settle some differences between factions. The question of the existence of a Jewish state and whether one person could speak for that entity were among the issues to be decided, even if they weren't going to be openly debated.





# Chapter 3

## Chapter 3 Summary and Analysis

In chapter three, Israeli officials know the world is watching and that there can be no indication to the contrary. A man named Gideon Hausner was the prosecutor who had only recently been appointed attorney general, but he was not fluent in criminal proceedings. Despite the fact that he had the option to appoint someone else as lead prosecutor - and that many hope he will - he took over the case himself. The search then began for a defense attorney and officials know it's vital that there is a qualified lawyer in that position. There were volunteers but they were either unqualified for the task or were vocal neo-Nazis. The Eichmann family asked for Robert Servatius. Servatius was a defense attorney at the Nuremberg Trials but had never been a member of the Nazi Party. However, the Eichmanns then claimed they were unable to pay the thirty-thousand dollars Servatius charged for his service. Germany would typically have paid the cost but claimed in this case that Eichmann had fled the country to escape being charged and refused to pay. The author said it was more likely that Germany didn't want to be involved in the case at all. Israel, apparently fearing another qualified lawyer couldn't be found, agreed to pay.

The next question was who would serve on the tribunal of judges. Benjamin Halevi would typically have been the person to appoint the tribunal but he had been the judge in the trial against a man accused of profiting from the Nazi reign. Halevi's decision in that case was eventually overturned but the man he'd wrongfully convicted was assassinated. There was a compromise reached with this one allowing Halevi to sit on the tribunal but left it to High Court Judge Moshe Landau to preside. Judge Yitzhak Raveh was the final member of the tribunal.

Finally, officials had to find a place for the trial. They chose the Beit Ha'am, which was a large cultural center. While all this was going on, Eichmann was being held in special conditions to ensure he would live to stand trial. A guard was assigned to watch Eichmann while a second guard was assigned to watch the first and a third guard assigned to watch the second. None of the guards spoke German and none had ties to victims of the Holocaust. Inspector Avner Less is assigned to question Eichmann who seemed to talk freely but would often lie until faced with documentation that proved he had committed specific acts. Then he always claimed that he was not guilty because he had been following orders.

Eichmann described his life as beginning with a "sunny childhood." He was born in Rhineland in 1906, attended the same high school as Hitler and worked at a series of "dead-end jobs." He claimed to have befriended a Jew and that they took walks together, openly showing their friendship, despite the emblem that Eichmann wore as a member of the Nazi Party. The family had Jewish relatives and used their connections with them whenever those could be helpful, as was the case when Eichmann was endorsed for a job with Vacuum Oil Company. While working there, he joined the Nazi



Party. The author noted that Eichmann didn't seem to have any strong ideological motivations for joining. Instead, he'd met Ernst Kaltenbrunner, a lawyer with an affluent lifestyle, who told Eichmann he should join. At Kaltenbrunner's suggestion, Eichmann also joined the SS. Though Eichmann probably wasn't personally raging at Jews, there was a national trend toward blaming Jews for the problems in Germany and Eichmann probably wasn't immune to that trend.

Initially, Eichmann's role was to ensure that the Nazi Party meetings weren't disrupted while disrupting the meetings of other political parties and engaging in fights in the name of the Nazi Party. In 1933, Eichmann moved to Germany where he was soon charged with gathering information on those who were the enemies of the Nazis. The majority of the work was clerical and Eichmann was bored. When the SD created an organization to "monitor" Jews, director Leopold Itz Elder von Mildenstein invited Eichmann and he gladly made the change. The author pointed out that, considering the anti-Semitic views that were becoming more vocal, Eichmann must have known that the work of the group would not be "benign." As one of his first assignments, he traveled outside the country. He told stories of his exploits but they were largely made up. Upon his return, he announced that he'd discovered a giant conspiracy among the Jewish organizations. This became a major point of the trial - that Eichmann had not only been indoctrinated into the SS, he was an indoctrinator.

Officials had to decide what crimes Eichmann would face. They began with those to which he could be directly linked but Hausner wanted to expand on that. Rachel Auerbach, who had been responsible for compiling a large number of records related to the Holocaust, helped locate victims who could speak against Eichmann. Auerbach had the idea that the trial should be a larger undertaking than Eichmann's direct crimes. She believed there was a chance to show the world the full scope of the Nazi programs against the Jews. Auerbach's research into Operation 1005 revealed the Nazi plan to hide the number of Jews who were killed by digging up the mass graves and pulverizing the remains. Auerbach noted that many victims were willing to speak out against Eichmann but some of those had never actually seen him. Auerbach and Hauser saw the trial as an opportunity to do more than convict one war criminal for his role in the Holocaust. They hoped to create a better awareness of the horror that had taken place at the hands of men like Eichmann and to give voices to the victims. Toward this goal, Hauser decided to put survivors on the stand.

