

Preparing the Eichmann Trial: Who Really Did the Job?

*Hanna Yablonka**

The Eichmann trial has been one of the most important formative events in the short history of the State of Israel. The echoes of its impact on how Israelis as individuals and as a public perceive themselves reverberate even today in the most profound and existential of ways. In the public consciousness, the trial was, and still is, fundamentally identified with its prosecutor, then Attorney General Gideon Hausner. However, the trial was not a one-man show as the public tended to perceive it. Behind the scenes were numerous people working and preparing for the trial and influencing the prosecution's case against Eichmann: the investigators in the special police unit Bureau 06 established to conduct the investigation and prepare the criminal file; the Holocaust survivor organizations and institutions; and all echelons of the political sphere. This paper will trace some of the stages in the preparation of the prosecution of Eichmann and the people involved, as well as the matter of the scope of the bill of indictment and of the historical narrative told at the trial and the fact that it emerged to be one of the most important trials in the history of the twentieth century.

INTRODUCTION

There are key events in the collective experience of any generation that leave a lasting impression on its members. It is common nowadays to define such events and experiences as awareness forming. These awareness-forming experiences have long-term effects, but are also dynamic and subject to change in accordance with circumstances. Moreover, the fingerprints of the original event are always discernible. This is especially true when tracing the national mythology, educational framework, and elements of public discourse. One

* Head of Israel Studies, History Department, Ben-Gurion University, Beersheva.

such awareness-forming event in the relatively brief history of the State of Israel is the trial of Adolph Eichmann. It takes its place alongside three other equally significant awareness-forming events: the independence of the State in 1948, the 1967 Six Day War, and the 1973 Yom Kippur War. The Eichmann trial was the only one of these events over which Israel had complete control. Indeed, from the moment of Eichmann's capture in Argentina on May 23, 1960, until the end of the entire affair in May 1962, this matter was solely directed by and under the auspices of the Israeli government.

In this paper,¹ I will trace some of the stages in preparing the prosecution of Eichmann, the people involved, the historical narrative of the trial, and the fact that it emerged as one of the most important trials in the history of the twentieth century. One of the definitive problems that faced the people who shaped the case against Eichmann was the matter of the scope of the bill of indictment. Would the entire tale of the Holocaust be told at the trial, or would only those specific chapters in which Eichmann played a determinative role be recounted? Not surprisingly, it was the Israeli Holocaust survivors who brought pressure to bear in favor of expanding the scope of the trial. The prosecutor, then Attorney General Gideon Hausner, embraced their view. The Israeli Police Force, which prepared the criminal file, had some reservations on this matter, and naturally, Eichmann's defense attorney, Dr. Robert Servatius, emphatically objected to such a broadening of the scope of the trial. Indeed, during the course of the trial, the defense announced that it does not deny the occurrence of the Holocaust and its horrific nature, but, rather, the accused's relevance in regard to the Holocaust. As a result of this approach, the defense waived, in advance, cross-examining most of the Holocaust survivor witnesses who testified at the trial.

The warrant for Eichmann's arrest was issued by a very emotional judge, Emmanuel Yedid Halevi of the Tel Aviv District Court, who based his authority to do so on the wrong statute.² Ben-Gurion violated the laws of

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- 1 This paper is compiled from a book I recently completed, *Tik Pili 40/61, Medinat Yisrael neged Adolph Eichmann [Criminal Case 40/61, The State of Israel versus Adolph Eichmann]* (1999) (Hebrew), which follows the various aspects of the Eichmann trial, its preparation, and the effect it had on Israeli society.
 - 2 The warrant for Eichmann's arrest was issued in accordance with the 1948 U.N. Charter for the Prevention of Genocide, which was intended for prevention of future occurrences of mass murder, while in fact, the warrant should have been issued on the basis of the Nazis and Nazi Collaborators (Punishment) Law, 1950, 4 L.S.I. 154 (1949-50), which is the *ex post facto* statute addressing Nazi war crimes. See Hanna Yablonka, *The Punishment Law for Nazis and Their Helpers: History, Implementation and Point of View*, 82 Katedra (1996) (Hebrew).

sub judice by declaring Eichmann to be the "greatest war criminal of all time"³ even before he had been brought to trial, in his announcement to the Israeli Parliament (the *Knesset*) on May 23, 1960, of Eichmann's capture and arrest by Israeli *Mossad* agents. Many issues arose in the context of the trial: the appointment of a non-Jewish, non-Israeli defense attorney; which judge would preside over the trial; the imposition of the death sentence; the validity of *ex post facto* laws; and other issues that are beyond the scope of this article. Contrary to the public perception of the Eichmann trial as inextricably linked to its prosecutor, Gideon Hausner, most of the preparatory work in building the prosecution's case was carried out by a special department of the Israeli Police Force, Bureau 06, set up specifically for this purpose.

I. POLICEMEN AS HISTORIANS

The police investigators appointed to Bureau 06 (thus called so as to avoid the unpleasant associations of the term "special unit") were among the most senior of the country's police officers. All were native-German speakers, and several of them were Holocaust survivors. Superintendent Menachem Zafir, one such survivor, was in charge of the Bureau 06 archives. When his job was completed in 1962, he wrote:

I was filled with great satisfaction — the little Yid from the land of the Carpathians, where the Jews had felt the full force of Eichmann's heavy hand, who defined the Jews as pathetic creatures not even deserving of air. For me to be here, to see the wheel come full circle, to participate in preparing for the day of revenge. All those years of suffering and degradation that I endured under the Nazis in the Hungarian forced-labor camps flashed before my eyes, and my ears rang with the cries of the thousands of Jews — old people, women and infants — emanating from the closed cattle carts that passed us by. One of those cattle carts no doubt carried away my wife and our three children ... and now I have been given the opportunity to play my part in forcing this man, who put the wheels of those cattle carts into motion, to account for his deeds.⁴

3 29 Divrei HaKnesset [D.K.] (1960) 1291 (author's translation).

4 Superintendent Menachem Zafir, *My Part in the Eichmann Trial*, on file with the Israel State Archives [hereinafter ISA], Bureau 06 Archive Section [hereinafter

The Bureau 06 investigation team was headed by Avraham Zellinger, who had five years of experience as Head of the Police Criminal Investigation Department. He was a stern, pedantic, and diligent man with a somewhat dry manner, almost painfully direct. In writing up his team's conclusions, he refused to include any hint of emotion or sentimentality, for example, rejecting the famous lines of Israel's poet laureate Haim Nachman Bialik "Even the Devil himself has yet to conceive vengeance for the blood of a child"⁵ and the term "babes and sucklings" to describe the 1.5 million Jewish children who were murdered by the Nazis. This straightforward and unembellished approach was only one of the differences between Zellinger and Gideon Hausner in how they conceived the trial.

