

# EICHMANN IN JERUSALEM:

## A REPORT ON THE BANALITY OF EVIL

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On May 11, 1960, at 6:30 in the evening, Adolf Eichmann stepped off the same bus that brought him home each day from work. Three men immediately seized him and in less than a minute bundled him into a waiting car that sped off to a remote suburb of Buenos Aires. The Israeli agents acted on information supplied most likely by Russian intelligence. They were professionals who did not have to restrain the former director of the Head Office for Reich Security. He was unharmed and identified himself matter of factly as Adolf Eichmann. For eight days, as the agents awaited air transport to Jerusalem, Eichmann was tied to a bed and freely expressed his “willingness to travel to Israel to face a court of judgment, an authorized court of law.” He arrived in Jerusalem on May 22 and the trial began on April 11, 1961, ending in August with a conviction on all 15 charges in the indictment. These included “causing the killing of millions

of Jews,” and “crimes against humanity.” Eichmann argued that he had no intention “to destroy the Jewish people,” had never killed anyone personally, and was acting in accordance with the legitimate laws established by the sovereign German government. Billed as a “show trial” by many, it attracted a huge international audience and acted on many levels to further the political identity and legitimacy of the young state of Israel. Hannah Arendt, the brilliant philosopher, academic, journalist, and foremost authority on the foundations of totalitarian governments, covered the trial and provided a complex analysis of law, justice, and “the banality of evil” in her report on *Eichmann in Jerusalem*.

Please read chapters 1, 2, 6 (pp. 105-111), 7, and the Epilogue (pp. 276-279) and answer the following questions with *full parenthetical citation* within the body of your text. **Everyone must answer questions 5, 6, 8, and 9; then select two other questions to answer.** This paper should be *double-spaced and run about 6-8 pages*.

- 1) Adolf Eichmann's trial was ostensibly designed to serve justice. But what other considerations was the trial designed to serve? What were the main issues in the trial?
- 2) What were the hypocrisies revealed during the trial regarding rabbinical authority and secular jurisdiction? What does this tell you about the needs of the Israeli state? Was this a "show trial?" What did the Israeli government want the world to know? Why was the trial necessary? Or was it truly a superfluous event?
- 3) Was Adolf Eichmann on trial? Or was the intent of the trial to characterize anti-Semitism throughout history? How do you explain the defense argument that the Holocaust was a part of the larger forces of history and not attributable to human leadership? In fact, some have argued that the Holocaust worked to the benefit of the Jews. What is the logic here?
- 4) What was Eichmann's primary defense on the charge of murder? What was his perspective and what does this say about the rule of law? What role did his conscience play in the perception of his guilt or innocence? Was he psychologically "normal?" Was he a "Jew hater?" or "a man of positive ideas?" What was behind this "comedy of the soul?"

- 5) Many saw this trial as a commentary on individual conscience. How specifically did Heinrich Himmler and other members of the Nazi hierarchy "solve the problem of conscience?" How did Eichmann and others manage and justify actions through "language rules" and by redefining image, especially regarding the use of gas in the implementation of the Final Solution?



- 6) What was the purpose of the Wannsee Conference of 1942 and what was Eichmann's role? Though Reinhardt Heydrich "expected the greatest difficulties" in convincing all of the bureaucratic sections to participate (the Foreign Office, Interior, Civil Service, etc.), the Final Solution was greeted with extraordinary enthusiasm. Most of these elite Nazis were

“vying and competing with each other for the honor of taking the lead in these ‘bloody’ matters.” How do you interpret Eichmann’s reaction? How did he “sooth his own conscience?” What does it tell you about the process of the Holocaust?

7) Hannah Arendt argues that the role of the Jewish Councils was “undoubtedly the darkest chapter of the whole dark story.” How did these council members participate as “instruments of murder” and why did they do it? How did they justify their actions? How did they make their decisions? And what does this say about Jewish resistance? How did the Israeli government try to use the issue of resistance to strengthen the existence of Israel? And why did that fail?

8) The purpose of a trial is to render justice, and yet Eichmann’s trial, like the Nuremburg Trials of 1945, sought to establish a record of the evils of the Nazi regime. Arendt noted that such multi-levelled intent “can only detract from the law’s main business: to weigh the charges brought against the accused, to render judgment, and to mete out due punishment.” This argument is based on recognition of the legitimacy of the legal code within the society where the crime was committed. In this case, read pages 276-279 and discuss Arendt’s logic, in the face of legal obstacles and restriction: why was the execution of Eichmann was an act of justice? Why should Eichmann have hanged?



9) Arendt argues that it “would have been comforting to believe that Eichmann was a monster,” but that he was “neither perverted nor sadistic,” yet “terribly and terrifyingly normal.” The subtitle of her book is “A Report on the Banality of Evil.” What did she mean?

***Food for Thought and Discussion:*** In your musings on justice, conscience, and law, consider a few controversial points that swirled around the trial:

- Was Eichmann’s kidnapping by Israeli agents in Buenos Aires legitimate without the cooperation and approval of the sovereign state of Argentina? Or was it an invasion and intrusion into the legal authority of one nation in order to satisfy the ethical integrity (some would call it revenge) of another (the state of Israel)? Or was Eichmann like a pirate roaming the high seas where he committed his crimes, and since the high seas are a legal kind of no man’s land, subject to an international penal code that does not really exist, could he be apprehended and remanded to the nearest port (Israel) for judgment as an expression of all nations which would never sanction such piracy? Hmmm....
- Why didn’t the Israeli agents just shoot Eichmann as he got off the bus? Why put him on trial in a court of dubious legitimacy? Would justice have been served? Would murder in the process of exterminating evil have been ethically justified? Was Eichmann evil?
- Eichmann was brought before a court in Israel that was composed of Israeli judges and tried on charges of “crimes against humanity,” as well as “crimes against the Jewish people.” Was Eichmann an “enemy of humanity?” What is the difficulty of arguing the latter in an Israeli court under the jurisdiction of Israeli law? People have questioned the legitimacy of the Nuremburg Tribunal that prosecuted war crimes of the Nazi leadership under the jurisdiction of the victors of World War II. What are the problems of trying such a case in an international court like The Hague? Slobodan Milosevic was remanded to the International Tribunal at The Hague to stand trial for “crimes against humanity” in the destruction of so many lives in the Serbian aggression in the Balkans during the 1990s. He died in prison before a verdict was rendered, but had he been judged guilty by this court, would his sentence have been a legitimate expression of humanity?