Eichmann had the right to remain silent during interrogations but didn't exercise that right. Instead, he talked at length about the Final Solution and his role in it. However, he insisted that he didn't do anything of his own accord. He said that he had only followed orders. His argument was that he couldn't be held accountable for being overly loyal to those in command.

Auerbach found many who were willing to testify against Eichmann but not all were reliable witnesses. She said that some of them claimed to have seen Eichmann in specific places, though records indicate that he was never there. It seems reasonable that some were merely mistaken. However, Auerbach said that some were seeking publicity. Auerbach and Hauser hoped to tie Eichmann to determining and implementing

the Final Solution. A big problem in the approach, according to the author, was that Eichmann wasn't really a major player in the decision-making process.



# Chapter 4

## Chapter 4 Summary and Analysis

In chapter four, Eichmann was put in a glass booth in the theater of the Beit Ha'am for the opening of the trial. There were questions about languages because many countries wanted to cover the proceedings. Servatius opened with arguments that the trial was illegal because Eichmann had been kidnapped. He also argued that he couldn't call witnesses for Eichmann because those people would be arrested if they returned to the country. He also argued that the court didn't have jurisdiction over the crimes in question. Hausner took more than two days for his rebuttal. When he finished, media correspondents around the world commented, some saying that the trial would be fair despite previous concerns. The judges ruled that, as judges, they were routinely called on to put personal feelings aside and would do that for Eichmann's trial. When Eichmann was called on to enter a plea, he said, "In the sense of the indictment, no." His defense remained that he was not accountable because he was following orders.

Hausner then began his opening statement, citing the fact that six million Jewish victims stood with him as accusers. There were some people who believe that Ben-Gurion had a great deal to do with the trial, and that his influence reached past where it should have. The author disagreed, saying that one of the few things Ben-Gurion actually impacted was Hausner's opening. She also argued that Ben-Gurion was the head of the government and had the right to be involved. It was Ben-Gurion who tells Hausner to refer to "Nazi Germany," indicating that the current government was not the same as had been in control during Eichmann's crimes.

The author said that Hausner's opening statements were highly praised but that some of his facts were incorrect. For example, Hausner indicated that the SS was a highly-organized group with a clear chain of command. That wasn't the case and there was a constant battle for power and control as well as a constant overlapping of ideas and commands. Other points Hausner made were completely accurate. Whenever Eichmann issued a statement or evaluated a policy, he took the most stringent stand available. For example, when told deport a specific number of Jews, he deported more. Hausner also produced a copy of a manuscript, co-written by Eichmann, that was supposed to present the story of the Final Solution from the perspective of the Nazis. Eichmann had apparently agreed to participate in the project in an effort to "earn some money and clear his name." His contribution to this work showed "no remorse" but indicated that he wished that more Jews had been killed.

One of the first witnesses on the stand was Inspector Less who played tapes of his interviews with Eichmann in which Eichmann described preparations for mass murder, a building for gassing Jews and a truck used for the same purpose. He said he was concerned about the impact of the murders on the soldiers, saying those men were likely to become "sadists." Eichmann was then moved to Vienna where he facilitated the deportation of Jews, always at the cost of every bit of money in their possession.



Penniless, they could not return. He was so successful that his methods were used as a model for others. After his arrest, Eichmann argued that the process was "businesslike" and mutually beneficial to all parties. But a Jew who had observed the process told the story differently. From his account, a newspaper article was written in which Eichmann was likened to a "bloodhound" and an "enemy of the Jews." Another Jew described the scene, saying that he saw people cringe away from Eichmann and saw Eichmann push people aside as if they weren't there.

By 1939, the Germans see deportation of Jews as an ineffective method of ridding the country of them. Eichmann rushed to arrange the mass deportation of many of the Jews still in Vienna and a neighboring town. Only after they are leaving did Eichmann go to Poland to find a place for the Jews. One deportee, Max Burger, testified that Eichmann met him at the end of their journey. He told the Jews that they can have shelter and drinking water if they build houses and dig wells. The effort failed and many of the Jews paid their way back home. Despite this, Eichmann had proven that thousands of Jews could be forced from their homes and neither they nor their neighbors would object.

Other witnesses testified to seeing mass murders. Professor Georges Wellers told about four thousand orphans sent to Auschwitz on Eichmann's orders. Hausner asked many why they didn't resist. One man said the Jews as a whole were tired of fighting and ready to "die more quickly." However, the will to live exerted itself in some cases when death came close. Others described their fear that any resistance would result in harm to other prisoners or their families. Magistrate Moshe Beisky said that the prisoners were wearing striped uniforms and had strips shaved down the centers of their heads. They were highly recognizable and felt they had nowhere to go, even if they did escape. Another witness explained that they were unwilling to risk reprisal by outwardly rebelling but sought to rebel in a different way - by holding onto their humanity. Toward that end, they sought to regain their culture and education.