The Bureau 06 staff's knowledge of the historical details of the Holocaust was only partial, "like that of the average Israeli" of the early 1960s, as Zellinger put it.⁶ Even those members of the investigation team who were actually survivors of the Holocaust did not have a great deal of knowledge of the history of the Holocaust. They certainly did not possess a historical understanding of the ideological, structural, geographical, or organizational issues relating to that period. This fact was of concern to a number of people, including then Prime Minister David Ben-Gurion. As they began their work, the police investigators met with Moshe Prager, a Holocaust investigator and ultra-orthodox Jew from B'nei Brak, who rushed to inform Ben-Gurion that "the police have [sic] no idea of the land mines lying in their path, they have no concept of the historical background."⁷ Ben-Gurion asked for a memorandum on this matter. The letter he received from Prager on September 1, 1960, revealed that after meeting a number of times with the police investigators, Prager was of the opinion that

to date, the investigation work, along with the amassing of documentation, is most praiseworthy. I was surprised to learn that the police officers, whose knowledge of the issue was limited, have succeeded in penetrating it and understanding all its aspects. However,

Bureau 06], File No. GN/1234/44 (Hebrew) (author's translation). Zafir, born in Czechoslovakia, immigrated to Israel in 1948.

- 5 Haim Nachman Bialik, *Al Hashchita [On the Slaughter]* 259 (1944) (Hebrew) (author's translation).
- 6 Avraham Zellinger, Summary Work Report from Feb. 14, 1961, on file with ISA, Bureau 06, File No. 3062/A, 1/38 (Hebrew) (author's translation) [hereinafter Zellinger, Summary Report].
- 7 Ben-Gurion Diaries, Entry from July 13, 1960 (on file with Ben-Gurion Archives [hereinafter BGA]) (Hebrew) (author's translation).

what they lack is a measure of its *depth*. One cannot expect even the most talented and devoted people to study and understand the finest nuances and most complicated aspects of the Holocaust period in just a few months. They need the help and cooperation of experts in Holocaust research.⁸

The investigators from Bureau 06 did not seek the advice of historians. As noted, the above letter was from September 1960, a relatively early stage in the investigation. In the end, by adopting a state of mind that can only be described as obsessive devotion, the investigators managed to contend with and process the historical account and sea of documents and overcome the emotional hurdles involved in cataloging and classifying the material that they had to sift through. This process was described by Superintendent Yosef Mendel, Chief of the Police Youth Department and a member of the Bureau 06 investigation team, in a letter to Zellinger, as follows:

I drew the first pieces of information from Yoel Brandt's book *Die Geschichte*. Later on, I completed my knowledge from the general literature on the Holocaust in Reitlinger's book ... and from documentary material such as the Kastner report, I read everything I could lay my hands on that was written in Hungarian about the Holocaust of the Hungarian Jews. Even the apologetic memoirs of the Hungarian regent, Admiral Horthy. The more I read, the more I was captivated by the subject with a sort of insatiable thirst. I stayed up half the night reading...⁹

Mendel's reference to the "insatiable thirst" that drove him to read about the Holocaust all through the night reflects one of the more fascinating aspects of the Bureau's work. For a period of ten months, the investigators lived and breathed the Holocaust from dawn till dusk. As recalled decades after the trial by Inspector Amram Blum, the officer in charge of preparing the file on Slovakia and Hungary in Bureau 06, the work had become "a

8 Letter from Moshe Prager to David Ben-Gurion (Sept. 1, 1960) (on file with BGA, "Correspondence") (Hebrew) (emphasis added) (author's translation) [hereinafter Letter from Prager].

9 Letter from Superintendent Yosef Mendel to Avraham Zellinger, *My Work with the Department* (Nov. 9, 1962) (on file with ISA, Bureau 06, File No. GN/1234/44) (Hebrew) (author's translation) [hereinafter Letter from Mendel].

regular psychosis."¹⁰ A similar impression arises from the accounts recorded of the day-to-day routine that developed in the Bureau. Yosef Mendel wrote,

Even today, I cannot understand what the motivating force was that inspired me to sit for so many hours, sometimes into the early hours of the morning, in a small apartment in Haifa's *Neve Sha'an*an Quarter, bent over the documents, engrossed in writing up a summary. I remember the stormy arguments I had with Inspector Blum on the nights we read our summaries to each other. We crossed things out and repeated and rewrote and polished what we had written. The following day we would bring the results to Inspector Zellinger, the Bureau Head. I felt real torment when they [Zellinger and his deputy Hofstaedter] rejected a particular chapter or document. This was the only time in which the wonderful harmony typical of our work was disturbed.¹¹

According to Zellinger's deputy, Ephraim Hofstaedter, there was virtually no absenteeism on the part of the Bureau's staff, neither for medical nor for personal reasons. "Apparently the tension of the work and the emotional devotion activated a natural immunity in our bodies," he wrote of the atmosphere in Bureau 06.¹² The physical and emotional burden of the investigation was so great that some of the Bureau's men subsequently were unable to muster any enthusiasm for the trial or even to follow its development. "Since completing my task, I have been doing my best to forget as much as I can about the Holocaust, which is why I have been unable to follow the process of the trial," wrote Yosef Mendel to Zellinger.¹³

What motivated Moshe Prager to try to interfere in the investigation by raising his concerns with Ben-Gurion is unclear. A reexamination of his letter to Ben-Gurion¹⁴ reveals that Prager's main objective appears to have been to pressure Ben-Gurion into pushing for expanding the scope of the trial. Prager wrote to Ben-Gurion that

in light of the Prime Minister's public declarations regarding the historical significance of the Eichmann trial ... the unmistakable

10 Interview with Inspector Amram Blum, Givata'im, Israel (Nov. 23, 1994) (Hebrew) (author's translation).

11 Letter from Mendel, *supra* note 9.

12 Ephraim Hofstaedter's Memoirs, on file with ISA, Bureau 06, File No. GN/1234/44 (Hebrew) (author's translation) [hereinafter Hofstaedter's Memoirs].