Abba Kovner presented a different view. Known as a leader of a resistance movement in Vilna, Kovner said revolts are typically called by organizations or nations. The Jews had no such organization to organize a revolt. On an individual scale, revolution was not the best course of action and ensured only death to the individual. Following these testimonies, Judge Landau attacked Hausner's tactics and said that some of the testimony was nothing more than "gossip." The argument escalated but it seemed clear that Hausner was not feeling chastised.

Servatius cross-examined few of the witnesses. He knew he could not elicit sympathy for Eichmann by taking a hard stand with the victims. He only objected when he knew he could prove that Eichmann was not directly connected to a particular action. When Servatius cross-examined Dr. Heinrich Gruber, it became clear that an anti-Semitic attitude was alive and well in Germany. Gruber, who had spoken to Eichmann on behalf of Jews, received threats after it was reported that he was to testify. He said other Germans who helped Jews didn't want to be identified for fear of reprisal.

Eichmann arranged for the deportation of some four hundred, fifty thousand Hungarian Jews in 1944. About three hundred thousand of them were gassed at Auschwitz, giving



the concentration camp its horrific reputation. The government's release of Hungarian Jews was political. Until that decision, the Jews there had lived in their homes without reprisal. In preparation of the deportation, Eichmann instructed Jewish leaders to create the Judenrat, or Jewish Council, to oversee affairs of the Jewish community. Eichmann promised that, if his orders were obeyed, there would be no harm to the Jews. The leaders either saw no choice or believed Eichmann and helped ensure a spirit of cooperation.

There was also testimony about the "goods for blood" program. Eichmann made promises to various people that he would trade Jewish hostages for trucks but few of the trades actually took place. Some Jews believed that the Judenrat and individuals had the chance to rescue some Jewish hostages but had failed to do so. Helavi asks a woman who had worked to gain the release of some Jews why her group hadn't assassinated Eichmann. The author noted that the woman realized, even though Helavi seemed not to, that Eichmann's death would have accomplished nothing in the grand scheme of things.

A Hungarian official, eventually realizing he might be punished by the Allies for his role, refused to allow a trainload of deportees out of the country. Eichmann found ways around the hurdles and deported even more. Thousands were forced to march in conditions so barbaric that some committed suicide. When some officials complained that the Jews were arriving at the camps too emaciated to work, Eichmann dismissed the complaints and resumed the marches. When Eichmann was questioned by Inspector Less, he said the marches were "sad."

Hausner then tried to connect Eichmann the Muslim efforts to carry on the extermination of the Jews but was unable to do so. Hausner was allowed to enter into evidence documents with Eichmann's personal notations. Among those was a statement by Eichmann that he had deported many but failed in his final objective - to rid the country of all Jews.

The author cited the first paragraph of Hausner's opening arguments in full. She pointed out that the impact at the time was tremendous though people today have heard the arguments restated many times. It's important for the reader to remember the time setting of this trial. The attitudes and general understanding of the situation was different.

Beisky apparently took the witness stand with no idea that he would be asked why he hadn't resisted. He was angry at Hausner and asked why he hadn't been warned that question would be posed. Hausner's answer was that he wanted Beisky's honest reply to the question and didn't want the judges to hear a rehearsed answer. The author noted that Hausner's tactics may seem somewhat calloused. The witnesses really had nothing personal to gain and were willing to share memories that were very painful. However, the author believed that the ends justified the means, as Hausner apparently did.

There was an interesting bit of testimony from a Jew in Denmark who told about a nation banding together to help almost the entire Jewish community escape to Sweden. When the man finished testifying, one woman was crying and explained that she cried whenever she was the recipient of a kind act. The author pointed to this as one of a few examples that not all ignored the danger to the Jews.



# Chapter 5

## Chapter 5 Summary and Analysis

In chapter five, Eichmann took the stand in his own defense and it was immediately apparent that he wasn't the bumbling old man who had been captured a year earlier. He was poised and confident. Eichmann repeatedly insisted that he had been following orders, that he was not "competent" to issue orders as some had testified, that records were incomplete or incorrect, or that he simply didn't remember. Questioned specifically about the Jews forced to leave the country without any money, he said the "donations" they made supported the Jews who were unable to leave the country. He completely ignored the fact that Jews were trying to flee because of what the Nazis were doing to them. He explained away a comment he'd made that he was pleased with the Final Solution by saying that he had meant he was pleased it wasn't his idea. Where he'd previously claimed to have joined a group of high-ranking Nazi officials to celebrate the implementation of the Final Solution, he now claimed that he'd only been "allowed" to remain in the room while others celebrated. At other times, Eichmann claimed that he'd exaggerated his role in the Nazi plan in order to make himself appear more important.

After all this, Servatius questioned Eichmann about his role in the proposal to trade Jews for trucks known as the "goods for blood" scheme. Eichmann had already painted himself as someone who had blindly followed orders so could not now claim to have hatched this plan. Instead, he said that a fellow officer had encroached on his territory and that he'd become involved in an effort to get even. Under questioning from Servatius, Eichmann gave answers that resembled lectures but often never answered the question. That became even more of a problem when it came to the cross-examination. Judges ordered that he answer questions without rambling on, but he continued. Hausner was unable to get a straight answer about anything. When he asked Eichmann why Jews were ordered to wear a yellow star, Eichmann gave a discourse on the bureaucracy and the use of different colored ink for different communiqués.

Hausner and Eichmann clashed but Hausner and the judges clashed as well. As Hausner sought to make the trial take on a scope larger than just Eichmann's misdeeds, the judges sought to rein him in. Hausner had problems holding his own and seemed to stumble on several occasions, once entering into an argument with Eichmann who seemed to become more dignified while Hausner looked like an amateur. Eichmann never admitted guilt throughout the two weeks of cross-examination, but the author pointed out that such an admission would have been of little use in the face of all the evidence against Eichmann. Eichmann didn't claim to be innocent because he didn't participate in the crimes, but only because he was following orders. What Hausner did accomplish however was to make it clear that Eichmann had a fantastic memory and could recall what he'd eaten at a specific SS dinner and what kind of brandy that he'd been served at a specific event. He claimed, however, that he couldn't remember how many Jews he'd put on trains to be taken to their deaths.





In keeping with Israeli law, the judges next had the opportunity to question Eichmann. Raveh was first and he asked Eichmann what had been discussed at the Wannsee Conference. Eichmann, for the first time since taking the stand, answered directly with few words. He said they had discussed various methods of killing. Halevi made the point that Eichmann's plan had "harnessed the Jews themselves to work for their own destruction." Also under Halevi's questioning, Eichmann said that he had sometimes used "loopholes" to help Jews escape. Halevi immediately pointed out that Eichmann claimed to have ignored orders, negating his previous claims that he'd religiously followed orders without question.

When the trial came to an end, Servatius returned to some old arguments but also made some new ones. He said that Eichmann was being tried under a law created years after the war and that Eichmann was being tried because he was a member of the SS. Servatius compared that to the way the Germans had targeted Jews because of their ethnicity. The author said that comparison ignored the fact that Eichmann chose to be involved with the Nazi Party and that his mere membership implied "complicity" in acts of violence. Servatius' final arguments included that Eichmann had made it possible for many Jews to leave the country prior to the killings, and described the murders as "within the medical sphere."

The judges' ruling addressed many aspects of the case and eliminated the idea that the trial should be used to decide important issues such as whether other countries should have come to the aid of the Jews. They eliminated the testimony of the survivors, saying those testimonies were not relevant to the charges against Eichmann. They also dismissed the idea that Eichmann and others of the Nazi Party didn't know what they were doing was wrong, citing the fact that they'd tried to cover up the murders. The judges said that Hausner had failed to prove some specific charges but also indicated that Eichmann, in his efforts to send Jews to a place he knew they would be killed, was responsible for their deaths. The said that there was no doubt that he'd issued orders and that he'd consistently tried to tell half-truths to cover the full extent of his role. The judges chose the harshest punishment available, death, and Eichmann immediately appealed the decision. There erupted a debate as to the ethical and moral aspects of the death penalty but families of victims object. Two years after his capture, Eichmann was hanged and cremated. His ashes were scattered at sea to prevent anti-Semitic groups from creating a shrine on the spot of his burial.

Eichmann made a comparison of himself to Pilate, who condemned Jesus to death but claimed no responsibility because he'd been ordered to do so. Eichmann said that he had also been following orders. What's interesting is that the author noted the proximity of Eichmann's trial to the location where Pilate condemned Jesus to death. To make matters more interesting, Eichmann is addressing a panel of Jews, who were condemned in the New Testament for having been the catalyst for the crucifixion of Jesus. The author pointed out that Eichmann apparently didn't catch the irony of the situation or he may have been very clever, making the statement that the Jews were again the crucifiers. It's left to the reader to decide which scenario is correct. There were other similar examples. When Eichmann asked Inspector Less about his own family,

Less responded that his father had been murdered at Auschwitz. Eichmann said that was "horrible," as if he'd had nothing to do with the situation.

While some objected to the death penalty for Eichmann, a poet named Uri Zvi Greenberg put the subject into the perspective of the families of the victims. Greenberg said that he didn't want to speak for the millions of Jews who died. He said that he wanted to speak on behalf of only two - his parents. And Greenberg pointed out that only he, their surviving son, had the right to do that. He then argued that no one else had the right to demand forgiveness for the man who murdered his parents.