13 Letter from Mendel, *supra* note 9.

14 See text at *supra* note 8.

conclusion is that the scope of the trial must not be narrowed by presenting [only] incriminating material that relates personally and directly to the accused Eichmann, but rather, the Nazi campaign of annihilation against the Jewish Nation must be unfolded in detail, all of its factors, all of its manifestations, while emphasizing the determinative role of the accused in this scheme.¹⁵

Prager brought further pressure to bear by suggesting that the defense would likely tend towards an expansion of the scope of the trial in order to impart it with political, moral, and international significance.¹⁶ In the end, however, the parameters of the prosecution's case and, subsequently, the trial were defined through a process of application of pressure by the lower ranks inside and outside of the political sphere, comprised of different groups of people with different aims and conceptions of the objectives of the trial. No guidelines were given to the police investigating team at the outset of the investigation as to the direction the prosecution's case was to take or as to the desired scope for the trial. Even the government's announcement that this trial would focus on the history of the Jewish People, and not only on Eichmann's deeds specifically, did not provide any sort of framework or guideline for the desired parameters of the trial. In the end, the prosecution's decision as to the scope of the trial as well as the narrative it was to reflect was based on the evidence gathered during the police investigation and was influenced by the pressure brought to bear on the prosecution and the police investigators by Holocaust survivors and public opinion.

It would appear that from the earliest stages, the investigators in Bureau 06 felt intuitively in which direction the wind was blowing with regard to the trial and the narrative that it was to tell. Indeed, almost from the outset and with no specific instructions on the matter from either the political echelons or the prosecution, the process of organizing the evidentiary material collected by the investigators was conducted against the background of a broad concept of the story of the Holocaust. The investigators, in carrying out this documentation process, were clearly influenced to a great extent by their early exposure to already existing sources of information on the Holocaust, the primary sources being Holocaust survivors' organizations and institutes such as *Beit Lochamei Hagetaot* (Ghetto Fighters' Museum), Nazi hunter Tuvia Friedmann's Institute for Documentation, the Hungarian Immigrants' Association, the Czech Immigrants' Association, and the Organization of

15 Letter from Prager, *supra* note 8.

16 *Id.*

Nazi Prisoners. Moreover, the Bureau 06 investigators also were contacted directly by individual survivors of their own initiative.

Following Bureau 06's first operative meeting at the end of May 1960, Zellinger and Hofstaedter set out to *kibbutz Lochamei Hagetaot*, where they met with Yitzhak Zuckerman, Zvi Shner, and Sara Shner Nishmit, three legendary leaders of the Warsaw Ghetto uprising and all members of the *kibbutz*. Beyond the fact that *Machaneh Iyar*, the police investigation headquarters and where Adolph Eichmann was imprisoned, was conveniently close by to the *kibbutz*, such meetings became a ritual for a number of the people central to shaping the case against Eichmann. Zvi Shner, his wife Sara Shner Nishmit, and, especially, Yitzhak Zuckerman and his wife, Zivia Lubetkin-Zuckerman,¹⁷ became the moral anchors for the men of Bureau 06, as well as for Gideon Hausner, the prosecutor. For its part too, *Beit Lochamei Hagetaot* willingly offered its services in preparing the bill of indictment. In a letter from May 1960 to Pinchas Rosen, Israel's first justice minister, Zvi Shner and Yitzhak Zuckerman wrote, "We have taken the liberty of bringing your attention to the urgent need ... to fill in the details missing from the general picture of the campaign of annihilation waged against the Jews of Europe."¹⁸

Both the *Landsmannschaft* organizations (organizations with membership based on country of origin, city of origin, or region of origin) as well as organizations founded in the wake of and on the background of the Second World War (such as the ghetto fighters' organizations) took upon themselves to find the appropriate people to represent the survivors' past suffering, the fate of the destroyed communities, and the story of the camps at the trial.¹⁹ In so doing, these organizations established, even if not explicitly, the concept of the witnesses serving as representatives of the annihilated communities at the trial, which eventually served as the basis for the prosecution's expansion of the focus of the trial beyond only Eichmann's specific crimes.

The *Yad Vashem* Holocaust Museum, which should have been the primary

17 Both had been legendary participants in the Warsaw Ghetto uprising. It should be noted in this context that the ghetto fighters played a dominant role in Israel in the 1950s in shaping the form that the memory of the Holocaust was to take for Israelis and enjoyed a very high social status.

18 Letter from Zvi Shner and Yitzhak Zuckerman to Pinchas Rosen (May 26, 1960) (on file with ISA, Bureau 06, File No. P.A./0105, 3055/A) (Hebrew) (author's translation).

19 Minutes from a meeting between Ephraim Hofstaedter and representatives of the Organization of Nazi Prisoners, held on June 23, 1960, on file with ISA, Bureau 06, File No. 3062/A, 14/36 (Hebrew).

source of material, was of little assistance to the Bureau 06 investigating team. As Hofstaedter described it,

Yad Vashem suggested various archives to explore and people who might be worth talking to ... When *Yad Vashem* was asked where the documents were, where the sources were, no clear answers were forthcoming. It turned out that there was a lot of microfilm that *Yad Vashem* had promised to view. There were films that had never even been viewed. The police wanted to know where it could find the evidence. *Yad Vashem* had no idea of the location of the Nuremberg court archives — perhaps in The Hague or perhaps somewhere else ... *Yad Vashem* did mention something about the Mark IV-B-IV (the Gestapo's Jewish Department), but was unable to supply any further explanation.²⁰

Moreover, in a letter from June 9, 1960, to Ya'akov Robinson, a senior advisor to the prosecution, Shabtai Rosen, the legal advisor at the Foreign Ministry, noted that "it appears that the documents at *Yad Vashem* have not been systematically catalogued, which makes for a lot of work There are problems relating to the location of the original documents."²¹

Because Eichmann's crimes had been committed in Europe, evidence had to be collected from outside of Israel. This task was undertaken by Zellinger, as Bureau 06's commanding officer. Two main problems arose. The first was the concern voiced by several Eastern European countries regarding the broad narrative that would be told at the trial: the history of the Holocaust and the decimation of Europe's Jewish communities and not the specific story of Eichmann's crimes. Yugoslavia was one such country, fearing that a broad tale of the Holocaust would include the fact of Croatia's collaboration with the Nazis; the Yugoslavians sought to limit this aspect in the trial to a matter of personal collaboration. They supplied Bureau 06 with material that proved collaboration between the Germans and the Croatian Interior Minister during the Second World War, Artokovitch, against Croatia's Jewish population. After the War, Artokovitch immigrated to the United States, and Yugoslavia requested his extradition, but the request was denied. Thus, the Yugoslavians asked the Israelis to weave his name into the Eichmann trial. The reassuring response was, "We have found a way to add to the file most of the Yugoslavian documents that detail the activities of Artokovitch."²²

20 Hofstaedter's Memoirs, *supra* note 12.

21 Letter from Shabtai Rosen to Ya'akov Robinson (June 9, 1960) (on file with ISA, Foreign Ministry Archive Section, File No. 3351/1) (Hebrew) (author's translation).