# Chapter 6, Conclusion

## Chapter 6, Conclusion Summary and Analysis

Hannah Arendt was a journalist for the "New Yorker" when the Eichmann trial began. She had been incarcerated briefly at the beginning of the war but was able to flee to New York where she taught and wrote. She proposed that she cover the trial for the "New Yorker" thought she knew it would be a "personal" journey. Arendt was born into a family of affluent German Jews but said they never talked about that ethnicity. Arendt held the view that totalitarian regimes held people captive so that they would do anything ordered, even murder and torture, without questioning the orders. She also believed that the members of a totalitarian society would also perceive horrific acts as necessary. That said, Arendt took the stand that the trial should only encompass acts that could be directly linked to Eichmann. She did not believe that he should be tried for his role in the Nazi Party. Arendt's stand on the trial became immediately evident both in her official coverage and in her letters and comments to family and friends. She talked about the fact that the devout, traditional Jews "made life impossible for reasonable people." She was disdainful of Hausner and compared him to a "diligent schoolboy" who wanted to show off his knowledge.

Arendt said that the situation between Jews and Nazis was played on a "level" field, and that the Jews freely collaborated in their demise. The author pointed out that Nazis required Jews to leave the country but then made it impossible for many to do so. Arendt disagreed. The height of her "critique" of the situation was that the Jewish Council could have prevented the deaths of hundreds of thousands but failed to do so. She said there would still have been Jews who died, but that the number would have been far less if not for the Jewish Council. Arendt also condemned the Sonderkommandos, the groups of Jews responsible for calming those about to be gassed.

Arendt was also critical of Rabbi Leo Baeck who had sent Jews off to camps without telling them they would likely die. Baeck testified that he'd wanted to spare the Jews the horror of knowing they were about to die. Arendt said he'd denied them the opportunity to resist. Arendt described Baeck as being revered as a "Jewish Fuhrer." The author noted that many of Arendt's comments sounded as if she were siding with the Nazis, a criticism shared by many of her readers. Arendt was angry. Arendt said that Eichmann, far from the high-ranking official Hausner had made him out to be, was nothing but an unskilled and untalented clerk.

Ironically, Arendt did believe that Israeli officials were justified in their kidnapping scheme that brought Eichmann to trial. She argued that the venue was correct because there was no international arrangement for a trial of that nature and no other country wanted to be the setting for the controversial trial. She also pointed out that many countries held trials when the defendants had wronged a large group of people. She



said the fact that there had been crimes against Poles didn't preclude a Polish judge from being fair, and the same should have been accepted of Israel.

Arendt had experienced political issues of her own prior to the beginning of the trial. She's broken ties with her Zionist organizations and come out against "certain Israeli policies." She had, however, declined forums to voice her opinion publicly. The author also noted that Arendt took the stand that the victims' statements were not valid to the charges against Eichmann, a stand that prompted a great deal of criticism but one that was echoed by the judges.

In her book, Arendt cited the testimony about a German named Anton Schmidt who had helped Jews escape until he was caught and executed. Arendt pondered what would have happened if there had been more stories like Schmidt's.

At the end of her arguments and writing, Arendt supported the death penalty against Eichmann but did not agree with the court's reason for imposing it. She argued that Eichmann and others like him had decided they did not want to share the world with Jews and therefore no one should have to share the world with Eichmann.

In the conclusion, the author discussed the ramifications of the trial. She said many people believed the trial brought the story of the Holocaust to the forefront of attention in many countries but she disagreed. She said people had, for many years, understood what happened with the Holocaust. The difference was that the victims spoke out at Eichmann's trial. These stories made the historic event have personal significance for many.

There was an interesting excerpt from a letter written by Arendt to Karl Jaspers who had been critical of the trial against Eichmann because of how Eichmann came to stand trial. Arendt responded and said, "We kidnapped a man who was indicted in the first trial at Nuremburg." The use of the word "we" indicated that Arendt aligned herself with the Israelis on the issue. The author of the book put a great deal of emphasis on this but it could be that Arendt was simply playing Devil's advocate. Her reason for taking this stand is not clear and it's left to the reader to decide the significance.

The author noted that it Arendt was criticized mainly because of a few points - she made comparisons between the Nazis and the Jews; found non-Jewish heroes but lauded no Jewish efforts to escape or end the murders; and massed the Jews into a single group of compliant victims. The author's criticism of Arendt's book included the fact that Arendt wasn't present for much of the trial though she presented her book as an eyewitness account. The author also said that Arendt may have been deeply torn. Arendt was Jewish but claimed, repeatedly, that she was impartial. She was also very deeply rooted in the intellectual community. It could be that she erred on the side of the Nazis in an effort to prove her impartiality.