22 Minutes from a meeting between Yugoslavian government representative Yunerman,

The second, more serious problem arose with Eastern European countries that were concerned about possible repercussions vis-à-vis their relations with the USSR if they were to cooperate with the Israeli police. This matter was particularly critical since most of the Jews murdered in the Holocaust had lived in Eastern Europe.

All in all, Bureau 06 approached seventeen European countries with requests for evidence, but received answers from only nine, even though diplomatic relations had been established with all seventeen countries, including the Eastern European countries, and the Israeli Foreign Ministry was involved in the contacts with the Eastern European countries. No visits were made by any member of the Bureau to any of the Eastern European countries. It is interesting to note that Bureau 06 did not ask for permission to visit either Germany or Austria.

Once the trial archives had been put together and the Bureau's different summary reports had been formulated, it was decided on February 15, 1961, to disband Bureau 06 and that the archival material would be transferred to the District Court in Jerusalem for use by the prosecution. All that remained of the Bureau was a clean-up unit, which engaged in recording additional testimonies, supplying the prosecution with the relevant documents from the archives as per its request, and filing new documents that continued to stream in from Israel and from abroad, from institutions and from individuals.

As noted above, Bureau 06 Head Avraham Zellinger was not an emotional man, but when the time came for him to sum up the Bureau's activities, even he was hard pressed to contain himself:

The decision to entrust this very difficult, complex, and historically important investigation to the police is indicative of the trust the Israeli Police Force had managed to acquire, as well as the faith in its ability, reliability, expertise, and maturity as a public authority. One of the greatest jurists with expertise in this issue [Robinson] said that no other police force in the world would have been capable of conducting this investigation, based on an assortment of difficult and complex historical research materials and of criminal legal principles, even more difficult and complex. This, indeed, is a unique and unparalleled investigation in the history of police investigations throughout the world. Moreover, the investigations were conducted under extraordinarily difficult conditions: the period during which the

Avraham Zellinger, and Ya'akov Baror, Deputy State Attorney and assistant prosecutor at the trial, held on Mar. 5, 1961, on file with ISA, Bureau 06, File No. R.A./02, 3056/A (Hebrew) (author's translation).

unprecedented crimes were committed against the Jewish People is so very close to us in time that it is difficult to achieve a historical standpoint and scientific objectivity, from both the human and research perspectives.²³

II. THE WITNESSES FOR THE PROSECUTION

The Holocaust survivor witnesses and their testimonies lay at the heart of the legal proceedings in the Eichmann trial. For an entire generation, the names K-Zetnik, Rivka Yosselevska, and Moshe Beisky became living symbols of the Holocaust.

A fascinating and multifaceted tale lies behind the process of collecting the testimonies for the Eichmann trial, including political struggles over who was or was not chosen to testify. Many wanted to testify out of a desire to play a part in shaping history and out of an awareness of the importance of appearing in this highly publicized trial. An ethical debate took place over whether oral testimony should be presented alongside documents as evidence. The difference in approach between the Bureau 06 investigators and Gideon Hausner and his prosecution team was never more apparent than in the context of this debate over the testimonies. In general, it can be said that Bureau 06 pieced together the criminal file upon which Hausner built the prosecution's historic case, primarily from the testimonies of the 110 witnesses interviewed by the investigators.

The prosecution chose its witnesses based on a variety of factors: a good story to tell; representative of Holocaust survivors; originating from a specific place; or good verbal ability. There were some who were selected as a result of personal, political, or public pressure, while the choice of others was purely coincidental.

The police had very basic reservations about presenting live testimonies at the trial. The prevailing concept at the time was that documents have greater probative weight than witness testimonies. This approach was the fruit of the experience gained at the Nuremberg Trials, where the prosecutors had preferred to present documents rather than call witnesses to testify. The police felt that whereas documents are prepared at a set point in time, regardless of what the future might hold, a living witness can forget; in the opinion of the police, this point, which had proven to be valid at the

23 Zellinger, Summary Report, *supra* note 6.

Nuremberg Trials, carried even greater weight fifteen years after the War had ended.²⁴

In the end, however, theory had to bow to reality. It soon became apparent that there was a need to bring witnesses who had actually come face to face with Eichmann and could testify about his actions and frame of mind, either to give background testimony or to testify with regard to a specific incident or, at times, simply to complete the accounts presented by other witnesses. It soon became clear that it would be possible to find witnesses who had come into contact with Eichmann and who could testify as to his activities during the War with regard to two periods only: the period leading up to the outbreak of the War and the period in 1944 that Eichmann spent in Hungary.

Surprisingly, various sources show that several Jewish potential witnesses who met with the Bureau 06 investigators with regard to Eichmann's activities before the War refused to testify. This was because their testimony would have helped Eichmann. According to them, at the time that they had met Eichmann, his behavior had been quite in order and decent.²⁵ Furthermore, witnesses whose own behavior during the War might have been called into question during the trial were not called to testify at the trial, such as Dr. Marmülstein, the last head of the *Judenrat* in Theresienstadt; nor did the prosecution call Nazi witnesses, such as Kurt Becher, who had been Kastner's negotiating partner in Budapest with regard to the deportation of the Hungarian Jews.