# Characters

## Adolf Eichmann

Eichmann was a high-ranking Nazi Party official prior to the outbreak of World War II. He had little education and seemed destined for a life of mediocrity until a family friend invited him to join the Nazi Party. This friend suggested that Eichmann join the SS as well and he soon rose through the ranks. Eichmann escaped justice for his war crimes for decades but was brought to trial in the early 1960s. He was living in Austria when a former German Jew realized his true identity and contacted Israeli officials with the information. Knowing that Eichmann wouldn't voluntarily return to face justice, he was kidnapped and transported to Israel. Eichmann never claimed that he hadn't participated in the mass murder of millions of Jews, but he did claim to be innocent of the charges because he was merely following orders. His entire defense rested on the fact that he was not a high-ranking official but had been ordered to carry out specific tasks and had done so. Eichmann was sentenced to death and appealed that conviction. The order was upheld by a superior court and he was hanged and then cremated with his ashes scattered at sea.

## Gideon Hausner

This is a man who was appointed attorney general only a short time before the Eichmann trial. He had limited criminal trial experience and some people hoped he would turn the case over to a more seasoned lawyer, but he took the lead himself. Hausner had specific ideas in mind regarding how the trial should be handled and the scope of the crimes for which Eichmann should be held accountable. It was Hausner's idea to allow survivors to testify. His purpose was to give voice to the victims. Hausner's opening statements in the trial included terms that became common when describing the Holocaust and its victims, but at the time those words were shockingly new. He said that he stood with "six million accusers" though they were unable to point a finger at Eichmann because their ashes had been scattered from the various concentration camps and their bodies lay in unmarked graves. Hausner took that stand that he was standing before the judges and before Eichmann in the place of all those victims. Though the judges later ruled the victim testimonies as irrelevant, Hausner humanized the suffering of the victims and their families for a worldwide audience, a feat that had never before taken place. Though Hausner was calm throughout most of the trial, Eichmann rattled him and he seemed to seek a confession. Hausner later wrote in his memoirs however that it hadn't been his objective to get a confession.

## Deborah E. Lipstadt

Author of the book, she is a professor of Jewish history and the Holocaust. Lipstadt made her opinions known throughout the story. She included a lengthy chapter about



the changes that occurred as a result of the Eichmann trial, including the criticism of a young journalist named Hannah Arendt.

## **Robert Servatius**

An attorney who worked on the defense team of the Nuremburg Trials, he was recommended by the Eichmann family to head up Eichmann's defense team. Servatius charged thirty thousand dollars for his services and Israel wound up paying the fee.

## **Benjamin Halevi**

This is the judge who would typically have presided over a trial such as that against Eichmann. However, Halevi had been involved in a trial against a Hungarian Jew who traded trucks for Jews during the Holocaust, thereby saving the lives of many. The man had been accused of profiting from his association with Eichmann and Halevi found him guilty of that crime. Halevi's decision was eventually overturned but the Hungarian Jew was assassinated. Halevi was allowed to participate in the tribunal but officials feared that allowing him to preside would create the impression that Eichmann could not get a fair trial.

## **Judge Yitzhak Raveh**

The third member of the tribunal in the Eichmann trial. Raveh is the judge who asked Eichmann about the Wannsee Conference. It was to Raveh's question that Eichmann said that officials discussed killing at that conference.

## **Uri Zvi Greenberg**

This is a poet who said the question of whether Eichmann should be put to death should be considered from the perspective of the families of the victims. Greenberg said that his parents had died in the Holocaust. He said that he was the only person who could speak for his parents, and that he wasn't trying to speak for all Jews. Greenberg demanded justice in the form of the death penalty.

## **Avner Less**

This is the inspector who questioned Eichmann prior to the trial. Less was supposed to interrogate Eichmann but was not supposed to "cross-examine" him. However, he got into several debates with Eichmann and only put an end to them by presenting Eichmann with documented proof. Eichmann asked Less if he'd lost anyone in the Holocaust. When Less confirmed that his father had been among the victims, Eichmann said it was "horrible."



## **Rachel Auerbach**

This is a woman responsible for compiling a great deal of information about Jews who were victims of the Holocaust. She helped with research for Hausner's case against Eichmann.

## **Hannah Arendt**

This is a journalist for the "New Yorker" at the time the Eichmann trial begins. She is a German Jew from an affluent family and was incarcerated a couple of times as the war began. She was criticized for her coverage of the trial.



# Objects/Places

## The Holocaust

This is a program by the Nazis to destroy all the Jews and select other groups in Germany.

## The Final Solution

Always capitalized, this is a plan by the Nazi Party to exterminate the Jews.

## Beit Ha'am

This is the name of the cultural center where the trial was held.

## Rhineland

This is where Eichmann was born.

## Where Eichmann got a job with the endorsement of a Jewish Re

This is where Eichmann got a job with the endorsement of a Jewish Relative.

## Operation 1005

This is a plan by the Nazis to dig up mass graves and pulverize the bodies, thereby eliminating the possibility that someone would discover the scope of the annihilation program.

## Wannsee Conference

This is a meeting of the Nazi Party where officials decided on a course of action to kill as many Jews as possible.

## The New Yorker

This is the name of the magazine Hannah Arendt worked for when the Eichmann trial began.



## **The Jewish Council**

This is an organization under the reign of the Nazi Party that was responsible for specific aspects of Jewish life. Arendt believed the Council was directly responsible for sending hundreds of thousands of Jews to their deaths.

## **Sonderkommandos**

These are groups of Jews responsible for calming those about to be gassed in order to maintain order.



# Themes

## The need for a fair trial

The need for a fair trial dictated a great deal of activity prior to the actual beginning of the trial. It's noted that the various players who were arranging for the trial spent a lot of effort trying to be sure that the trial's setting, judges and attorneys were capable of facing the task and would be viewed by the world as being impartial. Hausner became the prosecuting attorney because it was in his capacity as attorney general to do so. The question of who would defend Eichman became much more difficult to answer. Germany would typically have paid for Eichmann's defense attorney because he was once a German citizen. However, Germany sought to distance itself from the case and left Israel paying for both Eichmann's prosecution and his defense. There was a tribunal to hear the case. The judge who would normally have presided over a trial of this kind was feared to be prejudiced and, as a compromise, became one of three to hear the case. The question of whether the judges could be fair was posed as a reason not to try the case at all but the judges themselves dismissed that argument. Hausner's opening statements prompted some journalists to say that Israel had accomplished what was initially believed to be impossible - a setting for a fair trial for Eichmann.

## Eichmann's defense

Eichmann never said that he didn't commit the crimes of which he was accused, but argued that he had no choice in the matter. He said repeatedly that he was "following orders" of higher-ranking Nazi officials. Eichmann's defense might have been believable except for some important facts. One of those was that he repeatedly pushed the limits of the programs he was overseeing. When he was told to stop deportation on a specific date, he pushed that date back. When Hungarian officials halted the deportation of Jews, he found ways around them. He said that he'd packed a hundred to a train car because he knew the train cars were supposed to carry seventy soldiers and that, without luggage, more Jews would fit. Eichmann's defense also met a problem when he claimed to have saved some Jews on his own. He claimed that there were "loopholes" to the laws being enacted against Jews and that he had let some slip through those exceptions. He was apparently trying to elicit some sympathy by making himself out to be a hero but the plan backfired. One of the judges asked why he felt he could disobey those orders, allowing a few to escape, when he'd previously sworn that he was not guilty because he'd been following orders. Other key components in Eichmann's defense included the fact that he was abducted and brought illegally back for trial; that the law he was being tried under was not enacted until years after his crimes; and that the court in Israel had no jurisdiction over him or his crimes.



## The horror of the Holocaust

The horror of the Holocaust was not seen as clearly in this book as in some others but the underlying story of the atrocities against the Jews was evident in the survivors' testimonies during Eichmann's trial. The stories included the young man who willingly boarded a train but was pushed off the train by his mother before they reached their destination. That young man said he'd suddenly been filled with the will to live, to escape the death he was certain awaited him. One witness told the story of one of his students. When the entire class was taken prisoner, one girl was singled out. She was told that she could walk away if she didn't look back. The girl took the offer and her classmates were envious until the Nazi guards shot the girl in the back. One man, asked why he didn't try to run away, said that he had nothing to wear but a striped uniform that would identify him as a prisoner. In addition, the prisoners had a strip down the center of their heads shaved. The man said that even if they had gotten away, there was nowhere to run. Another survivor told of a child who was hanged twice because the rope broke on the first try, although the youngster had pleaded for his life.



# Style

## Perspective

The book is written in the first person from the limited perspective of the author. It should be noted that the author is a historian and college professor, and seems to be recognized as an expert in the field of Jewish history especially as it pertains to the Holocaust. That said, the reader should keep in mind the author presents a great deal of information as fact that might actually be her opinion. She does not present anything as opinion and there seems little doubt that it's based on her research. However, she is not omniscient and cannot know for fact the thoughts and motivations behind all the people in this story. It's left to the reader to determine the extent of any biases on the part of the author and to decide whether that impacts any part of the book. The author has apparently done a great deal of research on the topics, including Eichmann's role in the Holocaust, the trial and its impact on the world. That means there are fewer limitations on the perspective than might be expected. For example, the author describes the abduction of Eichmann from his home in Austria though there is no way she has first-hand knowledge of that event. It should be noted that the author, Lipstadt, was involved in a lawsuit with another author who claimed that the Holocaust had never occurred at all. Lipstadt won the suit and she refers to this other author as a "Hitler partisan" who skewed evidence to his own liking.