The *Landsmannschaft* organizations were active in supplying the prosecution with witnesses. The acceptance of presenting testimonies by survivors of the ghettos and camps in Eastern Europe took an important turn following a meeting between Bureau 06 Deputy Head Hofstaedter and Rachel Aurbach, Head of the Testimony Department at *Yad Vashem* and director of its Tel Aviv branch, as well as a former historian and Holocaust survivor. At that time, the *Yad Vashem* collection of testimonies included 1700 names. Rachel Aurbach suggested taking ten to fifteen witnesses who would cover the five stages of the annihilation: the *Aktionen* and deportations; sending people to the death marches; mass killings by firearms; death camps;

24 Report of the Activities of the Clean-up Unit, on file with ISA, Bureau 06, File No. GN/1234/44 (Hebrew).

25 Thus, for example, one especially important witness who could have described the Theresien Ghetto, Dr. Lesson (formerly Levinstein), was not called to testify, despite the many meetings the police held with him. He claimed that the only testimony he could give would be in Eichmann's favor. *Id.*

and execution squads. She proposed allocating two to three witnesses to testify about each type of action.²⁶

In November 1960, a meeting was held between Ya'akov Robinson, the Chairman of *Yad Vashem* Aryeh Kubovy, Rachel Aurbach, and Hofstaedter to discuss the Holocaust survivor witnesses at the trial.²⁷ At this meeting, the different views of the various involved parties with regard to using live testimony at the trial came to the fore. Kubovy took the opportunity to propose that people who were famous for heroic acts of courage during the Holocaust be called to testify; he suggested Chaïke Grossman and Yitzhak Zuckerman, both of whom had been resistance fighters in the legendary ghetto uprisings. Zuckerman as a leader of the Warsaw Ghetto uprising and Grossman as a heroic "go-between" running messages from ghetto to ghetto. Representing the *Yad Vashem* establishment, Kubovy spoke of bringing witnesses who were representative of the entire geographic range of Nazi activity, on the one hand, while, at the same time, paying respect to survivors with close ties to *Yad Vashem*, both personally and by virtue of their deeds during the War, by giving them a forum for telling their stories.

Hofstaedter, for his part, true to the somewhat dry approach characteristic of Bureau 06, insisted on strict parameters devoid of any external "immaterial" considerations in choosing witnesses and maintained that the scope of the trial, in terms of the geographical range and the time period it would cover, be limited as much as possible. Ya'akov Robinson took a rather interesting approach. His had always been the guiding hand in preparing the prosecution's case; he believed that the purpose of the testimony was to substantiate concepts that had undergone a process of trivialization and fossilization. According to Robinson,

[g]hettoization is a hackneyed term and does not express the suffering actually entailed in it. Any testimony must be able to describe the

26 Report of a meeting between Rachel Aurbach and Ephraim Hofstaedter, held on Oct. 21, 1960, on file with ISA, Bureau 06, File No. 3062/A, 14/36 (Hebrew). This division into stages as formulated by Aurbach does not represent a chronological process. Moreover, it should be clarified that these were not stages in the annihilation, but different aspects to the overall Nazi scheme. The mass killings by firearms were carried out by the death squads, although they also used other means — less humane — of killing, such as gas vehicles. Similarly, despite the fact that the death marches were a phenomenon of the end of the War, Aurbach noted them at the beginning of her remarks.

27 Minutes from a meeting at *Yad Vashem* Holocaust Museum, held on Nov. 23, 1960, on file with ISA, Bureau 06, File No. R.A./02, 3056/A (Hebrew) (regarding Holocaust survivor witnesses at the trial).

suffering of a family being forcibly transferred in the space of an hour or two to a new home ... it is not sufficient to refer merely to "transports." Descriptions must be supplied of the suffering of people packed for days on end in horribly crowded conditions in closed cattle trucks. There must be descriptions of the hopelessness, the living conditions in the camps, the hunger and, in later stages, the desire for the end to come. To create the picture of the horrors of separating families and especially the way in which children were torn away from the arms of their mothers. To stress the fact that people were murdered right in front of their relatives or parents. In general, it should be borne in mind that the objective behind live testimony is to introduce tension into the trial and to raise the trial above the shadow of the mundane.²⁸

Bureau 06 held on to some of the 1700 testimonies in the files held by *Yad Vashem*, with the interviewers' remarks scribbled on the back of the testimonies. Written on the back of M.S.'s testimony, for example, was "dry testimony, the witness should not be spoken to."²⁹ D.V.'s testimony about Auschwitz contained "doubtful details." T.G. from Treblinka was dismissed for his "uninteresting storytelling" abilities. M.R. from Budapest gave testimony that included "unimportant and unreliable details."³⁰ The police, as always, were subject-matter oriented and related to the testimonies only in terms of their legal weight and value.

In the end, Gideon Hausner received on January 3, 1961, a list of witnesses recommended by Bureau 06 based on the content of each person's testimony and the impression made on the investigators from the delivery of the testimony. This list comprised fifty potential witnesses, but several were indicated as alternates since their testimonies overlapped those of others. The list included no Western European Jews.³¹ The number of people who

28 *Id.* (author's translation).

29 Full names of all the witnesses on file with author.

30 On file with ISA, Bureau 06, File No. 3062/A, 14/38 (Hebrew) (author's translation).

31 There are several possible explanations for this. The most probable one is the fact that during the first years following World War II, the Holocaust was perceived in Israel mainly as a chapter in the history of Eastern European Jewry. This was due primarily to the fact that most Holocaust survivors who immigrated to Israel came from Eastern European countries. Accordingly, most testimonies told the story of the Jews from those areas. Moreover, *Yad Vashem's* staff consisted mostly of Eastern European survivors who naturally focused on the history of their countries of origin. Finally, it must be remembered that the devastation of the Polish Jewish community was so large, both numerically and epistemologically, that for quite some time, it overshadowed the similar fates of the other Jewish communities in Europe.

eventually did take the witness stand was more than double the number of witnesses who appeared on the Bureau's list. In the months prior to and during the trial, more than sixty additional people were located to testify, including survivors from Western Europe.

There were some extremely controversial issues that arose in the context of choosing witnesses: the choice of Professor Salo Baron of Columbia University as an expert witness to tell the story of European Jewry on the eve of its destruction rather than an Israeli expert and the decision to bring as witness the German priest Grüber, a "Righteous Gentile" (and one of the strongest advocates of strengthening Israeli-German ties), as representative of the nobility of mankind. The ghetto resistance fighters were represented by Yitzhak Zuckerman and Zivia Lubetkin-Zuckerman, despite police reservations. These examples of witness choices illustrate clearly the involvement in the trial of the political establishment and how different the considerations that guided the prosecution were from those of the police in constructing the case for the trial.³²

III. THE PROSECUTOR

Gideon Hausner was forty-five years old when as Israel's Attorney General, he rose to face Adolph Eichmann. From the very beginning, his name was indelibly linked with the trial; he became a "public emissary,"³³ as Abba Kovner called him in a letter he wrote to Hausner. How such a strong connection between the prosecutor and the trial was ever allowed to emerge in the public's mind remains a great mystery to this day, given the lack of faith Ben-Gurion and his subordinates had in Hausner's ability to contend with the magnitude of his mission. "The fact that Hausner is the prosecuting attorney in the Eichmann case causes [me] great anxiety," wrote Ben-Gurion in his diary.³⁴ However, the Israeli public apparently did not share Ben-Gurion's concerns, and Hausner quickly became the object of mass adoration. Hausner's status was the product of both his own self-perception as the primary player in the