## Tone

The overall tone of the story is one of hope against a backdrop of darkness, evil, and horror. The dark side of the story is that the crimes against the Jews happened at all. The hope appears as survivors tell their stories and one man - accused of being a high-ranking Nazi official who was overly zealous in his attempts to eradicate the Jews from Germany - is brought to justice. The reader who expects the story to be about the Holocaust will be disappointed. The story is about the trial and the difficulties faced by those seeking to exact justice on Eichmann for his war crimes. There are many political references and some will be lost on some readers. The author explains many. For example, she goes into some detail about the reason a particular judge who would normally sit in judgment of Eichmann is relegated to being one of a three-member panel of judges. The reader who has limited knowledge of the Jewish history will find the author explains the major events. The author is a scholar and, as such, uses a great many big words. Some readers may have trouble with some of the words which become so common place in some instances that it seems to be an effort on the part of the author to appear educated or to weed out uneducated readers. The reader with a reasonable vocabulary will recognize at least the root of most words and be able to figure out the meaning from the context. For example, the author uses the word "phantasmagorical" and "megalomaniacal" when it seems that more commonly-used words would have sufficed.

## Structure

The book is divided into six chapters of varying lengths. The first chapter introduced some of the major players in the trial and how Eichmann came to be captured. In the second chapter, Eichmann was smuggled out of the country into Israel where news of his capture was met with tears of thanksgiving. There was immediate concern that the trial will be fair. In chapter three, the officials began the process of choosing who would try, judge and defend Eichmann and where the trial would be held. In chapter four, the trial began with Eichmann declaring that he was not guilty because he was only following orders. In chapter five, Eichmann took the stand, was found guilty and executed. In chapter six, the author looked at the long-reaching impact of the trial. The book also includes notes, an introduction and conclusion. The introduction includes personal aspects of the author's research, including her legal battle with a man who claimed the Holocaust never happened. In the conclusion, the author presented her thoughts on why the trial had such far-reaching effects. The chapters are identified by numeral only. The first three chapters were about twenty pages each. Chapters four through six were about fifty pages each.



## Quotes

"I have to inform the Knesset that a short time ago one of the great Nazi war criminals, Adolf Eichmann, the man responsible together with the Nazi leaders for what they called the Final Solution, which is the annihilation of six million European Jews, was discovered by the Israel security services. Adolf Eichmann is already under arrest in Israel and will be placed on trial shortly under the terms of the law for the trial of Nazis and their collaborators." (Chapter 1, p. 3).

"Eichmann's whereabouts would probably have remained a mystery but for a combination of amateur sleuthing and dumb luck." (Chapter 1, p. 5).

"Some of the members of the Israeli team were taken aback to discover that, rather than a haughty SS officer living in splendor, they had caught a trembling factory worker in shabby underwear with false teeth." (Chapter 1, p. 17).

"A year later, when the trial was under way, in his Independence Day address, he posited that the trial and the discovery of the Dead Sea Scrolls were the major events of the year, and that they both affirmed the historical legitimacy and necessity for a Jewish state. He had shifted his view in response to the importance the Israeli public accorded the capture and trial." (Chapter 2, p. 28).

"I do not ask for mercy because I am not entitled to it...I would even be prepared to hang myself in public as a deterrent example for the anti-Semites of all the countries on earth." (Chapter 3, p. 43).

"By the end of 1939 he had demonstrated that tens of thousands could be removed from their communities without their or their neighbors' opposition." (Chapter 4, p. 77).

"In contrast to the murder program, he had always sought 'peaceful solutions,' which did 'not require such a violent and drastic solution of bloodshed.'" (Chapter 5, p. 110).

"How significant would an admission of guilt be, coming from a man who had willingly participated in a murder program, then claimed he was not responsible because he was following orders, and then subsequently lied about what he did?" (Chapter 5, p. 128).

"She believed the trial should be limited to Eichmann's deeds - 'not the sufferings of the Jews, not the German people or mankind, not even anti-Semitism and racism.'" (Chapter 6, p. 151).

"Some people, particularly in the Jewish community, will tell you, year in and year out, that anti-Semitism is always increasing in intensity and danger, and that this year the situation is exponentially worse than during the preceding one." (Chapter 6, p. 186).

"The trial and the debate that followed inaugurated a slow process whereby the topic of the Holocaust became a matter of concern not only to the Jewish community but to a larger and broader realm of people." (Conclusion, p. 193).

"Future generations, those who were not there, must remember. And we who were there, must tell them." (Conclusion, p. 203).



## Topics for Discussion

Describe how Eichmann was brought to justice and how he was living prior to being returned to Israel to stand trial.

Who was Hausner? What was his role in the trial? What was his vision for the trial? Did he accomplish this? Support your answer.

What was Eichmann's defense? Was it believable? Why or why not?

Describe Hannah Arendt's role in the trial. What happened to create so much controversy around her? Was that controversy warranted? Why or why not?

What is the perspective of the book? Is it reliable? Is it biased? Support your answers.

Who defended Eichmann? Why do you believe he took the case? What was his tactic? Was he effective?

What was Eichmann's role in Vienna? Were his actions there criminal? Should he have been held responsible for his actions there? Why or why not?

There was a great deal of concern that Eichmann would not get a fair trial. Do you believe the trial was fair? Was his fate sealed as soon as he was returned to Israel?