32 For further details, see the chapter *The Line of Witnesses* in Yablonka, *supra* note 1.

33 This is a concept in Judaism with religious connotations, known as *shaliah tzibur* in Hebrew.

34 Ben-Gurion Diaries, Entry from July 5, 1960 (on file with BGA) (Hebrew) (author's translation).

trial and his presentation in the media, especially in the printed press and the radio.³⁵

Like the Bureau 06 investigating team, Hausner was anxious to obtain moral approval from the Zuckermans on *Kibbutz Lochamei Hagetaot*. Hausner approached the couple on March 17, 1961, shortly before the trial began. Hausner described the details of their meeting:

At times, I would be riddled with self-doubt as to my ability to convey to the court events that were so far removed from my own personal experience A while before the trial, I decided to visit *Kibbutz Lochamei Hagetaot*. I talked with the late Zivia Lubetkin and her husband, Yitzhak Zuckerman, amongst the leaders of the celebrated Warsaw Ghetto uprising. For hours I listened to this amazing couple, who represented, through their personalities, both the destruction and the resurrection. I told them of several issues that I planned to raise at the trial. "What shall you say about the Jewish Councils, the *Judenräte*?" asked Yitzhak, of athletic build and with the look of a kindly uncle, a short mustache adorning his upper lip, and his back permanently injured from the tortures suffered in those times. He still lives that internal and fateful struggle. "This is going to be the trial of the murderer, not of his victims," I said. "But you will not be able to avoid dealing with it," Zivia pointed out, in her direct manner. Her eyes were sad, with a blend of the hardness of steel and the softness of silk. "I shall not avoid it, I shall tell the whole and simple truth," I said. Yitzhak laughed, smiled and said, "That is fine, the whole truth must be told." "Wasn't the decision about the date for the uprising one of the hardest decisions of all?" I asked. "Yes," they replied. "We knew that as soon as we embarked on mass, open action, the end would come for every person in the Ghetto." We continued to talk about different details. I wanted to check my conclusions from the material I had read. At two o'clock in the morning we were exhausted. Silence fell over the couple's small *kibbutz* room. *Suddenly Zivia said, "You talk as though you were there with us." It was then that I knew that I had passed the test and that I was able to handle my witnesses, Holocaust survivors.*³⁶

35 It must be remembered that there were no television broadcasts in Israel in the 1960s.

36 2 Gideon Hausner, *Jerusalem Trial 297-98* (1980) (Hebrew) (emphasis added) (author's translation).

Hausner also took the opportunity to visit the museum at *Beit Lochamei Hagetaot*. Deeply affected by what Zivia Lubetkin had said, he wrote in the Visitor Book:

On the eve of the trial of the despot, I have passed through the museum and absorbed its atmosphere so that I can serve as the mouthpiece for the martyrs of the Jewish Nation and its great calamity at the trial of the person who is to be brought to justice for what I have seen here. Gideon Hausner.³⁷

This short passage contains all the elements of Hausner's concept of his role in the trial. In his eyes, this was the trial of the Holocaust, and he was the anointed spokesman for its victims, at first self-appointed and then appointed by the public.

The expression "to be the mouthpiece" originates from the Book of Exodus³⁸ in the context of the Israelites' exodus from Egypt. "He will be as thy mouth and thou shall be as God to him," God said of Aaron and Moses. The famous Bible commentator Kassuto interpreted this passage as meaning that Aaron would speak in Moses' place and Moses would be to Aaron as God is to the prophets, placing his words in their mouths; and thus the phrase came to be commonly understood. And indeed, Hausner regarded himself as the mouthpiece of the victims of the destruction. He was so convinced of the historic nature of his role that consciously or unconsciously, he appropriated the trial for himself. Ample documentation substantiates this "appropriation." For example, in a report to the Chief of Police, Chief Inspector David Trufuss, head of the Eichmann trial administration, wrote, "... Mr. Hausner has told me on three separate occasions that if I do not meet his demands he will call it quits and that 'without him there is no Eichmann trial.'"³⁹

This mood of tension between Hausner and his perception of his role in the trial and the other parties involved in the trial was the backdrop to the dramatic and unforgettable phrases in the prosecutor's opening speech at the trial, which quickly became entrenched as canon in Israeli society. Hausner's opening speech began as follows:

When I stand before you, Judges of Israel, to lead the prosecution of Adolph Eichmann, I am not standing alone. With me are six million

37 *Beit Lochamei Hagetaot* Visitor Book, Entry from Mar. 17, 1961 (on file with *Beit Lochamei Hagetaot* Archives) (Hebrew) (author's translation).

38 *Exodus* 4:13.

39 Chief Inspector David Trufuss, Report from Apr. 5, 1961, on file with ISA, Bureau 06, File No. 3062/A, 1/38 (Hebrew) (author's translation).

accusers. But they cannot rise to their feet and point an accusing finger at that glass booth and cry out: I accuse. For their ashes are piled up on the hills of Auschwitz and the fields of Treblinka, strewn through the forests of Poland. Their graves are scattered across the length and breadth of Europe. Their blood cries out, but their voices cannot be heard. *I, therefore shall be their mouthpiece, and in their name, I shall unfold the awful bill of indictment.*⁴⁰

Hausner had refined the central concept of his opening speech several weeks prior to the trial. It was this speech that forged in the mind of an entire generation the unequivocal identification of Hausner with the trial and, afterwards, Hausner's inextricable connection with both the shaping of the remembrance of the Holocaust as well as with the Holocaust survivors. This perception was in no small part due to the local media, print and radio, as well as to the international television services, all of which devoted extensive coverage to Hausner's opening speech.

IV. SIX MILLION VICTIMS

The number six million was given almost mystical significance in shaping Israeli public awareness of the Holocaust. The question of proving how many Jews had actually perished at the hands of the Nazis was one of the most troublesome matters arising from the trial. The antithetical nature of the approaches of Bureau 06 Head Zellinger and Gideon Hausner in all that was related to the trial — the former with his strict and meticulous approach to his task and the latter with his concept of patriotic mission — was most obvious in their stances on this matter. In his memoirs, written soon after Eichmann's execution, Zellinger's deputy, Hofstaedter, confirmed that the matter of the burden of proving the number of Jews murdered in the Holocaust — the six million — became Zellinger's personal nightmare, since as Hofstaedter put it, "How can you accuse without proving?"⁴¹ Two well-known scientists who were approached by Bureau 06 to assist in this matter were also of no help in solving the problem of proving the actual numbers. As Eliezer Livne, a prominent politician at the time, wrote in a letter, the first scientist consulted, Nachman Blumenthal from *Yad Vashem*,

40 Propaganda Ctr. Prime Minister's Office, Attorney General versus Eichmann, Opening Speech 7 (1961) (Hebrew) (emphasis added) (author's translation) [hereinafter Opening Speech].

41 Hofstaedter's Memoirs, *supra* note 12.

gave the impression that he had no independent, extensive, or authoritative foundation to his claims of six million having been murdered, nor did he have the scientific detachment that appeared to be necessary to base the prosecution's case on his claims, since he himself was a survivor.⁴² The second scientist consulted was the well-known Jewish statistician, Jacob Lishansky. He gave the police investigators his book, but it was not sufficient for proving in the trial how many Jews had actually perished in the Holocaust. Moreover, the data presented by a number of different sources were far too inconsistent to be of any use.⁴³

Zellinger suggested meeting with historians from the Hebrew University to discuss this matter. However, this meeting turned out to be fruitless as well. Hausner proposed a solution in a secret internal Foreign Ministry briefing, held close to the beginning of the trial:

One of the disputes we anticipate in this trial will be the number of [Jewish] victims in the Holocaust. The number six million has become sacred in the nation's consciousness. This is not so easy to prove. The bill of indictment also refers to millions of Jews. We have not adopted this in any official document. But it has become sacred. And therefore, I suggest that in the event that the question arises at the trial, we try to find the appropriate way of explaining that it does not really matter how many Jews the Germans killed directly and how many died in bombings and how many died not as a direct result of the annihilation decision, but that millions did die. And if the general prosecution can prove many millions, whether four, six, or seven, it makes no difference. The fact remains that if not for Hitler, the Jewish Nation today would number between 19 to 21 million people, and we have only 11 million. So if he annihilated directly or indirectly or by way of biological loss, it makes no difference whether the number is four, five, or six.⁴⁴

42 Letter from Eliezer Livne to Gabriel Bach, Deputy State Attorney and Legal Advisor to Bureau 06, *Numbers on the Destruction of the Jews* (Feb. 19, 1961) (on file with ISA, Bureau 06, File No. 3146/A, 3/300/12) (Hebrew).

43 For example, Gerald Reitlinger, in his book *The Final Solution: The Attempt to Exterminate the Jews of Europe, 1939-1945* (1968), noted a minimum of 4,194,400 victims and a maximum of 4,581,200; the Anglo-American Investigation Committee on the Future of Palestine noted in its conclusions the figure 5,721,500; the statistician Lishansky presented the figure of 6,092,000 to the Bureau investigators; and Nachman Blumenthal stated the figure of 6,500,000.

44 Minutes from internal Foreign Ministry briefing (not released for publication; no exact

The significance of this statement is clear: the fact of the Holocaust is the only message and must not be confused. This message would be expressed many times during the course of the trial.

V. A FEW POLITICAL ASPECTS OF THE TRIAL

In direct contradiction to the principle of separation of powers, the political sphere greatly intervened in various aspects of the trial and its preparation by putting pressure on the prosecutor and, through him, on the prosecution's case. In his book *Justice in Jerusalem*, Hausner categorically denied the existence of any such pressure: "I was aware of the fact," he wrote,

that the Israeli public was unable to sustain such a long period of anticipation. The emotional weight and the tension were too heavy to be borne. It was necessary to release them by starting the trial and I was asked by all parties to speed up the trial's preparation and to make it as brief as possible. *This, incidentally, was the only real intervention on the part of the government in the trial and how it was conducted.*⁴⁵

However, contrary to this statement, there is an abundance of documented accounts of various forms of active intervention in the conduct of the trial by the different levels of the political sphere, from Ben-Gurion to the Foreign Ministry, as well as by non-political entities, such as the people at *Yad Vashem*. Instructions were issued and pressure applied both during the preparation of the bill of indictment as well as throughout all the stages of the trial.

The major sources of this pressure were Justice Minister Pinchas Rosen and Foreign Minister Golda Meir. This pressure was motivated, for the most part, by personal and political interests rather than ideology. Hence, for example, Hausner was instructed by Golda Meir to emphasize the Nazi policies and ideology, since the Foreign Minister believed that "this matter has important ramifications with regard to African states."⁴⁶ The objective

date available), on file with ISA, Foreign Ministry Archive Section, File No. 3352/91/3 (Hebrew) (author's translation).

45 Hausner, *supra* note 36, at 294.

46 Minutes from a meeting between Gideon Hausner and Avraham Zellinger (recorded by Zellinger), held on Nov. 22, 1960, on file with ISA, Bureau 06, 3062/A, 1/38 (Hebrew) (author's translation). In parentheses, Zellinger noted, "I am not comfortable with this." It should be noted that Hausner followed the Foreign Minister's instructions.

was to highlight the parallel experiences of Jews and Africans as victims of racial discrimination and bias. Other instructions given by Golda Meir were to minimize, as much as possible, descriptions of what had preceded the Holocaust; not to emphasize the part played by the Allied Forces; to be "generous with praise for Good Gentiles and Friendly Nations"; and to criticize and implicate neo-Nazism, with stress on the fact that neo-Nazis had found refuge in Arab countries. The Foreign Minister was particularly eager to emphasize the activities during the War of the Mufti of Jerusalem, who had been a strong Nazi sympathizer. Zellinger explained in a letter to the Police Commissioner that the Minister believed "that it was politically important to include the ties of the Nazis with the Arab states in the prosecution's case."⁴⁷

At the stage of preparing for the trial, Ben-Gurion intervened to place all of his weight behind broadening the scope of the trial.⁴⁸ Moreover, Ben-Gurion proposed certain changes in the formulation of the opening speech, which Hausner had given him to review, in complete deviation from accepted legal practice.⁴⁹ Ben-Gurion read only as far as the fifth section of the speech, which dealt with the massacre of Poland's Jews, since as he wrote, "[i]t seems to me that the next sections are of *no particular political significance*."⁵⁰ Several of Ben-Gurion's remarks are of interest:

On the first page, I feel that Adolph Hitler should come before Adolph Eichmann.

Each time mention is made of what Germany did to us, I think "*Nazi Germany*" should be said [as opposed to "Another Germany," with which Ben-Gurion was trying to establish full diplomatic relations].

I am doubtful as to whether it is desirable or right to speak of the inevitability of Nazism and its atrocities ... because I am not certain of the historical correctness of this principle ... this theory can be interpreted as a pseudo-scientific justification of the Nazi regime.⁵¹

47 Letter from Avraham Zellinger to the Police Commissioner (Nov. 25, 1960) (on file with ISA, Bureau 06, P.A./05, 3056/A) (Hebrew) (author's translation).

48 Initially, Ben-Gurion was in favor of a trial with a narrow scope. As noted, he changed his mind later on.

49 Draft of Gideon Hausner's Opening Speech, sent to Ben-Gurion on Mar. 24, 1961 (on file with BGA, "Correspondence") (Hebrew).

50 Letter from David Ben-Gurion to Gideon Hausner (Mar. 28, 1961) (on file with BGA, "Correspondence") (Hebrew) (emphasis added) (author's translation) [hereinafter Letter from Ben-Gurion].

51 *Id.*

These recommendations from Ben-Gurion were accepted by Hausner. Indeed, the phrase "Nazi Germany" was a dominant theme in the introductory section of the prosecutor's opening speech.⁵² Thus, Ben-Gurion's concept of distinguishing between Nazi Germany and "Another Germany" under Konrad Adenauer was incorporated to a large extent into the opening speech.

Hausner also adopted Ben-Gurion's suggestion to mention Hitler before Eichmann in his opening statement. Presentation of the rise of Nazism as having been a gradual and complex process and having resulted from, among other factors, "the submission of European statesmen to threats and howling"⁵³ was in keeping with Ben-Gurion's rejection of the concept of historic determinism. This approach also was manifested in the description given in the opening speech of the evolution of the rationale underlying the Final Solution: "Once the Germans realized that it was possible, that the world stands silent, that the circumstances permit, they progressed to comprehensive annihilation."⁵⁴

During the course of the trial, Ben-Gurion intervened again, on several occasions, to prevent any mention of the wartime Nazi activities of Globke, then German Chancellor Adenauer's secretary and right-hand man,⁵⁵ and of the circumstances of the annihilation of Hungary's Jews, a sensitive and controversial matter in Israel.⁵⁶

All of Ben-Gurion's suggestions were implemented thoroughly and resolutely at the trial.

52 Opening Speech, *supra* note 40.

53 *Id.*

54 *Id.*; see also Letter from Ben-Gurion, *supra* note 50.

55 A couple of weeks after the trial ended, Shimon Peres brought a letter from German Chancellor Konrad Adenauer to Ben-Gurion, in which Adenauer declared that he would never forget what Ben-Gurion had done for him concerning the Eichmann trial. Ben-Gurion Diaries, Entry from June 11, 1962 (on file with BGA).

56 The annihilation of more than 500,000 Hungarian Jews towards the end of the War was at the center of one of Israel's most controversial trials — the *Gruenwald-Kastner* matter (Cr.C. (Jm.) 124/53, Attorney General v. Gruenwald, 1965(44) P.M. 3). One of the issues raised at that trial was the failure of the Jewish leadership in Palestine to respond to the Nazi offer of "merchandise in exchange for people." Thus, an opportunity to save thousands of Jews was allegedly lost. For more details, see Yechiam Weitz, *Haish shemet paamaim, parashat chayav umoto shel Israel Kastner* [The Man Who Died Twice — The Story of the Life and Death of Israel Kastner] (1996) (Hebrew).

CONCLUSION

The Eichmann trial was, and still is, fundamentally identified with its prosecutor, then Attorney General Gideon Hausner. However, it was the members of Bureau 06 and their commander, Zellinger, who shaped the preparation of the bill of indictment. The investigation team pieced together the historic narrative told at the trial, while the personal style and approach of Zellinger influenced the direction and nature of the investigation and the reports given to the prosecution for its case. Indeed, it was the fruits of the Bureau's investigation and the criminal file it prepared that provided the basis for the broad structure and scope that the trial was to take.

From all the documents gathered over the course of the police investigation in preparation for the trial, it is clear that the Bureau 06 investigators took a dry, stringent approach to the prosecution of Eichmann and their role in it, relating only to the legal aspects of the case in their work. This was in stark contrast to the prosecutor's tendency to heed political rather than strictly legal considerations in constructing his case and his more dramatic approach to the trial and his role in it: to Hausner, a most important element in building the case against Eichmann was creating a stellar performance.

There is no doubt that the trial was not a one-man show as the public tended to perceive it: behind the scenes were numerous people working and preparing for the trial and influencing the prosecution's case. Moreover, the shape the trial took was, to a large extent, the result of pressure that derived from the interaction between different groups of people with different agendas and different conceptions of the purpose of the trial: most particularly, the police, the various strata of the political sphere, and the prosecution. In addition, one should not underestimate the influence of the various Holocaust survivor organizations both in relation to the matter of broadening the scope of the trial, as well in terms of their contribution in bringing survivors to give the testimony that so shocked the world and became the heart and soul of the trial.

Neither Gideon Hausner nor the Holocaust survivors regarded the prosecution of Eichmann as the final goal in and of itself. This was a process, still in motion today, by which the Holocaust became a central component in the formation of Israeli national identity. One of the outgrowths of this process was that in the aftermath of the trial, many young Israelis were instilled with a strong sense that the Jews are surrounded by a hostile world. Moreover, the trial started a process of decline in the importance of statehood and sovereignty as the central elements of Israeli national identity, clearing the path for the Holocaust as their replacement.

Finally, the rhetoric voiced throughout the trial told in the greatest of details of the horrendous catastrophe that was perpetrated on the Jewish People all across Europe, when the whole world stood silent and no one rose up against the terrible slaughter of a nation.⁵⁷ The overwhelming destruction and ruin of the helpless Jewish People sowed amongst many Israelis a complete distrust of the world and its motives. As a result of the trial's rhetoric, all national conflicts were, and still are, to a great extent interpreted in relation to the Holocaust as the greatest of all Jewish catastrophes. Indeed, with the Holocaust as the background context, all conflicts are perceived as profoundly existential, a fact that sets up a perhaps insurmountable obstacle to their resolution.

The effect the Eichmann trial had on Israeli national identity and self-perception is, in itself, a subject for a separate article. However, for our purposes, suffice it to say that it clarifies the intense and huge dimensions of the Eichmann trial as a formative event in the short history of the State of Israel. The echoes of its impact on how Israelis as individuals and as a public perceive themselves reverberate even today in the most profound and existential of ways.

57 Opening Speech, *supra* note 40.